EXECUTIVE ORDERS OF THE MAYOR

1968-69

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

EXECUTIVE ORDER NO. 58

January 10, 1968

AMENDMENT OF EXECUTIVE ORDER NO. 49,
DATED AUGUST 3, 1967, ADMINISTRATION OF BUDGET APPROPRIATIONS

WHEREAS, in the public interest it is necessary and desirable that the Department of Hospitals rapidly advance its urgent rehabilitation and maintenance programs at various hospitals, and

WHEREAS, in order to accomplish this purpose it is necessary that the Department of Hospitals be allowed a greater degree of flexibility in certain budgetary administrative matters than it now possesses,

NOW, THEREFORE, by virtue of the power vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. § 7 (m)(1) Approval of Contracts of Executive Order No. 49, dated August 3, 1967 is hereby amended to read as follows:

No contract or proposal for work to be performed chargeable to this budget for all agencies except the Department of Hospitals, the cost of which is estimated to be in excess of $5,000 but not more than $50,000 shall be advertised until such contract and specifications or proposal shall have been submitted to and approved by the Director of the Budget. No contract or proposal for work to be performed for the Department of Hospitals the cost of which is estimated to be in excess of $10,000 but not more than $50,000 shall be advertised until such contract and specifications or proposal shall have been submitted to and approved by the Director of the Budget.

Department or Agency	Contracts to be Authorized
a) Department of Buildings	6 (six)
b) Department of Correction	3 (Three)
c) Department of Finance	1 (one)
d) Department of Health	10 (Ten)
e) Department of Highways	11 (Eleven)
f) Department of Hospitals	20 (Twenty)

§ 2. All other provisions of Executive Order No. 49 are to remain in full force and effect.

§ 3. This order shall take effect immediately.

John V. Lindsay
Mayor

Department of Agency	Positions to be Eliminated
a) Department of Buildings	6 (six)
b) Department of Correction	3 (Three)
c) Department of Finance	1 (one)
d) Department of Health	10 (Ten)
e) Department of Highways	11 (Eleven)
f) Department of Hospitals	20 (Twenty)

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

EXECUTIVE ORDER NO. 59

January 15, 1968

AWARDING OF CONTRACTS UNDER PUBLIC EMERGENCY CONDITIONS AND IN SPECIAL CASES

WHEREAS, the letting of contracts for public work or the purchase of supplies, material or equipment under public emergency conditions which in the public interest require immediate action which cannot await competitive bidding has been a subject of serious concern to the Mayor and the Comptroller of the City of New York, and

WHEREAS, in order to protect the public's interest in these matters it is desirable and necessary to provide safeguards and adopt certain procedures in regard to the letting of contracts under public emergency conditions, and

WHEREAS, it is necessary and desirable to protect the public interest and to provide certain safeguards and adopt certain procedures in connection with the letting of additional work and the purchase of certain items of equipment without public letting,

NOW, THEREFORE, by the power vested in me as the Mayor of the City of New York, it is hereby ordered as follows:

SECTION 1. Contracts for Work Under Emergency Conditions.

Every future contract for work to be conducted under the emergency provisions of Article 5A, Section 103, Sub-section 3, General Municipal Laws shall be subject to the following requirements:

§ 2. Initial Action by Agency

(a) Declaration of Emergency.

The Administrator or Commissioner of any agency declaring an emergency shall issue a Declaration of Emergency prior to any action letting a contract for services

Department or Agency	Vehicles to be Purchased
a) Department of Buildings	6 (six)
b) Department of Correction	3 (Three)
c) Department of Finance	1 (one)
d) Department of Health	10 (Ten)
e) Department of Highways	11 (Eleven)
f) Department of Hospitals	20 (Twenty)

to remedy the emergency. The Declaration shall include a brief description of the nature of the problem, the reason why it must be dealt with as an emergency, and a statement that departmental forces are inadequate to handle the situation.

(b) Obtaining Competitive Bids.

In every instance, the agency declaring an emergency must make an effort to obtain at least three (3) competitive bids or proposals from qualified contractors to undertake the necessary work.

(c) Recording of Bids.

Where time permits, the bids or proposals shall be in writing. Where bids proposals are obtained by telephone because of time urgency, a memorandum of record shall be maintained.

(d) Nature of Bids.

Where it is not feasible to obtain bids or proposals on a total cost basis because the nature of the work to be done is indefinite, they may be obtained on a time and material basis, with a percentage allowance for overhead and a percentage for profit.

(e) Inability to Obtain Competitive Bids.

When it is not possible to obtain at least three (3) competitive bids, because of time urgency or other factors, the agency shall explain why in a memorandum of record.

(f) Notification of Mayor and Other Officials.

Copies of the Declaration of Emergency and a record of competitive bids or proposals obtained or an explanation as to why they could not be obtained shall be forwarded promptly to the Mayor, the Comptroller, the Corporation Counsel, the Director of the Budget and the Commissioner of Investigations.

§ 3. Action by Agency After Declaration of Emergency

After the agency has complied with the foregoing requirements, the following actions shall be taken:

Department of Agency	Contracts to be Authorized
a) Department of Buildings	6 (six)
b) Department of Correction	3 (Three)
c) Department of Finance	1 (one)
d) Department of Health	10 (Ten)
e) Department of Highways	11 (Eleven)
f) Department of Hospitals	20 (Twenty)

(a) The Agency shall advise the contractor who is the low bidder on the project to proceed to meet the emergency. This advice must be in written form, and must consist either of a Letter of Intent or formal contract.

(b) If the time urgency of the emergency is such as to preclude development of a formal contract, the Agency may use a Letter of Intent informing the contractor of: (1) the scope of the work to be done, (2) the cost and time limitations, and (3) the fact that the Letter of Intent is subject to later confirmation in the form of a formal contract. Copies of the Letter of Intent shall be sent forthwith to the Comptroller, the Director of the Budget and the Corporation Counsel.

(c) If a Letter of Intent is used as provided for herein above, the Agency shall proceed at once to develop a formal contract for the emergency services. The contract shall be submitted for review and approval to the Director of the Budget and the Corporation Counsel. After review and approval by these officials the contract shall be registered with the Comptroller.

§ 4. Special Provisions for Recurring Emergency Situations

Where emergency situations provided for herein occur on a regular basis, although the particular situation that arises cannot be foreseen, Agencies experiencing such recurrences, or anticipating that they will take place shall do the following:

(a) Prepare and submit to the Mayor a description of the type of recurring emergency that the Agency forsees, together with a plan for his approval for dealing with such situations. The plan shall include a statement of: (1) the way in which the Agency will insure that competitive bids can be obtained prior to the actual emergency, and (2) the steps the Agency is taking to limit the number of such emergency situations.

(b) In the plan for dealing with recurring emergencies, the Agency shall provide that notice of each emergency situation is submitted to the Mayor and the other officials as provided for in § 2 (f) hereinabove.

§ 5. Agency Procedures For Emergency Expenditures

Each agency head shall submit to the Mayor no later than February 14, 1968 a statement of its internal procedures for dealing with emergency expenditures. Where an Agency does not

Department or Agency	Vehicles to be Delivered
a) Department of Buildings	6 (six)
b) Department of Correction	3 (Three)
c) Department of Finance	1 (one)
d) Department of Health	10 (Ten)
e) Department of Highways	11 (Eleven)
f) Department of Hospitals	20 (Twenty)

contemplate engaging in any projects requiring emergency expenditures, it shall submit a statement to this effect in lieu of the statement on internal procedures.

§ 6. Contracts for Purchase Without Public Letting

Purchases of equipment without public letting are subject to approval by the Board of Estimate, and shall be done only under the following conditions:

(a) The Agency involved certifies in writing that the equipment requested is manufactured only by one company; or is unique in that it has a high degree of efficiency or that employees can operate on only the type of equipment involved; or that it is for patented articles; or is to inter-member with existing equipment or is unique for other reasons and has been ordered by professional personnel.

(b) The Director of the Budget submits a written statement to the Board of Estimate supporting the request.

§ 7. Contract Changes

The following requirements shall apply to authorization of any changes in a contract:

(a) A change required due to field conditions not previously anticipated (such as changes in foundation conditions or in conditions uncovered during rehabilitation) may be authorized by the Administrator or Commissioner of an Agency.

(b) Any Agency requiring such changes shall forward promptly to the Director of the Budget supporting information and justification for the change.

(c) No change that involves a change in the scope of a contract (such as the size or character of a structure) shall be authorized until after review and approval by the Director of the Budget.

(d) Change orders involving more than a 5% overrun in a contract will be submitted to the Board of Estimate with a report and recommendation by the Director of the Budget.

Department of Agency	Positions to be Reclassified
a) Department of Buildings	6 (six)
b) Department of Correction	3 (Three)
c) Department of Finance	1 (one)
d) Department of Health	10 (Ten)
e) Department of Highways	11 (Eleven)
f) Department of Hospitals	20 (Twenty)

(e) The Director of the Budget shall report to the Mayor within 60 days after the date hereof recommending such additional steps or procedures as may be necessary to insure that change orders are not used to avoid public letting.

§ 8. This order shall take effect immediately.

John V. Lindsay
Mayor

Department of Agency	Vehicles to be Decentralized
a) Department of Buildings	6 (six)
b) Department of Correction	3 (Three)
c) Department of Finance	1 (one)
d) Department of Health	10 (Ten)
e) Department of Highways	11 (Eleven)
f) Department of Hospitals	20 (Twenty)

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

EXECUTIVE ORDER NO. 60

January 24, 1968

MANAGERIAL ASSIGNMENTS

WHEREAS, it is the purpose of good government to provide necessary and sufficient services efficiently and effectively, and

WHEREAS, efficient and effective governmental operations require competent managers and adequate executive authority; and

WHEREAS, managerial competence can be assured only if managerial assignments are based on merit and fitness; and

WHEREAS, executive authority to be effective must have administrative flexibility to assign managers to specific positions,

NOW, THEREFORE, by the virtue of the authority vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. For each of those classes of positions which are designated by the Mayor as managerial upon the recommendation of the Personnel Director, the Director of the Budget and the Director of Labor Relations and which are excluded from collective bargaining and grievance procedures, the Personnel Director and the Director of the Budget shall determine the tasks, if any, which are of a more difficult or responsible or complex nature as to warrant higher rates of pay; designate the positions within the class, if any, which contain a sufficient percentage of such tasks as to warrant a higher rate of pay; and the Personnel Director and the Director of the Budget shall recommend to the Mayor an appropriate compensation for each such position.

§ 2. All designations by agency or department heads to assignments in such managerial classes of positions in which there are different rates of pay for specific work, as provided for in Section 1,shall be made on the basis of merit and fitness; provided that such designations to higher or lower levels of managerial responsibility and consequent adjustment of salary shall not be deemed to constitute either a promotion or demotion.

Department or Agency	Positions to be Designated
a) Department of Buildings	6 (six)
b) Department of Correction	3 (Three)
c) Department of Finance	1 (one)
d) Department of Health	10 (Ten)
e) Department of Highways	11 (Eleven)
f) Department of Hospitals	20 (Twenty)

§ 3. Each agency or department head having such managerial classes of positions shall establish procedures to assure that the designations provided for in Section 2 shall be made on the basis of merit and fitness.

§ 4. In order to establish effective and uniform procedures for carrying out the purposes of this Order, and to help maintain high standards throughout the City agencies and departments in making assignments, the Personnel Director and the Director of the Budget shall:

a) provide guidance and technical assistance to agencies and departments in developing and establishing designation and revocation procedures.

b) periodically audit the operation of agency and department designation and revocation procedures and report on the effectiveness of same to the Mayor and the appropriate agency or department head.

c) from time to time, as they deem necessary, review the assignments of individuals designated pursuant to this Order to determine whether or not the duties specified as assigned are actually being performed and report their findings to the Mayor and the appropriate agency or department head.

§ 5. This order shall take effect immediately and shall apply to all assignments made subsequent to the date hereof.

John V. Lindsay
Mayor

Department or Agency	Positions to be Designated
a) Department of Buildings	6 (six)
b) Department of Correction	3 (Three)
c) Department of Finance	1 (one)
d) Department of Health	10 (Ten)
e) Department of Highways	11 (Eleven)
f) Department of Hospitals	20 (Twenty)

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

EXECUTIVE ORDER NO. 61

February 5, 1968

Passenger Vehicle Fleet Reduction

WHEREAS, pursuant to the directives contained in Executive Memoranda dated June 30 and August 5, 1966, the Vehicular Control Board has examined and reviewed the assignment to and usage by the various departments and agencies of passenger vehicles, and

WHEREAS, the intent of this administration to make economies and increase efficiency in vehicular utilization has been made clear by the issuance of Executive Order No. 35, dated December 21, 1966, which established standards for the assignment and utilization of passenger vehicles and directed a continuing study and evaluation of such assignment and utilization,

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, I hereby order as follows:

Section 1. Surrender of passenger vehicles by departments and agencies. The following departments or agencies shall relinquish the indicated number of passenger vehicles in accordance with the procedures hereinafter prescribed.

Department of Agency	Number of Passenger Vehicles to be Surrendered
a) Department of Buildings	6 (six)
b) Department of Correction	3 (Three)
c) Department of Finance	1 (one)
d) Department of Health	10 (Ten)
e) Department of Highways	11 (Eleven)
f) Department of Hospitals	20 (Twenty)

Department or Agency	Number of Passenger Vehicles to be Surrendered
g) New York City Youth Board	1 (one)
h) Department of Marine and Aviation	4 (Four)
i) Department of Parks	11 (Eleven)
j) Department of Public Works	13 (Thirteen)
k) Department of Purchase	1 (one)
l) Department of Sanitation	21 (Twenty-one)
m) Department of Traffic	25 (Twenty-Five)
n) Department of Water Supply, Gas & Electricity	48 (Forty-eight)
o) Department of Welfare	2 (Two)
TOTAL	177

§ 2. Department or Agency determination of passenger vehicles to be surrendered.

a) Each department or agency head shall designate the Vehicular Control Manager to select from the existing department or agency passenger car fleet the vehicles to be surrendered. In making such selection, the following factors shall be taken into consideration:

I. Age of Vehicle

II. Condition of Vehicle

III. Cost of present and future maintenance of vehicle.

b) A list of such vehicles shall be submitted to the Bureau of the Budget for review and approval by no later than three weeks after the effective date of this order.

c) This list should indicate for each vehicle the following information:

I. Agency or department vehicle number

II. Year, make and type of vehicle

III. Engine serial number

§ 3. Implementation of this Executive Order. Each agency, upon receiving approval from the Bureau of the Budget of time and place of surrender, shall surrender the vehicles to the Department of Purchase, Salvage Division, Pier 31, Foot of Pike Slip at South Street, Manhattan, for sale at public auction no later than 30 days from such date of surrender. The Department of Purchase shall check the vehicles relinquished against copies of the approved agency listings as furnished by the Bureau of the Budget. No vehicular substitutions will be allowed. The Department of Purchase will furnish a receipt to the agency surrendering the vehicle(s), and send a copy to the Bureau of the Budget.

§ 4. Other Municipal Agencies. A copy of this order shall be sent to the chief officer of each agency not within the Mayor's administrative jurisdiction with a request that they cooperate with the intent of this order and that they review the usage of their passenger vehicles so as to reduce their number of the minimum.

§ 5. Effective Date. This order shall become effective upon the date hereof.

John V. Lindsay
Mayor

EXECUTIVE ORDER NO. 62

February 5, 1968

ESTABLISHMENT OF THE URBAN DESIGN COUNCIL OF THE CITY OF NEW YORK

WHEREAS, it is the policy of this Administration to improve the standard of urban design in New York City and to enhance the character of its urban life, and to that end to foster a partnership between private enterprise, the City government and agencies, and the State and Federal Governments; and

WHEREAS, the report of my Task Force on Urban Design has stated that the establishment of an Urban Design Council will greatly facilitate this purpose,

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. Establishment of the Urban Design Council.

There is hereby established in the Office of the Mayor "The Urban Design Council of the City of New York."

§ 2. Functions.

The functions of the Urban Design Council shall be:

a. to advise the Mayor with respect to matters of design, preservation and urban design planning within the boundaries of the City; these matters to include actions by the City of New York, other governments and authorities, and private investors and developers.

b. to serve as the City's monitor and evaluator for design excellence and environmental improvement.

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

c. to promote appreciation of improved design standards and of their overall importance to the City.

d. to identify opportunities for the City to achieve its design objectives through cooperation with the private sector and with other governments and authorities and to advise the Mayor on ways of obtaining such cooperation.

e. to undertake or commission studies and reports of relevant urban design problems to the extent that funds are made available for such a purpose.

f. to render, by the last day of December, an annual report to the Mayor on the Council's activities during the preceding fiscal year and on the state of design in the City as the Council sees it.

§ 3. Composition.

The Urban Design Council shall consist of not less than five nor more than nine individuals. They shall be appointed by the Mayor, with due consideration for their understanding of the problems of urban design and their capacity for giving clear, effective advice. They shall serve at the pleasure of the Mayor and without compensation.

§ 4. Organization.

The Mayor shall designate the Chairman of the Council. The Council may provide for selection of a Vice-Chairman and a Secretary, and define the functions and authority of such officers.

§ 5. Procedure.

All actions of the Urban Design Council shall be by a majority of those present, with a quorum of three required. In other respects the Council shall establish its own rules of procedure, provided it shall meet at least once a month, considering July and August a single month.

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

§ 6. City Agency Cooperation.

a. The administrators or heads of the following agencies, and others when requested in writing by the Chairman of the Council, shall designate a liaison representative to the Council within ten days after receipt of such request: Bureau of the Budget; City Planning Commission; Recreation and Cultural Affairs Administration; Housing and Development Administration; Transportation Administration; Department of Public Works; Department of Traffic; Department of Highways; Department of Marine and Aviation; Department of Water Supply, Gas and Electricity; Board of Water Supply; Site Selection Board; New York City Housing Authority; Art Commission; Landmarks Preservation Commission; Office of Staten Island Development.

b. Upon request of the Chairman, each department and agency is authorized and directed, consistent with the law, to furnish the Council available information which the Council may require in the performance of its functions.

§ 7. Executive Director.

The Council will have an Executive Director to be appointed by the Mayor. The Executive Director may maintain an office with requisite secretarial and other assistance, the costs of which, including the Executive Director's salary, shall be paid by the City of New York within the amounts appropriated therefore and subject to the approval of the Director of the Budget.

§ 8. Effective Date.

This order shall take effect immediately.

John V. Lindsay
Mayor

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

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

Executive Order No. 63

February 7, 1968

EMERGENCY TRANSFER OF CITY PERSONNEL TO DEPARTMENT OF SANITATION

WHEREAS, I have determined that the present strike by certain of the personnel of the Department of Sanitation has resulted in an accumulation of work in such Department, the performance of which will impose upon the regular employees of such Department who have reported for duty an unreasonable and unwarranted burden, and

WHEREAS, the Commissioner of Sanitation has requested that employees of other agencies be temporarily transferred to such department in order that action may be taken to cope with such accumulation of work, and

WHEREAS, the Commissioners of the Departments of Parks, Public Works, Highways, Water Supply, Gas and Electricity, Hospitals, Marine and Aviation, Purchase and Markets have consented, in order to carry out such purpose, that employees of such Departments in the number and having the titles hereinafter specified be transferred temporarily to the Department of Sanitation for the period hereinafter specified and

WHEREAS, the City Civil Service Commission has consented to such transfers, and

WHEREAS, by reason of such strike, large quantities of waste, uncollected garbage and refuse have accumulated throughout the City, and

WHEREAS, the presence of such accumulations have created a serious hazard to the health, welfare and safety of the people of the City of New York,

NOW, therefore, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

Section 1. For the period beginning on the date of the signing of this order, and ending on such date as the strike of the Sanitation Department employees, personnel of the above mentioned departments, in the numbers and bearing the titles hereinafter in this paragraph specified, are hereby temporarily transferred to the Department of Sanitation for service therein, as follows:

Department from which transfer is made	Laborers and Motor Vehicle Operators
Parks	1200
Public Works	526
Highways	610
Water Supply, Gas and Electricity	500
Hospitals	64
Marine and Aviation	50
Purchase	25
Markets	25

§2. The Commissioners of the respective Departments shall, with the approval of the Mayor or any member of the Mayor's office designated by him for such purpose, designate the employees who are transferred hereunder and each such Commissioner shall promptly file a list of the names and titles of such employees in his Department, in the office of the Mayor and in the office of the Department of Personnel.

§3. Such transfer shall not affect the Civil Service standing, continuity of service or right to pension, grade or compensation of any employee so transferred.

§4. This order shall take effect immediately.

John V. Lindsay

JOHN V. LINDSAY
Mayor

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

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

EXECUTIVE ORDER NO. 64

February 8, 1968

DECLARATION OF HEALTH EMERGENCY
BY REASON OF SANITATION STRIKE

by

THE MEMBERS OF THE MAYOR'S
EMERGENCY CONTROL BOARD

A. FINDINGS AND DECLARATION

The members of the Mayor's Emergency Control Board of the City of New York, pursuant to the powers vested in them by law, hereby find that there exists an emergency and threat to the City of New York by reason of the strike of employees engaged in operating the sanitation equipment of the City of New York, which has resulted in dangerous accumulations of garbage, refuse and rubbish in and on buildings, land and sidewalks and streets throughout the City.

B. DECLARATION OF EMERGENCY

Accordingly, pursuant to the powers vested by law in the members of the Mayor's Emergency Control Board, a Declaration of Health Emergency is hereby deemed to exist.

C. FILING AND PUBLICATION

This "Declaration of Emergency" shall be filed in the office of the City Clerk, forthwith, and published in the City Record, or if publication in the City Record is not possible because of the emergency, in any available newspaper of general circulation, if possible.

D. TIME OF TAKING EFFECT

This "Declaration of Emergency" shall take effect immediately and shall continue in effect until the termination of the strike by the sanitation workers.

John V. Lindsay, Mayor
Chairman of Emergency Control Board

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

Timothy W. Costello

Timothy W. Costello, Deputy Mayor-
City Administrator, Deputy Chairman

Carmin G. Novis, Director
Civil Defense and Disaster Control

Robert O. Lowery, Fire Commissioner

Edward O'Rourke M.D.

Edward O'Rourke, M.D.
Commissioner of Health

Joseph V. Terenzio
Commissioner of Hospitals

Howard R. Leary, Police Commissioner

Theodore Karaghenzoff

Henry A. Barnes, Traffic Commissioner
Acting

Eugene E. Hult
Commissioner of Public Works

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

John ~~J. Gilhooley~~, Member
New York City Transit Authority

Maurice M. Feldman
Acting Commissioner of Sanitation

Robert D. Clark
Acting Commissioner of
Water Supply, Gas and Electricity

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

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

EXECUTIVE ORDER NO. 65

February 8, 1968

DECLARATION OF HEALTH EMERGENCY

WHEREAS, there is a strike of the employees of the Department of Sanitation of the City of New York; and

WHEREAS, such strike has resulted in unusual accumulations of garbage, refuse and rubbish in and on buildings, land, sidewalks and streets throughout the City of New York; and

WHEREAS, as a result of this strike accumulations of garbage, refuse and rubbish have reached such a level and degree that there is an alarming danger to the health and welfare of the people of the City of New York; and

WHEREAS, the Board of Health of the City of New York today has issued a resolution declaring the existence of a state of emergency and advising me to take all necessary measures to assure the maintenance of the public health and safety and the prevention of disease during this emergency; and

WHEREAS, the Mayor's Emergency Control Board today has declared and transmitted to me a declaration of health emergency;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, I hereby order as follows:

1. Declaration. A HEALTH EMERGENCY is hereby deemed to exist.

2. Filing and Publication. This Executive Order shall be filed in the office of the City Clerk and published in the City Record forthwith, or if publication in the City Record is not possible because of the emergency, in any available newspaper of general circulation, if possible.

3. Time of Taking Effect. This Executive Order shall take effect immediately and shall end upon the termination of the strike by the sanitation workers.

John V. Lindsay

John V. Lindsay, Mayor

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

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

EXECUTIVE ORDER NO. 66

February 19, 1968

DECLARATION TERMINATING HEALTH EMERGENCY

WHEREAS, on February 8, 1968, by reason of a strike of the employees of the Department of Sanitation of the City of New York, I ordered that "A HEALTH EMERGENCY is hereby deemed to exist"; and

WHEREAS, the Board of Health of the City of New York advised me that such state of emergency is no longer necessary to assure the maintenance of the public health and safety and the prevention of disease; and

WHEREAS, the striking employees of the Department of Sanitation have returned to work and arrangements have been made by the City and the Union of said employees for the final resolution of all the matters in dispute;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, I hereby order that the Health Emergency established by me on February 8, 1968, is hereby terminated.

John V. Lindsay
Mayor

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

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

EXECUTIVE ORDER NO. 67

March 15, 1968

ESTABLISHMENT OF THE FINANCE ADMINISTRATION

WHEREAS, the City Council has passed and I, as Mayor, have approved a local law designated as Local Law No. 10 of 1968 which amends the City Charter by providing for the consolidation of the Department of Finance, the City Register and certain functions, powers and duties of the Real Property Assessment Department into a Finance Administration and prescribes the functions, powers and duties of such Administration, and

WHEREAS, such local law provides by its terms that it shall take effect on such date as I shall provide by executive order, and,

WHEREAS, implementation of such local law requires the creation of an organizational structure to fulfill the Finance Administration's myriad responsibilities, and

WHEREAS, implementation of such local law and of the financial programs of the City of New York requires coordination of the operations of other agencies of the city government with the operation of the Finance Administration, and

WHEREAS, establishment of effective liaison with the federal and state governments is desirable to afford assurance of the efficient collection of funds granted by those governments upon application made by other agencies of the city government in aid of

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

municipal programs conducted by such agencies,

NOW, THEREFORE, by the power vested in me as the Mayor of the City of New York, I hereby order as follows:

Section 1. The effective date of Local Law No. 10 shall be March 15, 1968.

§ 2. The Finance Administrator shall, in his discretion, organize the Administration into departments, divisions, bureaus, boards or offices, and make assignments of powers and duties among them and from time to time change such organization or assignments, subject only to the extent to which the organization is prescribed by law.

§ 3. The President and Commissioners of the Tax Commission shall co-operate with the Finance Administration to the maximum extent possible in the transfer to the Administration of the functions, powers and duties relating to real property tax assessment as assigned to the Administrator by Local Law No. 10.

§ 4. Executive Order No. 17, dated July 7, 1966, except insofar as it is expressly preserved by any of the provisions of this order, is hereby repealed.

John V. Lindsay
MAYOR

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

EXECUTIVE ORDER NO. 88

March 15, 1968

ESTABLISHMENT OF THE ENVIRONMENTAL PROTECTION ADMINISTRATION

Whereas, The City Council has passed and I as Mayor have approved a local law designated as Local Law No. 3 of 1968 which amends the New York City Charter by providing for the consolidation of the Department of Sanitation, the Department of Water Supply, Gas and Electricity (except for the Bureau of Water Pollution Control of Department of Air Pollution Control) and the Bureau of Water Pollution Control of the Department of Public Works into an Environmental Protection Administration and prescribes the functions, powers and duties of such administration and agencies; and

Whereas, Such local law provides by its terms that it shall take effect on such date as I shall provide by executive order; and

Whereas, Implementation of such local law requires the creation of an organizational structure to fulfill the Environmental Protection Administration's responsibilities; and

Whereas, Implementation of such local law and development of programs to enhance the environment of the City of New York requires coordination of the operations of other agencies of the City government with the operation of the Environmental Protection Administration; and

Whereas, Establishment of effective liaison with the Federal and State governments is desirable to enhance eligibility for and use of Federal and State programs of financial aid;

Now, therefore, by the power vested in me as the Mayor of The City of New York, I hereby order as follows:

Section 1. The effective date of Local Law No. 3 of 1968 shall be March 15, 1968.

§ 2. The Environmental Protection Administrator shall, in his discretion, organize the administration into departments, bureaus, boards, divisions or offices, and make assignments of powers and duties among them and from time to time change such organization or assignments, subject only to the extent to which the organization is prescribed by law.

§ 3. The Environmental Protection Administration is designated to act as the representative of the City of New York in relation to environmental protection administration programs of state and federal agencies.

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JOHN V. LINDSAY, Mayor

City Record March 20, 1968

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

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

EXECUTIVE ORDER NO. 69

MARCH 15th, 1968

ESTABLISHMENT OF AIR POLLUTION CONTROL-ALERT WARNING SYSTEM

WHEREAS, under certain meteorological conditions an air pollution situation of high potential can develop in the City of New York which may result in a serious threat to the public health, and

WHEREAS, it is desirable and necessary, that certain preventive and abatement measures be adopted, so as to preclude or minimize the impact of an air pollution episode on the health and welfare of the citizens of the City of New York,

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York it is hereby ordered as follows:

Section 1. An Air Pollution Control Alert-Warning System shall be established. This system shall include four stages known as (1) Forecast, (2) Alert, (3) Warning, (4) Emergency.

§ 2. The Department of Air Pollution Control shall determine by appropriate physical measurements and by consultation with the Weather Bureau and the New York - New Jersey Cooperative Committee on Air Pollution when each stage of the Air Pollution Control-Alert Warning System, as provided for in Section 1 has been reached. The Administrator of the Environmental Protection Administration shall advise the Mayor and recommend to him that he declare the existence of such condition.

§ 3. Upon the declaration by the Mayor that any of the enumerated stages in Section 1 exist, the following actions shall be taken for each stage:

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

a) The Mayor's Emergency Control Board shall be convened and shall carry out the functions provided for herein.

b) All City departments and agencies shall take the preventive and abatement measures provided for herein.

c) The Administrator of the Environmental Protection Administration shall request emitters in the private sector and in other governmental agencies to take the preventive and abatement measures provided for herein.

Forecast: (Stage 1)

a) The Department of Sanitation shall reduce municipal incineration.

b) The Department of Air Pollution Control shall establish a 24 hour monitoring procedure to determine the level of contaminants.

c) All utilities and other large emitters, including industrials, shall be requested to switch their fuel pattern to that of a lower sulfur content.

Alert: (Stage 2)

a) The Department of Sanitation shall reduce municipal incineration to an absolute minimum.

b) All City departments and agencies, except those which have been granted a certificate of operation by the Department of Air Pollution Control, shall eliminate incineration in facilities under their jurisdiction.

c) All City departments and agencies shall strictly enforce all laws and regulations affecting the contamination of the atmosphere.

d) The Fire Department shall initiate and implement a reporting procedure to determine the daily inventory for fuel oil arrivals in the City of New York.

e) Utilities and other emitters, including industrials shall be requested to shift their fuel patterns to natural gas or fuels with a sulfur content of less than 1% and to transfer loads to other areas where possible.

Warning: (Stage 3)

All City departments and agencies shall more strictly enforce all the

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

measures implemented during the "Alert Stage" and the emitters in the private sector and in other governmental agencies shall be requested to do likewise.

Emergency: (Stage 4)

There shall be implemented such preventive and abatement measures which shall be declared and ordered by the Mayor, including but not limited to the following:

(a) limitation and control of vehicular traffic

(b) limitation on maximum heating levels

(c) limitation on use of electric power

(d) limitation on the operation of large industrial and other emitters.

§ 4. Within thirty days after the effective date of this order, the Administrator of the Environmental Protection Administration shall issue an Air Pollution Implementation Manual which shall prescribe the criteria for declaring each of the respective stages of the air pollution episode and the specific measures to be taken by City departments and agencies, the private sector and other governmental agencies in order to carry out the purposes of this order.

§ 5. At each stage of the air pollution episode the Mayor's Emergency Control Board shall evaluate the total effect of the preventive and abatement measures taken, and upon the advise and recommendation of the Administrator of the Environmental Protection Administration shall recommend to the Mayor that such additional preventive and abatement measures be implemented as it deems appropriate and necessary.

§ 6. Upon the declaration by the Mayor that an "Alert Stage" has been reached, as provided for in Section 2, the Health Services Administration immediately shall take such measures as are necessary to assess the

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

potential impact of the air pollution episode on the public health and shall report its findings and recommendations to the Mayor.

§ 7. Upon the declaration by the Mayor of the existence of the "Emergency State" as provided for in Section 2, the Board of Health immediately shall take such measures as it deems appropriate and accordingly advise the Mayor.

§ 8. This order shall take effect immediately.

John V. Lindsay
Mayor

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

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

EXECUTIVE ORDER NO. 70

March 19, 1968

ESTABLISHING THE NEW YORK CITY CULTURAL COUNCIL

WHEREAS, it is hereby found that many of our citizens lack the opportunity to view, enjoy, or participate in living theatrical performances, musical concerts, operas, dance and ballet recitals, art exhibits, examples of fine architecture, photography, and the performing and fine arts generally, or to enjoy the cultural and spiritual advantages represented by the libraries and the museums of natural history, botanical gardens, and similar institutions. It is hereby further found that, with increasing leisure time, the practice and enjoyment of the arts and the study of nature and wild life are of increasing importance and that the general welfare of the people of New York City will be promoted by giving further recognition to the arts and to the study of nature as vital aspects of our culture and heritage and as a means of expanding the scope of our education programs; and

WHEREAS, the experiences of this council may indicate the need for legislation to amend the charter and other laws for the purpose of more effectively realizing the responsibilities and objectives of an arts council; and

WHEREAS, it is hereby declared to be the policy of New York City to join with private patrons and with institutions and professional organizations concerned with the arts and with nature to insure that their role in the life of our communities will continue to grow and will play an ever more important part in the welfare and educational experience of our citizens;

NOW THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. Establishment of the Council. There is hereby established the New York City Cultural Council (hereinafter referred to as the Council).

(1) The Council shall be composed of a membership appointed by the Mayor from among persons in private life who are widely recognized for their concern with the arts and with the cultural life of New York City. The Administrator of Recreation and Cultural Affairs shall serve ex officio. In making such appointments, due consideration shall be given to the recommendations made by representative civic, educational, and professional associations and groups, concerned with or engaged in the production or presentation of the performing and fine arts generally.

(2) The Mayor shall annually designate the Chairman and Vice Chairman of the Council. In the event of a vacancy in the office of Chairman or Vice Chairman resulting from death or resignation, the Mayor shall designate a successor Chairman or Vice Chairman to fill such vacancy from a list of at least three members of the Council submitted by the Council to the Mayor for that purpose.

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

EXECUTIVE ORDER NO. 70

(3) The members of the Council, other than the ex-officio member, shall be appointed by the Mayor for terms of six years, except that of the first such members taking office four shall be appointed for one year terms, four for two year terms, four for three year terms, four for four year terms, five for five year terms and five for six year terms. Notwithstanding the date of their appointments, the terms of the first such members taking office shall be deemed to commence on the effective date of this Order. Each such member shall serve until the appointment and qualification of his successor.

Section 2. Functions and Responsibilities of the Council. The Council shall advise the Mayor and the Administrator of Parks, Recreation and Cultural Affairs with respect to the cultural activities in the City, including the activities of museums, libraries, and institutions conducting botanical, zoological and other scientific programs and activities involving music, dance, theater, photography, and other performing arts and in furtherance of this function shall undertake:

(1) To formulate and recommend broad goals for the development of cultural activities in the City.

(2) To promote appreciation of the importance to the City of cultural activities, and to promote understanding of the needs of institutions and others engaged in such activities.

(3) To recommend objectives and priorities for the participation by the City in cultural activities.

(4) To foster coordination among City, State and Federal agencies and private institutions in respect of cultural activities in the City.

(5) To undertake and commission studies and reports and to appoint advisory committees and other groups in connection with cultural activities in the City.

(6) To assist the Administrator of Parks, Recreation and Cultural Affairs in reviewing capital and expense budget estimates submitted to him pursuant to Section 2005 of the New York City Charter.

(7) To solicit grants, gifts and bequests to be used for general or specific purposes not inconsistent with the policy of the City with regard to cultural affairs.

Section 3. City Agencies.

(1) As deemed necessary to facilitate the work of the Council the Chairman may request the head of any executive department or agency whose activities have significant implications for the arts to designate a liaison officer to consult with and advise the Council on the performance of its functions.

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

EXECUTIVE ORDER NO. 70

(2) Upon request of the Chairman, each executive department and agency is authorized and directed, consistent with the law, to furnish the Council available information which the Council may require in the performance of its functions.

Section 4. Effective date. This order shall become effective March 19, 1968.

JOHN V. LINDSAY
Mayor

issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

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

EXECUTIVE ORDER NO. 71

APRIL 2, 1968

EQUAL EMPLOYMENT CONTRACT COMPLIANCE

WHEREAS, it is the policy of The City of New York to provide that in the performance of City contracts equal opportunity for and in employment be given to all qualified persons without discrimination because of race, creed, color or national origin, and to achieve such objectives through affirmative programs to be undertaken by contractors of The City of New York and their subcontractors; and

WHEREAS, it is necessary and desirable that The City of New York provide a program for the implementation and enforcement of such policy and the contractual provisions of City contracts in furtherance thereof;

Now, therefore, BY THE POWER VESTED IN ME AS MAYOR OF THE CITY OF NEW YORK, IT IS HEREBY ORDERED AS FOLLOWS:

Section 1 Definitions

Whenever used in this Executive Order the following terms shall have the following meanings:

a. Contract. The term "contract" means any written agreement, purchase order or instrument whereby the City is committed to expend or does expend its funds in return for work, labor, services, supplies, equipment, materials, or any combination of the foregoing; however, that the term "contract" shall not include:

(1) contracts for financial or other assistance made with a government;

(2) contracts, resolutions, indentures, declarations of trust, or other instruments authorizing or relating to the authorization, issuance, award, and sale of bonds, certificates of indebtedness, notes, or other fiscal obligations of the City, or consisting thereof;

(3) employment by the City of officers and employees of the City.

b Contracting Agency. The term "contracting agency" means any board, bureau, department, commission or other agency of the government of The City of New York, or any official thereof, who or which is authorized to and does, on behalf of the City, provide for, enter into, award or administer contracts.

§ 2. Contract Provisions.

Except for contracts exempted in accordance with Section 4 hereof, all city contracting agencies shall include in every city contract hereafter entered into, the following provisions:

a. (1) The contractor will not discriminate against any employee or applicant for employment because or race, creed, color, or national origin. The contractor will take affirmative action to ensure that employees and applicants for employment are treated without regard to their race, creed, color or national origin. As used herein, the term "treated" shall mean and include, without limitation, the following: recruited, whether by advertising or other means; compensated, whether in the form of rates of pay or other forms of compensation; selected for training, including apprenticeship; promoted; upgraded; demoted; downgraded; transferred; laid off; and terminated. The contractor agrees to post in conspicious places available to employees and applicants for employment, notices to be provided by the contracting agency setting forth the language of this nondiscrimination provision.

(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will be considered for employment without regard to race, creed, color, or national origin.

(3) The contractor will send to each labor union or other representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the labor union or workers' representative of the contractor's commitments under Section 2 of Executive Order No. and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The contractor will comply with all provisions of Executive Order No. and of the rules, regulations, and orders issued pursuant thereto.

(5) The contractor will furnish all information and reports required by Executive Order No. and by such rules, regulations, and orders issued pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the City Administrator for purposes of investigation to ascertain compliance with this Executive Order and such rules, regulations, and orders.

(6) If the contractor does not comply with the non-discrimination provisions of this contract or with Executive Order No. with any such rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further city contracts in accordance with procedures authorized in Executive Order No. and such other sanctions may be imposed and remedies invoked as are provided in this Executive Order, or by rule, regulation, or order issued pursuant thereto, or as otherwise provided by law.

b. The contractor will include the provisions of subsection a. (1) through (6) above in every subcontract or purchase order unless exempted by rules, regulations, or orders of the City Administrator issued pursuant to this Executive Order so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided, however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the City of New York to enter into such litigation to protect the interests of The City of New York.

c. The provisions of this section shall be deemed supplementary to, and not in lieu of, or in substitution for, the provisions of the New York State Labor Law relating to nondiscrimination, and other applicable Federal, State or City law, ordinance, rule, regulation and Executive Order.

§ 3. Compliance Reports.

a. Each contractor having a contract containing the provisions prescribed in Section 2 shall file, and shall cause each of his subcontractors to file, Compliance

Reports with the contracting agency, or as may be directed by the City Administrator. Compliance Reports shall be filed within such time and shall contain such information as to the practices, policies, programs, employment policies, and employment statistics of the contractor and each subcontractor, and shall be in such form, as the City Administrator may prescribe.

b. Whenever the contractor or subcontractor has a collective bargaining agreement or other contract or understanding with a labor union or an agency referring workers or providing or supervising apprenticeship or training for such workers, the Compliance Report shall include such information as to such labor union's or agency's practices and policies affecting compliance as the City Administrator may prescribe: Provided, That to the extent such information is within the exclusive possession of a labor union or an agency referring workers or providing or supervising apprenticeship or training, and such labor union or agency shall refuse to furnish such information to the contractor, the contractor shall so certify to the contracting agency as part of his Compliance Report, and shall set forth what efforts he has made to obtain such information.

c. The contracting agency or the City Administrator may direct that any bidder or prospective contractor or subcontractor shall submit, as part of his Compliance Report, a statement in writing, signed by an authorized officer or agent on behalf of any labor union or any agency referring workers or providing or supervising apprenticeship or other training, with which the bidder or prospective contractor deals,with supporting information, to the effect that the signer's practices and policies do not discriminate on the grounds of race, creed, color, or national origin, and that the signer either will affirmatively cooperate in the implementation of the policy and provisions of this Executive Order or that it consents and agrees that recruitment, employment, and the terms and conditions of employment under the proposed contract shall be in accordance with the purposes and provisions of this Executive Order. In the event that the union or the agency shall refuse to execute such a statement, the Compliance Report shall so certify and set forth what efforts have been made to secure such a statement, and such additional factual material as the contracting agency or the City Administrator may require.

§ 4. Exemptions

The City Administrator may, when he deems that special circumstances so require, exempt a contracting agency from the requirement of including any or all of the provisions of Section 2 of this Executive Order in any specific contract, subcontract, or

purchase order. The City Administrator may, by rule or regulation, also exempt designated classes of contracts, subcontracts, or purchase orders, including contracts or purchase orders (1) for standard commercial supplies or raw materials; (2) involving less than specified amounts of money or specified numbers of workers; or (3) to the extent that they involve subcontracts below a specified tier. The City Administrator may also provide, by rule, regulation, or order, for the exemption of facilities of a contractor which are in all respects separate and distinct from activities of the contractor related to the performance of the contract: Provided, That such an exemption will not interfere with or impede the effectuation of the purposes of this Executive Order: And provided further, That in the absence of such an exemption all facilities shall be covered by the provisions of this Executive Order.

§ 5. Duties of Contracting Agencies.

a. Each contracting agency shall be primarily responsible for obtaining compliance with this Executive Order, the rules, regulations, and orders of the City Administrator, and with the contractual provisions set forth in Section 2 hereof, with respect to contracts entered into by such agency and its contractors. All contracting agencies shall comply with the rules of the City Administrator in discharging their primary responsibility for securing compliance with the provisions of contracts and otherwise with the terms of this Executive Order and of the rules, regulations, and orders of the City Administrator issued pursuant thereto. They are directed to cooperate with the City Administrator and to furnish to the City Administrator such information and assistance as he may require in the performance of his functions under this Executive Order. They are further directed to appoint or designate, from among the contracting agency's personnel, compliance officers. It shall be the duty of such officers, among other things, to seek compliance with the objectives of this Executive Order by conference, conciliation, mediation, or persuasion.

b. Under rules and regulations prescribed by the City Administrator, each contracting agency shall make reasonable efforts within a reasonable time limitation to secure compliance with the contract provisions of this Executive Order by methods of conference, conciliation, mediation, and persuasion before proceedings shall be instituted under subdivision b of Section 8 of this Executive Order, or before a contract shall be cancelled or terminated in whole or in part under subdivision e of Section 8 for failure of a contractor or subcontractor to comply with the contract provisions of this Executive Order.

c. Any contracting agency taking any enforcement or investigatory action authorized by this Executive Order, whether on its own motion, or as directed by the City Administrator, or under the rules and regulations of the City Administrator, shall promptly notify the City Administrator of such action. Whenever the City Administrator makes a determination provided for in this Executive Order, he shall promptly notify the appropriate contracting agency, together with his recommendation or direction for the action to be taken by such contracting agency in compliance therewith. The contracting agency shall take such action, and shall report the results thereof to the City Administrator, within such time as the City Administrator shall specify.

§ 6. Powers and Duties of the City Administrator.

The City Administrator shall administer this program and shall have the following powers and duties:

a. Issue all orders, rules, regulations and procedures provided for by this Executive Order, and as he may deem necessary or convenient for carrying out and implementing the purposes thereof.

b. Examine the employment practices of any City contractor or subcontractor, or initiate such examination by the appropriate contracting agency, to determine whether or not the contractual provisions specified in Section 2 of this Executive Order have been violated. Where such examination is initiated by the contracting agency, it shall be conducted in accordance with procedures established by the City Administrator, and the contracting agency shall report to the City Administrator any action taken or recommended.

c. Use his best efforts, directly and through contracting agencies, other interested City, State, and Federal agencies, contractors, and all other available instrumentalities, to cause any labor union engaged in work under City contracts, or any agency referring workers or providing for supervising apprenticeship or training for or in the course of such work, to cooperate in the implementation of the purposes of this Executive Order.

d. In appropriate cases, notify the concerned contracting agencies, the City Commission on Human Rights, the State Commission for Human Rights, the Equal Opportunity Commission, the U.S. Secretary of Labor, the City Law Department, the U.S. Department of Justice, or other appropriate Federal, State, and City agencies whenever he has reason to believe that practices of any such labor organization or agency violate Title VI or Title VII

of the Civil Rights Act of 1964, or other provisions of Federal, State, or City laws.

e. Where such determinations are made by Federal, State or City agencies, the Ctiy Administrator shall enter into reciprocal agreements therewith to receive such information.

f. Hold such hearings, public or private, as he may deem advisable for compliance, enforcement or education purposes, or by rule, regulation, or order designate or direct any agency, officer or employee in the executive branch of The City of New York to do so.

g. Hold, or cause to be held, hearings in accordance with subsection f of this section, prior to imposing, ordering, or recommending the imposition of sanctions under this Executive Order. No order withholding from any contractor further city contracts under Section 8 shall be made without affording such contractor an opportunity for a hearing.

h. Periodically review the practices and procedures of contracting agencies with respect to compliance by them with the provisions of this Executive Order, and require them to file reports thereon.

§ 7. Functions of City Commission on Human Rights.

a. The City Commission on Human Rights, under its rules and regulations, shall continue to receive and investigate or cause to be investigated complaints by employees or prospective employees of a City contractor or subcontractor which allege discrimination contrary to the contractual provisions specified in Section 2 of this Executive Order. Findings and determinations on such complaints, together with the records and recommendations, shall be reported by the City Commission on Human Rights to the City Administrator and the contracting agency concerned.

Functions of City Human Resources Administration.

b. The Human Resources Administration shall cooperate with the City Administrator and with each contracting agency by providing assistance to contractors seeking qualified or qualifiable minority group employees and contractors.

§ 8. Sanctions and Remedies.

In accordance with such rules, regulations, procedures or orders as the City Administrator may issue or adopt hereunder, the City Administrator may:

a. Publish,or cause to be published, the names of contractors or unions which he has concluded have complied or have failed to comply with the provisions of this Executive Order or of the rules, regulations, procedures or orders of the City Administrator.

b. Recommend to the City Law Department that, in cases where there is substantial or material violation, or the threat of substantial or material violation of the contractual provisions set forth in Section 2 of this Executive Order, appropriate proceedings be brought to enforce such provisions, including the enjoining, within the limitations of applicable law, of organizations, individuals, or groups who prevent, directly or indirectly, or seek to prevent directly or indirectly, compliance with the provisions of this Executive Order.

c. Recommend to the City Commission on Human Rights, the State Commission for Human Rights, the Equal Employment Opportunity Commission, the U.S. Secretary of Labor, the City Law Department, or the U.S. Department of Justice that appropriate proceedings be instituted under Title VII of the Civil Rights Act of 1964 and applicable City and State laws.

d. Recommend that criminal proceedings be brought for the furnishing of false information to any contracting agency or to the City Administrator, as the case may be.

e. (1) Subject to approval by the Corporation Counsel, direct the contracting agency concerned to cancel, terminate, suspend, or cause to be cancelled, terminated, or suspended, any contract, or any portion or portions thereof, for failure of the contractor or subcontractor to comply with the nondiscrimination provisions of the contract. Such contracts may be cancelled, terminated or suspended absolutely, or continuance thereof or the award of future contracts may be conditioned upon a program for future compliance approved by the City Administrator.

(2) Whenever a contracting agency cancels or terminates a contract or whenever the award of further City contracts has been withheld under this subdivision because of noncompliance with the contract provisions relating to nondiscrimination, the City Administrator or the contracting agency involved, shall promptly notify the Comptroller of the City of New York. Any such sanction may be rescinded by the City Administrator, or by the contracting agency which imposed the sanction with the approval of the City Administrator.

f. Direct that any contracting agency shall refrain from entering into further contracts, or extensions or other modifications of existing contracts, with any noncomplying contractor until such contractor has satisfied the City Administrator that such contractor has established and will carry out personnel and employment policies in compliance with the provisions of this Executive Order.

§ 9. Bidding and Award of City Contracts.

a. Every City contract, and the bidding documents therefor, unless exempted from the provisions of this Executive Order pursuant to Section 4 hereof, shall contain provisions requiring bidders therefor to submit to the contracting agency, prior to the award of such contract, a program of affirmative action to provide for equal employment opportunity in accordance with the intent and purpose of this Executive Order, in such form and substance as may be required by rule, regulation or order of the City Administrator.

b. No contracting agency shall enter into any contract with or award any contract to any bidder or prospective contractor subject to the foregoing requirement unless the bidder or prospective contractor has, prior to such award, submitted a program of affirmative action acceptable to the City Administrator, or, if the City Administrator so authorizes by rule, regulation or order, to the contracting agency.

c. In the event that dispute arises between the bidder or prospective contractor and the contracting agency, or the City Administrator, as to whether the proposed program of affirmative action for providing equal employment opportunity submitted by such bidder or prospective contractor complies with such requirements, then the matter shall forthwith be referred to the Board of Responsibility of The City of New York for hearing and determination. The determination of such Board shall be final and conclusive, subject only to judicial review.

§ 10. Nondiscrimination Provisions in City-Assisted Construction Contracts.

a. Each executive department and agency of the City which administers a program involving City financial assistance (hereinafter referred to as "administering department" or "administering agency") shall require as a condition for the approval of any grant, contract, loan, insurance, or guarantee thereunder, which

involves a construction contract, that the applicant for City assistance undertake and agree to incorporate or cause to be incorporated, into all construction contracts paid for in whole or in part with funds obtained from the City Government or borrowed from or on the credit of the City Government pursuant to such grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any City program involving such grant, contract, loan, insurance, or guarantee, the provisions prescribed for City contracts by Section 2 of this Executive Order, or such modification thereof, preserving in substance the contractor's obligations thereunder, as may be approved by the City Administrator, together with such additional provisions as the City Administrator deems appropriate to establish and protect the interest of the City in the enforcement of those obligations.

b. Each such applicant shall also undertake and agree (1) to assist and cooperate actively with the administering department or agency and the City Administrator in obtaining the compliance of contractors and subcontractors with such contract provisions and with the rules, regulations, and relevant orders of the City Administrator, (2) to obtain and to furnish to the administering department or agency and to the City Administrator such information as they may require for the supervision of such compliance, (3) to carry out sanctions and penalties for violation of such obligations imposed upon contractors and subcontractors by the City Administrator or the administering department or agency pursuant to Section 8 of this Executive Order and (4) to refrain from entering into any contract subject to this Executive Order, or extension or other modification of such a contract with a contractor debarred from City contracts under Section 8 of this Executive Order.

c. "Construction contract" as used in this Executive Order means any contract for the construction, rehabilitation, alteration, conversion, extension, or repair of buildings, highways, or other improvements to real property.

d. The provisions of this Executive Order shall apply to such construction contracts, and for purposes of such application the administering department or agency shall be considered the contracting agency referred to herein.

e. The term "applicant" as used above means an applicant for City assistance or, as determined by regulations of the administering department or agency concerned, other program participant, with respect to whom an application for any grant, contract, loan,

insurance, or guarantee is not finally acted upon prior to the effective date of this Executive Order, and it includes such an applicant after he becomes a recipient of such City assistance.

f. Each administering department and agency shall be responsible for obtaining the compliance of such applicants with their undertakings under this Executive Order. Each administering department and agency is directed to cooperate with the City Administrator, and to furnish to the City Administrator such information and assistance as he may require in the performance of his functions under this Executive Order.

g. In the event that an applicant fails and refuses to comply with his undertakings, the administering department or agency, after consultation with the City Administrator, may take any or all of the following actions:

(1) subject to approval of the Corporation Counsel, cancel, terminate, or suspend in whole or in part the agreement, contract, or other arrangement with such applicant with respect to which the failure and refusal occurred;

(2) refrain from extending any further assistance to the applicant under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from such applicant; and

(3) refer the case to the City Law Department for appropriate legal proceedings.

h. Any action with respect to an applicant pursuant to subsection (g) shall be taken in conformity with the regulations of the administering department or agency issued thereunder to the extent applicable. In no case shall action be taken with respect to an applicant pursuant to clause (1) or (2) of subsection (g) without notice and opportunity for hearing before the administering department or agency, or the City Administrator.

§ 11. Compliance Procedures by Public Agencies Operating within The City of New York

a. Any board, authority, commission, or other public agency, not part of the City Government, whose field of operations and jurisdiction lies solely within the City of New York, and which imposes by rule, regulation, or order requirements of nondiscrimination in or affirmative

action for equal employment opportunity, may delegate to the City Administrator by agreement such responsibilities with respect to compliance standard, reports, and procedures as would tend to bring the administration of such requirements into conformity with the administration of the requirements imposed under this Executive Order.

b. Any such board, authority, commission, or other public agency may further elect to comply with, and have such other provisions of this Executive Order apply to contracts entered into by it, as it may desire, by a notice to that effect filed with the City Administrator.

§ 12. Miscellaneous.

a. The City Administrator may delegate to any officer, agency, or employee in the executive branch of the City, any function or duty of the City Administrator set forth under the provisions of this Executive Order, except authority to promulgate rules and regulations of a general nature.

b. Nothing in this Executive Order shall be deemed to relieve any person of any obligation assumed or imposed under or pursuant to any Executive Order superseded by this Executive Order.

c. All rules, regulations, orders, instructions, designations, and other directives issued by the City Commission on Human Rights and those issued by the heads of various departments or agencies shall, to the extent that they are not inconsistent with this Executive Order, remain in full force and effect unless and until revoked or superseded by appropriate authority.

§ 13. Effective Date.

This Executive Order shall become effective 30 days after its date.

John V. Lindsay

JOHN V. LINDSAY
MAYOR

May 2, 1968

EQUAL EMPLOYMENT COMPLIANCE Amended by #23, 1970

As required by Mayor's Executive Order No. 71, April 2, 1968.

This Amendment is issued for the purpose of amending the requirements of the Contracting Documents and is hereby made a part of said Contract Documents to the same extent as though it were originally included therein.

§ 1.

a. (1) The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The contractor will take affirmative action to ensure that employees and applicants for employment are treated without regard to their race, creed, color or national origin. As used herein, the term "treated" shall mean and include, without limitation, the following: recruited, whether by advertising or other means; compensated, whether in the form of rates of pay or other forms of compensation; selected for training, including apprenticeship; promoted; upgraded; demoted; downgraded; transferred; laid off; and terminated. The contractor agrees to post in conspicuous places available to employees and applicants for employment, notices to be provided by the contracting agency setting forth the language of this nondiscrimination provision.

(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will be considered for employment without regard to race, creed, color, or national origin.

(3) The contractor will send to each labor union or other representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the labor union or workers' representative of the contractor's commitments under Section 1 hereof and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The contractor will comply with all provisions of Executive Order No. 71 and of the rules, regulations, and orders issued pursuant thereto.

(5) The contractor will furnish all information and reports required by Executive Order No. 71 and by such rules, regulations, and orders issued pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the City Administrator for purposes of investigation to ascertain compliance with this Executive Order and such rules, regulations, and orders.

(6) If the contractor does not comply with the non-discrimination provisions of this contract or with Executive Order No. 71, or with any such rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further city contracts in accordance with procedures authorized in Executive Order No. 71 and such other sanctions may be imposed and remedies invoked as are provided in this Executive Order, or by rule, regulation, or order issued pursuant thereto, or as otherwise provided by law.

b. The contractor will include the provisions of subsection a. (1) through (6) above in every subcontract or purchase order unless exempted by rules, regulations, or orders of the City Administrator issued pursuant to Executive Order No. 71 so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided, however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the City of New York to enter into such litigation to protect the interests of The City of New York.

c. The provisions of this section shall be deemed supplementary to, and not in lieu of, or in substitution for, the provisions of the New York State Labor Law relating to nondiscrimination, and other applicable Federal, State or City law, ordinance, rule, regulation and Executive Order.

§ 2. Compliance Reports.

a. Each contractor having a contract containing the provisions prescribed in Section 1 hereof shall file, and shall cause each of his subcontractors to file, Compliance Reports with the contracting agency, or as may be directed by the City Administrator. Compliance Reports shall be filed within such time and shall contain such information as to the practices, policies, programs, employment policies, and employment statistics of the contractor and each subcontractor, and shall be in such form, as the City Administrator may prescribe.

b. Whenever the contractor or subcontractor has a collective bargaining agreement or other contract or understanding with a labor union or an agency referring workers or providing or supervising apprenticeship or training for such workers, the Compliance Report shall include such information as to such labor union's or agency's practices and policies affecting compliance as

the City Administrator may prescribe: Provided, That to the extent such information is within the exclusive possession of a labor union or an agency referring workers or providing or supervising apprenticeship or training, and such labor union or agency shall refuse to furnish such information to the contractor, the contractor shall so certify to the contracting agency as part of his Compliance Report, and shall set forth what efforts he has made to obtain such information.

c. The contracting agency or the City Administrator may direct that any bidder or prospective contractor or subcontractor shall submit, as part of his Compliance Report, a statement in writing, signed by an authorized officer or agent on behalf of any labor union or any agency referring workers or providing or supervising apprenticeship or other training, with which the bidder or prospective contractor deals, with supporting information, to the effect that the signer's practices and policies do not discriminate on the grounds of race, creed, color, or national origin, and that the signer either will affirmatively cooperate in the implementation of the policy and provisions of Executive Order No. 71 or that it consents and agrees that recruitment, employment, and the terms and conditions of employment under the proposed contract shall be in accordance with the purposes and provisions of Executive Order No. 71. In the event that the union or the agency shall refuse to execute such a statement, the Compliance Report shall so certify and set forth what efforts have been made to secure such a statement, and such additional factual material as the contracting agency or the City Administrator may require.

THIS AMENDMENT MUST BE SIGNED BY ALL BIDDERS FOR ALL CONTRACTS AND ATTACHED TO THEIR BID.

_____

Name of Bidder

By_____

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

EXECUTIVE ORDER NO. 72

APRIL 8, 1968

EMPLOYMENT OF THE HANDICAPPED IN
CITY AGENCIES

WHEREAS, I have established a Mayor's Advisory Committee on The Handicapped to review the needs and problems of the handicapped and to advise the Mayor of the courses of action that should be taken in the public and private sectors to meet their needs, and

WHEREAS, there is a need to provide for the utilization of the skills and abilities of handicapped persons, and

WHEREAS, the City of New York can utilize the services of the physically handicapped who are not occupationally disabled, as well as the services of the mentally retarded who have been trained to perform specific tasks, and

WHEREAS, the employment of such persons by the City of New York can be mutually beneficial to both such persons and the City government,

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, I hereby order as follows:

Section 1. All City administrations, agencies and departments shall immediately undertake programs to promote increased job opportunities for handicapped persons in order to fully utilize their skills and abilities; provided that such programs are consistent with the Civil Service merit system.

§ 2. To assure the establishment of an effective program for the handicapped and to carry out the purposes of this order, the Personnel Director shall:

a) Identify the classes of positions in which the handicapped may be employed.

b) Develop and establish criteria of fitness for the handicapped to perform specific tasks within the classes of positions.

c) Establish training programs for supervisory personnel for the handicapped.

d) Establish uniform procedures for the appointment and assignment of the handicapped to specific tasks within City agencies.

e) Act as liaison between the City, other governmental and private voluntary agencies concerned with developing the capabilities, training and placement of the handicapped.

§ 3. The administrators or heads of all City administrations or agencies shall designate a liaison representative to the Mayor's Advisory Committee on The Handicapped upon the written request of the Chairman of that Committee.

§ 4. This order shall take effect immediately.

John V. Lindsay
Mayor

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

EXECUTIVE ORDER NO. 73

April 22, 1968

ESTABLISHMENT OF THE URBAN ACTION TASK FORCE

WHEREAS, the complexity of modern urban government in New York City has tended to create a serious communications gap between government and the residents of the disadvantaged neighborhoods in the City; and

WHEREAS, a need exists for a mechanism which will: (1) open channels of communication between the members of a neighborhood and the City by providing a forum which will give residents of an area direct access, on a regular basis, to City officials; (2) act as a vehicle for coordinating City services at a local level; and (3) ensure that the agencies of City government are responsive on a direct and immediate basis to neighborhood problems;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. There is hereby established in the Office of the Mayor an Urban Action Task Force.

§ 2. A Chairman and a vice-chairman of the Task Force shall be appointed by the Mayor.

§ 3. The head of each of the following departments and agencies of the City of New York or his designee shall serve as a member of the Urban Task Force:

1. Fire Department
2. Police Department
3. Human Resources Administration:
   a. Youth Services Agency
   b. Neighborhood Youth Corps
   c. Department of Social Services
   d. Summer Program Coordinator
   e. Manpower and Career Development Agency
   f. Community Development Agency
   g. Addiction Services Agency
   h. Office of Education Liaison

4. Commission on Human Rights
5. Recreation and Cultural Affairs Administration
6. Department of Sanitation
7. Housing and Development Administration
   a. Department of Relocation
8. Emergency Control Board
9. Traffic Department
10. City Planning Commission

§ 4. Each Borough President, as well as the Chairman of the Board of Education, the Chairman of the Housing Authority and the Chairman of the Council Against Poverty are hereby requested to serve as members of the Task Force, or to designate a representative to serve in his stead.

§ 5. Meetings of the Task Force shall be called by the Chairman, but in no event shall such meetings be held less than once each month.

§ 6. There are hereby established in the Office of the Mayor Local Task Forces to work in conjunction with the Urban Action Task Force in various neighborhoods throughout the City.

§ 7. The Local Task Forces shall be located in each of the areas in which community groups were established by the Summer Task Force in 1967, and in such other areas as may be determined by the Mayor. Geographic boundaries of each Local Task Force shall be established by the Mayor upon the recommendation of Chairman of the Urban Task Force after consultation with Local Task Force Chairmen.

§ 8. Local Task Forces may be established or abolished by the Mayor upon the recommendation of the Chairman of the Task Force after consultation with the appropriate Borough President and City Councilman.

§ 9. Each Local Task Force shall have a Chairman and Vice-Chairman appointed by the Mayor. The Chairman of each Local Task Force shall be a member of the Task Force.

§ 10. The head of each department and agency of the City of New York requested to do so by the Mayor, shall appoint a representative to serve as a member of each Local Task Force.

§ 11. The Congressman, State Senator, State Assemblyman and City Councilman serving the area in which a Local Task Force is located, are hereby requested to serve as a member of each Local Task Force in his borough or constituency.

The Borough President of the borough in which the Local Task Force is located, the Chairman of the Board of Education and the Chairman of the New York City Housing Authority are hereby requested to appoint a representative to each Local Task Force.

§ 12. The Chairman of each Local Task Force shall invite community leaders from the area to sit on the Local Task Force as members. Examples of groups that should be invited are:

a. Poverty Corporations.
b. Local Community Action Agencies.
c. Religious Organizations.
d. District Planning Boards.
e. District School Boards.
f. Community and Civic Organizations.
g. Parents' Organizations.
h. Merchants' Groups.
i. Block Associations.
j. Precinct Community Councils.

§ 13. Meetings of the Local Task Force shall be held at the discretion of each local Chairman, after consultation with the Chairman of the Urban Task Force.

§ 14. This order shall take effect immediately.

John V. Lindsay
Mayor

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

EXECUTIVE ORDER NO. 74

April 29, 1968

ESTABLISHMENT OF THE ECONOMIC DEVELOPMENT ADMINISTRATION

WHEREAS, the City Council has passed and I, as Mayor, have approved a local law designated as Local Law No. 23 of 1968 which amends the New York City Charter by providing for the consolidation of certain City agencies into an Economic Development Administration, and prescribes the functions, powers and duties of such administration, and

WHEREAS, such local law provides by its terms that it shall take effect on such date as I shall provide by executive order, and

WHEREAS, implementation of such local law requires the creation of an organizational structure to fulfill the Economic Development Administration's responsibilities, and

WHEREAS, implementation of such local law and development of programs to enhance the environment of the City of New York requires coordination of the operations of other agencies of the City government with the operation of the Economic Development Administration, and

WHEREAS, establishment of effective liaison with the federal and state governments is desirable to enhance eligibility for and use of federal and state programs of financial aid,

NOW, THEREFORE, by the power vested in me as the Mayor of the City of New York, I hereby order as follows:

1. The effective date of Local Law No. 23 of 1968 shall be April 29, 1968.

2. The Economic Development Administrator shall, in his discretion, organize the administration into departments, bureaus, boards, divisions or offices, and make assignments of powers and duties among them and from time to time change such organization or assignments,

subject only to the extent to which the organization is prescribed by law.

3. The Economic Development Administrator is designated to act as the representative of the City of New York in relation to economic development administration programs of state and federal agencies.

John V. Lindsay
Mayor

EXECUTIVE ORDER NØ.75

never issued

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

EXECUTIVE ORDER NO. 76

June 4, 1968

ESTABLISHMENT OF THE PARKS, RECREATION AND CULTURAL AFFAIRS ADMINISTRATION

WHEREAS, the City Council has passed and I, as Mayor, have approved a local law designated as Local Law No. 22 of 1968 which amends the City Charter by providing for the consolidation of certain agencies into a Parks, Recreation and Cultural Affairs Administration and provides the functions, powers and duties of such administration, and

WHEREAS, such local law provides by its terms that it shall take effect on such date as I shall provide by executive order, and

WHEREAS, implementation of such local law and development of programs to enhance the Parks, Recreation and Cultural Affairs of the City of New York requires coordination of the operations of other agencies of the City government with that of the Parks, Recreation and Cultural Affairs Administration, and

WHEREAS, establishment of effective liaison with the Federal and State governments in this area is desirable to secure maximum possible financial assistance for existing and new programs of the City government in this area,

NOW, THEREFORE, by the power vested in me as the Mayor of the City of New York, I hereby order as follows:

Section 1. The effective date of Local Law No. 22 shall be June 4th, 1968.

§ 2. The Parks, Recreation and Cultural Affairs Administrator shall, in his discretion, organize the administration into departments, divisions, bureaus, boards, or offices, and make assignments of powers and duties among them and from time to time change such organization or assignments, subject only to the extent to which the organization is prescribed by law.

§ 3. The Parks, Recreation and Cultural Affairs Administrator is designated to act as the representative of the City of New York in relation to conservation, recreation, and cultural programs of state and federal agencies.

§ 4. Executive Order No. 33 dated November 21, 1966, is hereby repealed.

John V. Lindsay
MAYOR

EXECUTIVE ORDER NO. 77

June 14, 1968

Continuation of increased-take-home-pay plan during 1968-69 fiscal year, for City-paid officers and employees who are members of City-supported retirement systems and additional provisions relating to the period June first, nineteen hundred sixty-eight through June thirtieth, nineteen hundred sixty-nine for sanitationmen.

WHEREAS, since the City fiscal year 1960-1961, the City has provided, for successive periods of one fiscal year pursuant to statutes enacted by the State Legislature at the request of the City, an increased-take-home-pay plan applicable to City-paid officers and employees who are members of City-Supported retirement systems; and

WHEREAS, under such plan the City makes possible a decrease in pension contributions of such personnel without diminution or loss of pension rights, with the result that the take-home-pay of such personnel is increased; and

WHEREAS, by reason of the economic benefits conferred by such plan of such personnel, their morale, efficiency and productiveness are improved, with resulting substantial benefits to the functioning of the City government and the welfare of the people of the City; and

WHEREAS, I have determined that it is in the best interests of the City and the above-mentioned officers and employees that such plan shall be continued during the 1968-1969 fiscal year;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

OTHER-THAN-AUTHORITY MEMBERS
OF THE NEW YORK CITY EMPLOYEES'
RETIREMENT SYSTEM.

Section 1. For the purposes of this executive order, the provisions of subdivision j of section B3-36.1 of the Administrative Code shall apply, subject to the terms and conditions specified in this executive order, in the same manner, to the same extent and with the same force and effect as if:

(a) wherever the word "sixty-two" appears in such subdivision j. the word "sixty-eight" were substituted therefor;

(b) wherever the word "sixty-three" appears in such subdivision j. the word "sixty-nine" were substituted therefor;

(c) wherever "board of estimate" is referred to in such subdivision j, the word "mayor" were substituted therefor; and

(d) wherever such subdivision refers to adoption of a resolution by the board of estimate, such subdivision instead referred to adoption of an executive order by the mayor.

2. Effective during the period of time from and including the payroll period the first day of which is nearest to July 1, 1968 (which first day is hereinafter referred to as the commencement date of the 1968-1969 increased-take-home-pay period) and to and including the payroll period immediately preceding that, the first day of which is nearest to June 30, 1969 (which total period of time is hereinafter referred to as the "1968-1969 increased take-home-pay period"), the governing provisions of subdivision 14 of such dubdivision j, is hereby made applicable, and the provisions of subdivision g, h and i of such section B3-36.1 shall be applicable to and for the benefit of all other-than-authority members of the New York City Employees' Retirement System, provided, however, that the reduced rate of contribution to be used in computing the reduction of contributions shall be four per cent, except as otherwise provided in section three and four of this executive order

3. Pursuant to Chapter 130 of the Laws of 1968, and subdivision i of section B3-36.3 of the Administrative Code (L.1964 ch 954), the reduced-rate-of contribution factor shall be five percent in the case of all members of the Uniformed Correction Force, as defined by Laws 1964, Chapter 954, who elected the optional plan of retirement provided for by such Chapter pursuant to its terms and who were members of the New York City Employees' Retirement System under such plan immediately prior to the commencement date of the 1968-1969 increased-take-home-pay period. The reduced rate of contribution factor in the case of all members of the Uniformed Correction Force, as defined in Laws of 1964, Chapter 954, who on or after the commencement date of the 1968-1969 increased-take-home-pay period, have the privilege, under such Chapter, of electing the optional plan of retirement

provided for by such Chapter and who elect, within the time limited therefor by such Chapter 954, an optional plan of retirement pursuant to such chapter shall be five percent, and such benefit shall be effective from the date of commencement of membership in the New York City Employees' Retirement System, or from the date of commencement of service in the Uniformed Correction Force, whichever is later, provided however that such benefits shall not be effective from any date earlier than the commencement date of the 1968-1969 take-home-pay-period.

4(a) The reduced rate-of-contribution factor shall be two and one-half per cent in the case of all members of the uniformed force of the department of sanitation as defined in subdivision a of section B-36.2 of the code, except members in the title of sanitationman.

(b) The reduced rate of contribution factor shall be five per cent in the case of all members of the uniformed force of the department of sanitation in the title of sanitationman.

5. Subdivision f of section five of Executive Order 42 of 1967 is hereby amended by adding thereto a new sentence to read as follows: "Notwithstanding the last sentence, the Mayor hereby designates five percentum as the reduced rate of contribution factor to be used in computing the reduction of contributions, pursuant to section two of this Executive Order, of members of the Uniformed Force of the Department of Sanitation in the title of sanitationman for the period June 1, 1968 through June 30, 1968."

MEMBERS OF THE NEW YORK CITY TEACHERS' RETIREMENT SYSTEM WHO ARE EMPLOYEES OF THE BOARD OF HIGHER EDUCATION

6. Beginning with the payroll period, the first day of which is nearest to July 1, 1968, and ending with the payroll period immediately prior to that the first day of which is nearest to June 30, 1969, the provisions of paragraph four of such subdivision i and the provisions of subdivisions e and f of such Section B20-41.1, shall be applicable to and for the benefit of all contributors to the New York City Teachers' Retirement System who are employees of the board of higher education of the City of New York.

MEMBERS OF THE APPELLATE DIVISION, FIRST DEPARTMENT AND FIRST JUDICIAL DISTRICT RETIREMENT FUND

7. The deduction from the salary of compensation of any employee or officer made pursuant to Section 108 of the

Judiciary Law, need not be made and no contribution in lieu thereof need be made during the one-year period commencing with July 1, 1968.

MEMBERS OF THE RELIEF AND PENSION FUND OF THE DEPARTMENT OF STREET CLEANING

8. The deduction from the pay, salary of compensation of any member of the Relief and Pension Fund of the Department of Street Cleaning, made pursuant to the provisions of Section G51-3.0, par. 2 of the Administrative Code, shall be reduced to zero per centrum during the one-year period commencing with July 1, 1968.

MEMBERS OF THE HEALTH DEPARTMENT PENSION FUND

9. The deduction from the pay, salary or compensation of each member of the Health Department Pension Fund made pursuant to Section G51-53.0 of the Administrative Code need not be made and no contribution in lieu thereof need be made by any such member during the one-year period commencing with July 1, 1968.

NO IMPLICATION OF FURTHER CONTINUATION OF BENEFITS

10. The provisions of this executive order shall not imply any obligation, commitment or promise that benefits herein granted or provided for shall be continued beyond the termination date thereof, as herein prescribed.

EFFECTIVE DATE

11. This order shall take effect on June 14, 1968, except section five hereof, which shall take effect on May 31, 1968, provided however, that (1) this executive order, except sections three and six shall not take effect unless a 1968 bill entitled "an act to amend the administrative code of the city of New York, and the judiciary law, in relation to authorizing pensions-providing-for increased-take-home-pay, death benefits and reduction in member contributions with respect to members and other persons entitled to benefits under certain retirement and pension systems or funds supported by the city of New York" is enacted into law and provided further that

(2) section six of this executive order shall not take effect unless a 1968 bill entitled "An Act to amend the administrative code of the city of New York, and the education law, in relation to providing for or authorizing pension-providing-for-increased-take-home-pay, death benefits and reductions in member retirement contributions with respect to members and other persons entitled to benefits under the teachers' retirement system and the retirement system of the board of education of the city of New York" is enacted into law.

JOHN V. LINDSAY
M A Y O R

BY ROBERT W. SWEET
Deputy Mayor

EXECUTIVE ORDER No. 78

June 14, 1968

Continuation of increased take-home-pay plan during 1968-1969 State fiscal year, for officers and employees of the Triborough Bridge and Tunnel Authority, The New York Public Library, The Brooklyn Public Library and The Queens Borough Public Library, who are members of the New York State Employees' Retirement System.

WHEREAS, since 1960, the Triborough Bridge and Tunnel Authority and since 1961, the above mentioned libraries, with the approval of the City, have provided, for successive periods of one State fiscal year (except for a shorter period in the 1960-1961 year) pursuant to statutes enacted by the State Legislature, an increased take-home-pay-plan applicable to officers and employees of such Authority and Libraries who are members of the New York State Employees' Retirement System; and

WHEREAS, such plan makes possible a decrease in the pension contributions of such officers and employees without diminution or loss of pension rights, with the result that the take-home-pay of such officers and employees is increased; and

WHEREAS, by reason of the economic benefits conferred by such plan on such personnel, their morale, efficiency and productiveness are improved, with resulting substantial benefits to the functioning of the Authority and such Libraries, and enhancement of the welfare of the people of the City; and

WHEREAS, by Laws 1968, Ch. 232, the State Legislature has authorized a continuation of such increased-take-home-pay plan during the 1968-1969 fiscal year of the State; and

WHEREAS, the Triborough Bridge and Tunnel Authority and such Libraries, by the resolutions hereto annexed, have elected to continue such increased-take-home-pay plan during the 1968-1969 fiscal year of the State; and

WHEREAS, I have determined that it is in the best interests of the City, the Authority, the Libraries and the officers and employees of the Authority and such Libraries that such plan shall be so continued;

Executive Order No. 78

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. The annexed resolution of the Triborough Bridge and Tunnel Authority electing as a participating employer to provide increased take-home-pay benefits to officers and employees of such Authority who are members of the New York State Employees' Retirement System, beginning with the payroll period commencing March 23, 1968, and the annexed resolutions of the New York Public Library, the Brooklyn Public Library and the Queens Borough Public Library whereby such libraries elect as participating employees, to provide increased-take-home-pay benefits to officers and employees of such Libraries who are members of the New York State Employees' Retirement System, beginning with the payroll periods specified in such resolutions, are hereby approved.

2. The City of New York shall provide the funds in support of such benefits for those officers and employees who are paid from funds provided by the City of New York.

JOHN V. LINDSAY
M A Y O R

by

ROBERT W. SWEET
Deputy Mayor

RESOLVED, That pursuant to the provisions of subdivision c, and within the conditions set forth in subdivision a of Section 70-a of the Retirement and Social Security Law as amended by Chapter 232 of the Laws of 1968, Triborough Bridge and Tunnel Authority hereby elects as a participating employer in the New York State Employees' Retirement System to continue to make contributions to the pension accumulation fund for the purpose of providing death benefits and pensions-providing-for-increased-take-home-pay on the basis of a reduction, pursuant to such section, of the contributions of each member by five per centum (5%) of his compensation; and be it further

RESOLVED, That such reduction in each member's rate of contribution shall take effect beginning with the payroll period beginning March 23, 1968, it being the intent of this resolution that the reductions in the contribution of such members hereby provided pursuant to Chapter 232 of the Laws 1968, shall succeed without interruption, the reductions provided for such members, pursuant to Chapter 159 of the Laws of 1967, by the resolution of the Authority, approved by Executive Order No. 43 of the Mayor of The City of New York dated June 16, 1967

I hereby certify that the foregoing is a true and exact copy of a Resolution adopted by Triborough Bridge and Tunnel Authority at its meeting held on May 27, 1968

M McKnight

Secretary

THE DIRECTOR
THE NEW YORK PUBLIC LIBRARY
FIFTH AVENUE AND 42nd STREET
NEW YORK, N. Y. 10018

June 14, 1968

Mr. Bernard Friedlander
Office of the Corporation Counsel
Room 1648, Municipal Building
New York, New York

Dear Mr. Friedlander:

This is to certify that the Trustees of The New York Public Library, at a meeting on June 12, 1968, adopted the following resolution:

BE IT RESOLVED, That pursuant to the provisions of Section 70-a of the Retirement and Social Security Law, as amended by L. 1968, Ch. 232, the Board of Trustees of The New York Public Library does hereby elect as a participating employer with respect to the New York State Employees' Retirement System to make contributions to the pension accumulation fund pursuant to such Section 70-a, as so amended, for the purpose of providing death benefits and pensions-providing-for-increased-take-home-pay, on the basis of a reduction, pursuant to such section, of the contributions of each member by five per centum of his compensation; and be it further

RESOLVED, That such reductions, pursuant to such Section 70-a, as so amended, in the contributions of members of such Retirement System in the employ of The New York Public Library, shall be made beginning with the payroll period commencing on April 1, 1968 in the case of such members who are on monthly payrolls, and shall be made beginning with the payroll period commencing on April 8, 1968 in the case of such members who are on biweekly payrolls, it being the intent of this resolution (a) that the reductions in the contributions of such members hereby provided, pursuant to L. 1968, Ch. 232, shall succeed without interruption, the reductions provided for such members, pursuant to L. 1967, Ch. 159, by the resolution of this Board of Trustees approved by Executive Order No. 43 issued by the Mayor on June 16, 1967; and (b) to recognize for the purpose of providing such reductions without interruption, that where any such member was shifted from a monthly payroll basis to a biweekly payroll basis during the period of effectiveness of such resolution approved by Executive Order No. 43, such reductions under such resolution terminated with respect to such member as of April 7, 1968.

Very truly yours,

Edward G. Freehafer
Secretary pro tempore

EGF:mm
cc: Mr. John J. Lanigan, Bureau of the Budget (3)

BROOKLYN PUBLIC LIBRARY
GRAND ARMY PLAZA
BROOKLYN, N. Y. 11238

May 21, 1968

The Honorable John V. Lindsay
Mayor of The City of New York
City Hall
New York, New York 10007

Dear Mayor Lindsay:

Following is the resolution approved by the Board of Trustees of the Brooklyn Public Library at a regular meeting on May 21, 1968.

BE IT RESOLVED,

That pursuant to the provisions of Section 70A of the Retirement and Social Security Law, as amended by L. 1968, Ch. 232, The Board of Trustees of the Brooklyn Public Library does hereby elect as a participating employer with respect to the New York State Employees' Retirement System to make contributions to the pension accumulation fund pursuant to such Section 70-a, as so amended, for the purpose of providing death benefits and pensions, providing for increased-take-home-pay, on the basis of a reduction, pursuant to such section, of the contributions of each member by five per centum of his compensation; and be it further

RESOLVED THAT such reductions, pursuant to such Section 70-a, as so amended, in the contributions of members of such Retirement System in the employ of the Brooklyn Public Library, shall be made beginning

with the payroll period commencing on April 1, 1968; it being the intent of this resolution that the reductions in the contributions of such members provided, pursuant to L. 1968, Ch. 232, shall succeed without interruption, the reductions provided for such members, pursuant to L. 1967, Ch. 159, by the resolution of this Board of Trustees approved by Executive Order No. 43 issued by the Mayor on June 16, 1967.

Sincerely yours,

Henry Q. Middendorf
President
Board of Trustees

HQM/vc
cc: Mr. John Lannigan
Bureau of Budget
Mr. Freidlander
City Law Department

GRAND ARMY PLAZA
BROOKLYN, N. Y. 11238

May 21, 1968

COPY

The Honorable John V. Lindsay

THIS IS TO CERTIFY that the attached is a true copy of the Resolution approved by the Board of Trustees of the Brooklyn Public Library at its regular meeting on May 21, 1968 and that the foregoing signature is that of the President of the Board, Henry Q. Middendorf.

Denis M. Hurley
Denis M. Hurley
Secretary
Board of Trustees

Attest: John L. Grant
Eileen R. Moran

May 16, 1968

Honorable John V. Lindsay
Mayor of the City of New York

At a regular meeting of the Board of Trustees of the Queens Borough Public Library, held at Jamaica, New York, on Thursday, May 16, 1968, the following action was taken:

(E X T R A C T F R O M M I N U T E S)

BE IT RESOLVED, That pursuant to the provisions of Section 70-a of the Retirement and Social Security Law, as amended by L. 1968, c. 232, the Board of Trustees of the Queens Borough Public Library does hereby elect as a participating employer with respect to the New York State Employees' Retirement System to make contributions to the pension accumulation fund pursuant to such Section 70-a, as so amended, for the purpose of providing death benefits and pensions providing for increased take-home pay, on the basis of a reduction, pursuant to such section, of the contributions of each member by five per centum of his compensation; and be it further

RESOLVED, That such reductions, pursuant to such Section 70-a, as so amended, in the contributions of members of such Retirement System in the employ of the Queens Borough Public Library, shall be made beginning with the payroll period commencing on April 1, 1968; it being the intent of this resolution that the reductions in the contributions of such members hereby provided, pursuant to L. 1968, c. 232, shall succeed without interruption, the reductions provided for such members, pursuant to L. 1967, ch. 159, by the resolution of this Board of Trustees approved by Executive Order #43 issued by the Mayor on June 16, 1967.

A TRUE COPY

President

ATTESTED TO BY:

Secretary

EXECUTIVE ORDER NO. 79

June 14, 1968

Continuation of increased-take home-pay plan during 1968-1969 fiscal year, for officers and employees of the New York City Transit Authority

WHEREAS, since the City fiscal year 1960-1961, the New York City Transit Authority, with the approval of the City has provided, for successive periods of one fiscal year pursuant to status enacted by the State Legislature at the request of the City, an increased-take-home-pay plan applicable to officers and employees of the New York City Transit Authority who are members of the New York City Employees' Retirement System; and

WHEREAS, such plan makes possible a decrease in the pension contributions of Authority personnel without diminution or loss of pension rights, with the result that the take-home-pay of Authority personnel is increased; and

WHEREAS, by reason of the economic benefits conferred by such plan on Authority personnel, their morale, efficiency and productiveness are improved, with resulting substantial benefits to the functioning of the Authority and the City government and enhancement of the welfare of the people of the City; and

WHEREAS, the New York City Transit Authority, by resolution adopted on June 14, 1968, has elected, subject to the approval of the Mayor, to continue such increased-take-home-pay plan during the City's 1968-1969 fiscal year; and

WHEREAS, I have determined that it is the best interests of the City, the Authority and the officers and employees of the Authority that such plan shall be so continued;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. The annexed resolution of the New York City Transit Authority, adopted such Authority on June 14, 1968, is hereby approved.

Executive Order No. 79

2. This order shall take effect June 14, 1968, provided however, that this order shall not take effect unless a bill entitled "An Act to amend the administrative code of the city of New York and the judiciary law, in relation to authorizing pensions-providing-for-increased-take-home-pay, death benefits and reductions in member retirement contributions with respect to members and other persons entitled to benefits under certain retirement and pension systems or funds supported by the city of New York is enacted into law."

JOHN V. LINDSAY
M A Y O R

by

ROBERT W. SWEET
Deputy Mayor

WHEREAS, a bill entitled "An Act to amend the administrative code of the city of New York and the judiciary law, in relation to authorizing pensions-providing-for-increased-take-home-pay, death benefits and reductions in member retirement contributions with respect to members and other persons entitled to benefits under certain retirement and pension systems or funds supported by the city of New York" (Assembly Int. 6808-B) has been passed by the State Legislature and is now before the Governor, which bill provides for the amendment of the Administrative Code in relation to the New York City Employees' Retirement System so as to authorize the New York City Transit Authority to provide a pensions-providing-for-increased-take-home-pay plan, during the fiscal year 1968-1969, for certain of its officers and employees who are members of said retirement system; and

WHEREAS, the Authority has determined, if said bill is enacted into law, to extend benefits analogous to those authorized during the fiscal year 1962-1963 by L. of 1962, c. 787 to certain of its officers and employees;

RESOLVED, by the New York City Transit Authority as follows:

1. For the purposes of this resolution, the provisions of subdivision j of §B3-36. 1 of the Administrative Code shall apply, subject to the terms and conditions specified in this resolution, in the same manner, to the same extent and with the same force and effect as if:

   (a) wherever the word "sixty-two" appears in such subdivision j, the word "sixty-eight" were substituted therefor;

   (b) wherever the word "sixty-three" appears in such subdivision j, the word "sixty-nine" were substituted therefor;

   (c) wherever "board of estimate" is referred to in such subdivision j, the word "mayor" were substituted therefor; and

   (d) wherever such subdivision refers to adoption of a resolution by the board of estimate, such subdivision instead referred to adoption of an order by the Mayor.

2. Effective during the period of time from and including the payroll period the first day of which is nearest to July 1, 1968 and to and including the payroll period immediately preceding that, the first day of which is nearest to June 30, 1969 (which total period of time is hereinafter referred to as the "1968-1969 increased-take-home-pay period"), the governing provisions of subdivision 14 of such subdivision j, as hereby made applicable, and the provisions of subdivisions g,h and i of such E3-36.1 shall be applicable to and for the benefit of all officers and employees of this Authority who are members of the New York City Employees' Retirement System except for those officers and employees who elect pursuant to chapter 290 of the Laws of 1968 a plan of retirement upon completion of twenty years of service with a retirement allowance payable at or after age fifty, and except for those officers and employees who are members of the Uniformed Transit Police Force and who have elected optional retirement pursuant to Section E3-36.3 of the Administrative Code.

3. The Authority hereby designates five per cent as the reduced rate-of-contribution factor to be used in computing the reduction of contributions of members entitled to benefits under the provisions of paragraph 2 of this resolution; provided, however, that if a bill entitled "An act to amend the administrative code of the city of New York and the military law, in relation to providing additional rights, privileges and benefits for members of the New York city employees' retirement system and establishing an optional career plan for certain of such members" is enacted into law, for those officers and employees who are eligible for the benefits of said career pension plan, regardless of whether they elect the benefits thereof, such reduced-rate-of-contribution factor shall be four per cent.

4. The Authority hereby designates for conditional exclusion from the benefits provided by paragraphs 2 and 3 of this resolution, all members:

(1) who are subject to prevailing rate determinations made within the purview of §220 of the Labor Law, or

(2) to whom wage accord determinations made by the City Comptroller apply,

if a bill entitled "An Act To amend the administrative code of the city of New York and the military law, in relation to providing additional rights, privileges and benefits for members of the New York city employees' retirement system and establishing an optional career pension plan for certain of such members" is enacted into law. This exclusion from applicability set forth above shall remain in effect with respect to each member so excluded for the entire 1968-1969 increased-take-home-pay period unless each such member waives any and all claims arising out of any consent determination made under section two hundred twenty of the Labor Law, or arising out of any agreement or resolution of the Authority, to any reduction of member' contributions greater than that provided in paragraph 3 hereof. The election by any such member to become a career pension plan member or a fifty-five-year-increased-service fraction member shall for the purpose of this paragraph 4 be deemed to constitute such a waiver.

5. The provisions of this resolution shall not imply any obligation, commitment or promise that benefits herein granted or provided for shall be continued beyond the termination date thereof, as herein prescribed.

6. This resolution shall not take effect unless the aforesaid bill (Assembly Int. 6808-B) now before the Governor is enacted into law and unless this resolution is approved by the Mayor.

NEW YORK CITY TRANSIT AUTHORITY
by

Lloyd Peterson
Secretary
June 14, 1968

EXECUTIVE ORDER NO. 80

June 14, 1968

Continuation of increased-take-home-pay plan during 1968-1969 fiscal year, for members, officers and employees of the New York City Housing Authority

WHEREAS, since the City fiscal year 1960-1961, the New York City Housing Authority, with the approval of the City, has provided, for successive periods of one fiscal year pursuant to statutes enacted by the State Legislature at the request of the City, an increased take-home-pay plan applicable to members, officers and employees of the New York City Housing Authority who are members of the New York City Employees' Retirement System; and

WHEREAS, such plan makes possible a decrease in the pension contributions of Authority personnel without diminution or loss of pension rights, with the result that the take-home-pay of Authority personnel is increased; and

WHEREAS, by reason of the economic benefits conferred by such plan on Authority personnel, their morale, efficiency and productiveness are improved, with resulting substantial benefits to the functioning of the Authority and the City government and enhancement of the Welfare of the people of the City; and

WHEREAS, the New York City Housing Authority, by resolution adopted on June 12, 1968, has elected, subject to the approval of the Mayor, to continue such increased-take-home-pay plan during the City's 1968-1969 fiscal year; and

WHEREAS, I have determined that it is in the best interests of the City, the Authority and the members, officers and employees of the Authority that such plan shall be so continued;

NOW THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. The annexed resolution of the New York City Housing Authority, adopted by such Authority on June 12, 1968, is hereby approved.

2. This order shall take effect June 14, 1968, provided, however, that this order shall not take effect unless a 1968 bill entitled "An Act to amend the administrative code of the City of New York and the judiciary law, in relation to authorizing pensions-providing-for-increased-take-home-pay, death benefits and reductions in member retirement contributions with respect to members and other

persons entitled to benefits under certain retirement and pension systems or funds supported by the City of New York" amending paragraph two of subdivision m of section B3-36.1 of such code by the addition of subparagraph f thereto, is enacted into law.

JOHN V. LINDSAY
M A Y O R

by

ROBERT W. SWEET
Deputy Mayor

RESOLUTION AUTHORIZING FOR THE 1968-1969 FISCAL YEAR INCREASED-TAKE-HOME PAY BENEFITS FOR MEMBERS, OFFICERS AND EMPLOYEES OF THE AUTHORITY BY REDUCING THEIR CONTRIBUTION TO THE NEW YORK CITY EMPLOYEES' RETIREMENT SYSTEM

IT IS HEREBY RESOLVED BY THE MEMBERS OF THE NEW YORK CITY HOUSING AUTHORITY, AS FOLLOWS:

Section 1. For the purposes of this resolution, the provisions of subdivision j of Section B3-36.1 of the Administrative Code shall apply, subject to the terms and conditions specified in this resolution, in the same manner, to the same extent and with the same force and effect as if:

(1) wherever the word "sixty-two" appears in such subdivision j, the word "sixty-eight" were substituted therefor;

(2) wherever the word "sixty-three" appears in such subdivision j, the word "sixty-nine" were substituted therefor;

(3) wherever "board of estimate" is referred to in such subdivision j, the word "mayor" were substituted therefor;

(4) wherever such subdivision refers to adoption of a resolution by the board of estimate, such subdivision instead referred to adoption of an executive order by the mayor.

Section 2. From and including the payroll period the first day of which is nearest to July 1, 1968, to and including the payroll period immediately prior to the payroll period the first day of which is nearest to June 30, 1969, the benefits provided by the governing provisions of paragraph 14 of subdivision j, and the provisions of subdivisions g, h and i of Administrative Code Section B3-36.1, shall be applicable to and for the benefit of all Members, officers and employees of the Authority who are members of the New York City Employees' Retirement System, with a reduced-rate-of-contribution factor of four per centum, except that with respect to such employees who are members of the Housing Police Service the reduced-rate-of-contribution factor, pursuant to the provisions of Chapter 130 of the Laws of 1968, is five per centum.

Section 3. The provisions of this resolution shall not imply any obligation, commitment or promise that the benefits herein granted shall be continued beyond the termination date thereof, as hereinabove prescribed.

Section 4. The Controller of the Authority is hereby authorized and directed to do and perform all acts necessary to carry out and implement this resolution.

Section 5. This resolution is subject to approval by the Mayor of the City of New York.

Section 6. This resolution shall take effect upon the enactment into law of a bill entitled "AN ACT To amend the administrative code of the city of New York and the judiciary law, in relation to authorizing pensions-providing-for-increased-take-home-pay, death benefits and reductions in member retirement contributions with respect to members and other persons entitled to benefits under certain retirement and pension systems or funds supported by the city of New York", as a chapter of the Laws of 1968, amending, in part, paragraph 2 of subdivision m of Section B3-36.1 of the Administrative Code by the addition of subparagraph "f" thereto.

EXECUTIVE ORDER NO. 81

June 28, 1968

Continuation of increased-take-home-pay plan during 1968-1969 fiscal year, for members of the Board of Education Retirement System

WHEREAS, since the City fiscal year 1960-1961, the New York City Board of Education, with the approval of the City, has provided, for successive periods of one fiscal year pursuant to statutes enacted by the State Legislature at the request of the City, an increased take-home-pay-plan applicable to members of the Board of Education Retirement System; and

WHEREAS, such plan makes possible a decrease in the pension contributions of such members without diminution or loss of pension rights, with the result that the take-home-pay of such members is increased; and

WHEREAS, by reason of the economic benefits conferred by such plan on such members, their morale, efficiency and productiveness are improved, with resulting substantial benefits to the administration of the affairs of the Board of Education and the City government and enhancement of the welfare of the people of the City; and

WHEREAS, the City, at the 1968 Session of the State Legislature, sponsored the enactment of Laws 1967, Ch. 826, which authorizes the New York City Board of Education, with the approval of the Mayor, to continue such increased take-home-pay plan during the City's 1968-1969 fiscal year.

WHEREAS, the New York City Board of Education, by resolution adopted on June 26, 1968, has elected, subject to the approval of the Mayor, to continue such increased-take-home-pay plan during the City's 1968-1969 fiscal year; and

WHEREAS, I have determined that it is in the best interests of the City, the Board of Education and the members of the Board of Education Retirement System that such plan shall be so continued;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. The annexed resolution of the Board of Education, adopted on June 26, 1968, amending the provisions governing the Board of Education Retirement System to the extent necessary to put into effect a

Executive Order No. 81

pensions-providing-for-increased-take-home-pay plan for the fiscal year 1968-1969 analogous to that authorized by Laws 1962, Ch. 789, is hereby approved.

This order shall take effect June 28, 1968.

JOHN V. LINDSAY
M A Y O R

by

ROBERT W. SWEET
Deputy Mayor

TO THE BOARD OF EDUCATION

Honorable Members:

The following resolution is submitted for your approval:

RESOLVED, That pursuant to the provisions of Section 2575 of the Education law, the Board of Education subject to the approval by the Mayor of the City of New York hereby adopts and submits to the Teachers' Retirement Board for approval the following amendments to the rules and regulations governing the Board of Education Retirement System.

1. Subdivision a of Section 29 of the rules and regulations is hereby amended to read as follows:

a. Beginning with the payroll period the first day of which is nearest to July first, nineteen hundred sixty-one, and ending with the payroll immediately prior to that, the first day of which is nearest to June thirtieth, nineteen hundred sixty /eight/ nine, the contribution of each member, other than any member excluded under the terms of subdivision h or subdivision i of this section, and other than any member with respect to whom it is otherwise provided in subdivisions j, k, l, m /and/, n, o, p, and q of this section, to the annuity savings fund, exclusive of any increase thereof made pursuant to section four-a,/the second and ninth unnumbered paragraphs of Subdivisions (one)/paragraphs b and k of Subdivision (one) of section eight, or Subdivision (five) of section ten, and before any reduction thereof pursuant to Subdivision one of section one hundred thirty-eight-b of the retirement and social security law, shall be reduced by an amount equal to five percentum of his compensation. If such rate of contribution exclusive of any increase thereof made pursuant to section four-a, /the second and ninth unnumbered paragraphs of subdivision (one)/ paragraphs b and k of Subdivision (one)of section eight, or Subdivision (five) of section ten, and before reduction thereof pursuant to Subdivision one of section one hundred thirty-eight-b of the retirement and social security law, and before reduction thereof pursuant to the provisions of this section, is equal to or less than five percentum, such rate shall be discontinued. The methods of computation and the deductions from compensation prescribed by /the third, fourth, fifth, sixth, seventh, eighth, tenth and eleventh unnumbered paragraphs of Subdivision (one) of section eight,/ paragraphs c, d, e, f, h, i, j, l and m of Subdivision (one) of section eight, Subdivision (four) of section eleven, Subdivision (five) of section twelve and Subdivision (five) of section fourteen shall be appropriately modified in the case of a member for whom a rate of contribution is otherwise fixed pursuant to this subdivision.

2. Section 29 is further amended by adding three new subdivisions to be subdivisions o, p and q to read as follows:

o. Beginning with September 1, 1967 and ending with June 30, 1968, the contribution of each member who is an attendance teacher, attendance officer, attendance teacher (Spanish speaking), auxiliary attendance teacher, or auxiliary attendance officer, to the annuity savings fund, exclusive of any increase thereof made pursuant to section four-a, paragraphs b and k of Subdivision (one) of section eight, or Subdivision (five) of section ten, and before any reduction thereof pursuant to Subdivision one of section one hundred thirty-eight-b of the retirement and social security law, shall be reduced by an amount equal to three percentum of

his compensation in addition to the reduction provided for in subdivision a of section 29 with respect to the same period of time. If such additional reduction, together with the reduction provided for in subdivision a of section 29 with respect to the same period of time, exclusive of any increase thereof made pursuant to section four-a, paragraphs b and k of Subdivision (one) of section eight, or Subdivision (five) of section ten, and before reduction thereof pursuant to Subdivision one of section one hundred thirty-eight-b of the retirement and social security law, and before reduction thereof pursuant to the provisions of this section, is equal to or less than eight percentum, such contribution shall be discontinued. The amount of reduction provided for by this section or the amount of contributions made by such member during such period of time, whichever is less, shall be refunded without interest to a member who does not waive such reduction.

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p. Beginning with July 1, 1968 and ending with June 30, 1969, the contribution of each member who is an attendance teacher, attendance officer, attendance teacher (Spanish speaking), auxiliary attendance teacher, or auxiliary attendance officer, to the annuity savings fund, exclusive of any increase thereof made pursuant to section four-a, paragraphs b and k of Subdivision (one) of section eight, or Subdivision (five) of section ten, and before any reduction thereof pursuant to Subdivision one of section one hundred thirty-eight-b of the retirement and social security law, shall be reduced by an amount equal to eight percentum of his compensation. If such rate of contribution exclusive of any increase thereof made pursuant to section four-a, paragraphs b and k of Subdivision (one) of section eight, or Subdivision (five) of section ten, and before reduction thereof pursuant to Subdivision one of section one hundred thirty-eight-b of the retirement and social security law, and before reduction thereof pursuant to the provisions of this section, is equal to or less than eight percentum, such rate shall be discontinued.

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q. Beginning with July 1, 1968, and ending with June 30, 1969, the contribution of each member who is in a career pension plan position, to the annuity savings fund exclusive of any increase thereof made pursuant to section four-a, paragraphs b and k of Subdivision (one) of section eight, or Subdivision (five) of section ten, and before any reduction thereof pursuant to Subdivision one of section one hundred thirty-eight-b of the retirement and social security law, shall be reduced by an amount equal to four percentum of his compensation. If such rate of contribution exclusive of any increase thereof made pursuant to section four-a, paragraphs b and k of Subdivision (one) of section eight, or Subdivision (five) of section ten, and before reduction thereof pursuant to Subdivision one of section one hundred thirty-eight-b of the retirement and social security law, and before reduction thereof pursuant to the provisions of this section, is equal to or less than four percentum, such rate shall be discontinued.

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3. The provisions of this resolution shall not imply any obligation, commitment or promise that the benefits herein granted or provided for shall be continued beyond the termination date thereof, as herein prescribed.

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4. This resolution shall take effect upon the date of approval thereof by the Mayor; and be it further

Respectfully submitted,

BERNARD E. DONOVAN
Superintendent of Schools

Matter underlined & matter in italics is new, matter in brackets to be deleted.

Explanation

It has been the policy of the Board of Education beginning with the year 1960 to amend the rules and regulations of the Board of Education Retirement System to implement the "pension providing for increased take home pay plan" authorized by State law and approved by the Mayor of the City of New York. Authorization for the increased take home pay plan is for one year only and must be renewed each year to effectuate a continuance of the plan.

The foregoing amendments provide for a continuance of the 5% increased take home pay plan for members of the system who are not in career pension plan positions.

For those members in career pension plan positions the rate will be reduced to 4% as specified in the agreement negotiated between the Office of Staff Relations of the Board of Education and Local 37 of AFSCME - AFL - CIO.

Those members who have the titles of attendance teacher, attendance officer, attendance teacher (Spanish speaking), auxiliary attendance teacher, or auxiliary attendance officer, the rate is increased to 8% in accordance with the agreement negotiated between the Office of Staff Relations of the Board of Education and the United Federation of Teachers AFL - CIO.

A true copy of resolution(s) adopted by the Board of Education on JUN 26 1963

M. Weinberg
Acting Assistant Secretary, Board of Education

EXECUTIVE ORDER NO. 82

June 14, 1968

Continuation of increased-take-home-pay plan during 1968-1969 fiscal year, for officers and employees of the Triborough Bridge and Tunnel Authority who are members of the New York City Employees' Retirement System.

WHEREAS, since the City fiscal year 1960-1961, the Triborough Bridge and Tunnel Authority, with the approval of the City, has provided, for successive periods of one fiscal year pursuant to statutes enacted by the State Legislature at the request of the City, an increased-take-home-pay-plan applicable to officers and employees of such Authority who are members of the New York City Employees' Retirement System; and

WHEREAS, such plan makes possible a decrease in the pension contributions of such Authority personnel without diminution or loss of pension rights with the result that the take-home-pay of such Authority personnel is increased; and

WHEREAS, by reason of the economic benefits conferred by such plan on Authority personnel, their morale efficiency and productiveness are improved, with resulting substantial benefits to the functioning of the Authority and the City government and enhancement of the welfare of the people of the City; and

WHEREAS, the Triborough Bridge and Tunnel Authority, by resolution adopted on May 27, 1968, has elected, subject to the approval of the Mayor to continue such increased-take-home-pay during the City's 1968-1969 fiscal year; and

WHEREAS, I have determined that it is in the best interests of the City, the Authority and the officers and employees of the Authority that such plan shall be so continued;

Now, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Executive Order No. 82

1. The annexed resolution of the Triborough Bridge and Tunnel Authority adopted by such Authority on May 27, 1968, is hereby approved.

2. This order shall take effect June 14, 1968, provided, however, that the order shall not take effect unless a 1968 bill entitled "An Act to amend the administrative code of the city of New York and the judiciary law, in relation to authorizing pensions-providing-for-increased-take-home-pay, death benefits and reductions in member retirement contributions with respect to members and other persons entitled to benefits under certain retirement and pension systems or funds supported by the city of New York is enacted into law, amending paragraph two of subdivision m of section B3-36.1 of such code by adding thereto a new subparagraph f."

JOHN V. LINDSAY
M A Y O R

By

ROBERT W. SWEET
Deputy Mayor

RESOLVED, That pursuant to the provisions of subdivision j, paragraph 7 of Section B3-36.1 of the Administrative Code of The City of New York as added by Chapter 787 of the Laws of 1962, as amended by subdivision m, paragraph 2(f) of the said Section of the said Code as added by a Chapter of the Laws of 1968 entitled "An Act to amend the administrative code of the city of New York and the judiciary law, in relation to authorizing pensions-providing-for-increased-take-home-pay, death benefits and reductions in member retirement contributions with respect to members and other persons entitled to benefits under certain retirement and pension systems or funds supported by the city of New York, " Triborough Bridge and Tunnel Authority hereby elects to provide by this resolution adopted prior to June 17, 1968, that the governing provisions of paragraph 14 of subdivision j, with a reduced rate of contribution factor of 4%, and subdivisions g, h, and i of Section B3-36.1 of the Administrative Code shall apply to and for the benefit of all members of the New York City Employees' Retirement System who are officers or employees of Triborough Bridge and Tunnel Authority; and be it further

RESOLVED, That such election shall take effect only if a Chapter of the Laws of 1968 amending subdivision m, paragraph 2(f) of Section B3-36.1 of the Administrative Code of The City of New York as described herein is enacted; and be it further.

RESOLVED, That such election adopted by the Authority is subject to the approval of the Mayor of The City of New York as required pursuant to said Section B3-36.1 of said Administrative Code.

I hereby certify that the foregoing is a true and exact copy of a Resolution adopted by Triborough Bridge and Tunnel Authority at its meeting held on May 27, 1968

M. M. Knight

Secretary

EXECUTIVE ORDER NO. 83

June 14, 1968

CONTINUATION OF SALARY ADJUSTMENT PLAN

WHEREAS, the New York City Board of Estimate, on June 21, 1962 (Cal. No. 525) adopted a salary adjustment plan for the City's 1962-1963 fiscal year, providing certain salary adjustments for specified categories of City employees and other public or quasi-public employees, who could not benefit from the increased-take-home-pay plan put into effect by the City for members of City-supported retirement systems; and

WHEREAS, such salary adjustment plan has been since continued by the City for each fiscal year as to which such increased-take-home-pay plan has been continued; and

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. The salary adjustment plan adopted by the Board of Estimate on June 21, 1962 (Cal. No. 525) for the 1962-1963 fiscal year is hereby continued for the 1968-1969 fiscal year, including the same terms and conditions. In addition to the City employees covered by the plan, the salary adjustment plan is continued for officers and employees of public authorities, Board of Education and Higher Education, the Community Colleges, and the Cultural Institutions, provided such agencies provided the necessary funds from their existing appropriations. This salary adjustment plan is also continued for employees in the American Museum of Natural History, New York Zoological Garden and Brooklyn Botanic Garden whose wages are fixed in accordance with Section 220 of the Labor Law under the same terms and conditions provided by Executive Order No. 74 issued for the 1963-1964 fiscal year.

2. This order shall take effect June 14, 1968.

JOHN V. LINDSAY
M A Y O R

by

ROBERT W. SWEET
Deputy Mayor

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

EXECUTIVE ORDER 84

Amendment to Executive Order 28

July 1, 1968

Section 1 § 3 titled "New York City Council Against Poverty" of Executive Order 28, August 15, 1966, is hereby amended to read as follows:

a) Creation. A new New York City Council Against Poverty is created, the council created by Title I of Executive Order No. 160 of June 30, 1965, as amended by Executive Order No. 163 of July 1, 1965, is abolished, and Title I of Executive Order No. 160 and Executive Order No. 163 are rescinded.

b) Functions, Powers and Duties. The functions, powers and duties of the new Council shall be:

i) to determine overall program plans and priorities for the City's Attack on Poverty, informing the Administrator, HRA, in this connection;

ii) to provide for the creation or recognition of community corporations or other organizations as the primary instruments for citizen participation and community action in particular areas of the City;

iii) to adopt each year proposed community development agency estimates, including proposed allocations among community corporations or other recognized primary instruments of citizen participation for the expenditure during the next fiscal year of funds appropriated by the City of New York for the Attack on Poverty and funds to be made available to the City by the United States under Title II (A) of the Economic Opportunity Act of 1964, as amended;

iv) to give final approval of all program proposals and budgets for Attack on Poverty funds from community corporations or other recognized primary instruments and from other agencies and in connection therewith to hear appeals from those whose applications for funds to community corporations or other recognized primary instruments were not included in applications to the Council;

v) to require the Administrator or his designee to submit estimates for the Attack on Poverty and to apply for and receive from the United States Office of Economic Opportunity the necessary Title II (A) funds; and

vi) to allocate among the community corporations or other recognized primary instruments and other agencies, in terms of program objectives and the

needs of the particular areas of the City, City community development agency funds actually made available and Title II (A) funds actually received and to require the Administrator or his designee to make such funds available thereto;

vii) to enforce compliance with all conditions of grants from the United States Office of Economic Opportunity;

viii) The Council shall have the right to reasonable advance notice of and an opportunity to make recommendations to the Mayor concerning the selection of the Commissioner of the Community Development Agency and the determination of major personnel, fiscal and program policies.

c) Composition. The Council shall consist of fifty-one seats, which shall be held by members, or, in the case of public officials, their permanent representatives. Each permanent representative must be able to act with the full authority of the member he represents. In thos cases where a member represents a geographic area, he shall reside in the area he represents.

Seventeen seats shall be held by public officials of the City of New York. These public officials are:

Mayor, City of New York
President, The Council, City of New York
Vice-Chairman and Majority Leader, The Council, City of New York
Minority Leader, The Council, City of New York
Comptroller, City of New York
President, Borough of The Bronx
President, Borough of Queens
President, Borough of Brooklyn
President, Borough of Richmond
Superintendent of Schools, City of New York
Administrator, Health Services Administration
Administrator, Housing & Development Administration
Administrator, Economic Development Agency
Chairman, City Planning Commission
Chairman, Mayor's Urban Action Task Force
Commissioner, Department of Social Services
Executive Secretary, Model Cities Committee, City of New York

Twenty-five seats shall be held by representatives of the poor in communities in the City of New York, which are designated as poverty areas by the City of New York. These representatives shall be selected by democratic selection procedures. These areas are:

Bedford-Stuyvesant
Brownsville
Bushwick
Central Harlam
Coney Island
Corona
Crown Heights
Mid-West Side
Morrisania
Queensbridge, Astoria & Long Island City
Rockaway
South Bronx
South Brooklyn
South Jamaica

East Harlem
East New York
Fort Greene
Hunts Point
Lower East Side
Lower West Side
Staten Island
Sunset Park
Tremont
Upper West Side
Williamsburg

Nine seats shall be held by members of business, industry, labor, religious, welfare, or other major groups in the City of New York. The Mayor shall determine which groups shall be represented. Each member representing a group shall be selected by its governing body and shall serve on a permanent basis. The groups shall be:

Archdiocese of New York and The Diocese of Brooklyn
Federation of Protestant Welfare Agencies
Federation of Jewish Philanthropies
United Neighborhood Houses
Community Council of Greater New York
Citizens Committee for Children of New York City
Puerto Rican Community Development Project
Central Labor Council of New York (AFL-CIO)
New York Urban Coalition

d) Term. The term of office for members of the Council other than public officials shall be three years. Public officials may serve unlimited terms. All other members shall not hold office beyond three consecutive years or a total of six years. Initially one-third of the seats held by representatives of the poor and members of groups shall hold office for one year, one-third shall hold office for two years, and the remaining members shall hold office for three years. Selection of these groups shall be by lot.

e) Selection. All members of the Council shall be appointed by the Mayor of the City of New York, who shall make appointments after consultation with the Council Against Poverty.

f) Vacancies. Vacancies on the Council shall be filled by appointment of the Mayor, and he shall follow the procedures of the original appointment.

g) By-Laws and Procedures. The Council shall adopt a set of by-laws and procedures for the conduct of its affairs. The quorum for the transaction of business shall be one-half of the membership. Quorum for the transaction of business by committees of the Council shall be one-half of the committee membership. The Council shall adopt procedures regarding petitions for membership on the Council by community agencies and representative groups of the poor which believe themselves to be inadequately represented on the Council.

h) Officers, Committees and Staff. The Council shall elect from its members its own officers who shall be a Chairman, Vice-Chairman and Secretary, and shall do so in consultation with the Mayor. The Council may establish such standing committees as it deems necessary including an executive committee which shall act for the Council when not in session. All actions of the executive committee must be ratified by the Council at its next regular meeting. The Council may have a staff to assist it in performing its functions.

§ 2 Effective Date. This amendment shall be effective July 1, 1968.

John V. Lindsay
Mayor, City of New York

EXECUTIVE ORDER NO. 85

July 8, 1968

Designation of officer pursuant to Administrative Code § B3-36.6(1)(1) to promulgate and maintain the official list of "physically taxing positions".

WHEREAS, the Legislature at the 1968 legislative session, at the request of the City of New York, amended the Administrative Code of privileges and benefits for members of the New York City Employees Retirement system and to establish an optional career pension plan for certain of such members, and

WHEREAS, pursuant to such Chapter 821 of the Laws of 1968, a career pension plan member who has completed twenty-five or more years of allowable service in one or more "physically taxing positions" is eligible for a retirement allowance calculated pursuant to such law on the effective date of his retirement or upon his attainment of age fifty, whichever is later, and

WHEREAS, section B3-36.6(1)(1) of said Administrative Code, provides that the Mayor shall by executive order, designate an officer or employee to perform certain functions prescribed by that section with respect to the promulgation and maintenance of the official list of "physically taxing positions";

EXECUTIVE ORDER NO. 85

July 8, 1968

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, and in accordance with the authority and direction contained in the aforesaid section of the Administrative Code, I hereby order as follows:

1. Herbert L. Haber, the Director of Labor Relations of the City of New York, is hereby designated as the officer (hereinafter referred to as "List Administrator") to perform the functions prescribed by the aforesaid section of the Administrative Code with respect to the promulgation and maintenance of the official list of "physically taxing positions".

2. The heads of all City Agencies and the staff of the office of the Mayor shall cooperate fully with the List Administrator in carrying out the said functions.

3. This order shall take effect immediately.

John V. Lindsay

JOHN V. LINDSAY
Mayor

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

EXECUTIVE ORDER NO. 86

JULY 19, 1968

GRANTS OR AID

FILING OF CLAIMS FOR EXPENDITURES
REIMBURSABLE FROM FEDERAL, STATE OR OTHER SOURCES

WHEREAS, a substantial portion of the 1967-68 Expense and Capital Budgets is funded by revenues received from Federal, State and other sources as reimbursement for certain expenditures, and

WHEREAS, a significant and equally substantial portion of the 1968-69 Expense and Capital Budgets will be similarly funded, and

WHEREAS, it is estimated that as of March 31, 1968, when seventy-five percent of 1967-68 fiscal year had elapsed, only fifty-six percent of all claims for reimbursement had been filed by the affected agencies, and

WHEREAS, it is desirable to expedite the submission of such claims in order to secure more rapid reimbursement from Federal, State and other sources, and

WHEREAS, it is anticipated that the elimination of all unnecessary delays may reduce the costs incurred by the City due to increased borrowings and concomitant increased interest costs, and

WHEREAS, recent studies by the Office of the City Administrator have indicated that it has not been the general practice to include in the determinations of costs of departmental operations the costs of the services provided by the central staff agencies, and

WHEREAS, indirect costs - such as those for the services of the Office of the Comptroller, the Personnel, Purchase, Public Works, and Law Departments - should, in accordance with established management procedures, be accounted for in all computations of cost, and

WHEREAS, the determination and inclusion of indirect costs is a matter of critical importance in relation to claims for reimbursement under Federal and State Grants. In its Circular No. A-87, "Principles for Determining Costs Applicable to Grants and Contracts with State and Local Governments," issued on May 9, 1968, the Federal Bureau of the Budget states as a fundamental premise that "State and local governments are responsible for the efficient and effective administration of grant and contract programs through the application of sound management practices." This responsibility entails providing "supporting services, which means auxiliary functions necessary to sustain the direct effort involved in administering a grant program or an activity providing service to the grant program. These services may be centralized in the grantee department or in some other agency, and include procurement, payroll, personnel functions, maintenance and operation of space, data processing, accounting, budgeting, auditing, mail and messenger service, and the like".

NOW THEREFORE, by the power vested in me as Mayor of the City of New York, I hereby order as follows:

1. All affected agencies shall immediately and expeditiously prepare and file all eligible claims for reimbursements chargeable to Federal, State and other sources, and shall in the future submit such claims on a continuous basis.

2. Such agencies shall submit Part I of the "Report on Grants or Aid" to the Comptroller, Deputy Mayor-City Administrator and the Director of the Budget immediately after filing such claims and shall cooperate with the Comptroller in efforts to accelerate the payment of such claims for reimbursement. A copy of the Report Form is attached.

3. Every agency is further directed to review its operations in detail to identify those activities, if any, for which reimbursement has not been received but which activities are eligible or might be eligible for reimbursement and the reasons therefor. The attached form Part II, reflecting the findings of such review, shall be submitted to the Comptroller, Deputy Mayor-City Administrator and the Director of the Budget on October 1st, 1968 and quarterly thereafter.

4. Effective immediately, all agencies which receive or apply for Federal or State aid or grants, shall obtain from the central staff agencies pertinent cost data for inclusion in claims for reimbursement. Such central staff agencies are directed to provide this information as expeditiously as possible. In order to assist in effectuating compliance with this Executive Order, the Deputy Mayor-City Administrator is directed to establish and conduct a "City-wide Cost Determination Program".

JOHN V. LINDSAY
MAYOR

Exec Ord 87
amended by
Exec. Ord. 96

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

EXECUTIVE ORDER NO. 87 August 1, 1968

Administration of Budget Appropriations

WHEREAS, the New York City Charter empowers and charges the Mayor with the responsibility of administering the Expense Budget for the 1968-1969 fiscal year, and

WHEREAS, certain itemized information and supporting schedules of appropriations, as last modified as of March 15, 1968, were contained in the Mayor's 1968-1969 Budget message, in accordance with Section 117 (b) 2 of the New York City Charter, and it is necessary to provide for certain actions taken subsequent to March 15, 1968,

NOW, THEREFORE, in order to carry out and provide for an effective administration of the 1968-69 Expense Budget, by the authority vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. The budget appropriations of all department and agencies shall be administered during the fiscal year 1968-1969 under the terms of this executive order.

2. The term "Agency" as used in this executive order means any office, administration department, division, bureau, board, commission, corporation, institution or other unit of government, the expenses of which are paid in whole or in part from the City Treasury.

3. The schedules of appropriations as contained in the Mayor's 1968-69 Budget Message as amended by the Board of Estimate and the Council are hereby approved effective July 1, 1968.

4. (a) All actions taken in accordance with the New York City Charter, subsequent to March 15th, 1968, approving modifications of the supporting schedules as contained in the Mayor's 1968-69 Budget Message are hereby carried over effective July 1, 1968.

(b) All actions taken in accordance with the New York City Charter, approving modifications which adjusted the rates of certain positions in accordance with the provisions of special pay plans, or reallocations as of July 1, 1966, January 1, 1967, July 1, 1967, January 1, 1968 and July 1, 1968 are hereby carried over effective July 1, 1968.

5. All the powers of budget modification, as granted in Section 124 (a) of the New York City Charter are hereby withdrawn from all agencies except as to the following: The Boards of Education and Higher Education, the Community Colleges, the Offices of the Borough Presidents, the Comptroller, the Board of Elections, the District Attorneys and the City Council; provided that the Mayor may, as a condition of making these exceptions, require these agencies to cooperate with the Vacancy Control Board in realizing savings required to meet poten-

tial budget deficits that may arise during the fiscal year.

6. Those agencies not specifically excepted from the provisions of Section 5 herein providing for the withdrawal of the power of budget modifications shall be governed by the following special terms and conditions in the administration of budget appropriations:

(a) VACANCIES

(1) The provisions of Executive Order No. 5 dated January 19, 1966 as modified by the memorandum on the subject of appointments dated February 2, 1967 are hereby continued in full force and effect for these agencies for the fiscal year 1968-1969.

(2) The Vacancy Control Board, consisting of the Deputy Mayor, City Administrator, the Director of the Budget and the Personnel Director appointed on January 24, 1966 is hereby continued in operation for the purpose of investigating and recommending for approval by the Mayor of requests for the filling of positions in these agencies.

(3) The Vacancy Control Board is hereby authorized to act in such a manner as to give the various agencies maximum flexibility in filling vacancies, consistent with the responsibility of operating the City government within the amounts appropriated for the fiscal year 1968-1969. However, the head of agencies must cooperate with the Vacancy Control Board to the maximum extent possible in realizing savings required to meet potential budget deficits that may arise during the fiscal year.

(4) A monthly report shall be sent to the Deputy Mayor stating the number of positions in the agency, the number filled, the number of vacancies (both regular and leave of absence), the number pending establishment, and the positions each agency expects to fill. Accompanying this report should be a list of vacancies by code and line number, title, schedule line rate, and the rate at which the position will be filled. A duplicate copy of this information must be submitted to the Bureau of the Budget.

EXECUTIVE ORDER NO.

(5) All agencies shall forward to the Deputy Mayor monthly a listing of the positions that have been filled giving the code, the line number, the title, the schedule rate and the appointment rate. A duplicate copy of this listing must be submitted to the Bureau of the Budget.

(6) The reports required by subsections (4) and (5) are necessary for review of requests for filling of vacancies by the Vacancy Control Board. Consideration of filling of vacancies shall be deferred in all cases where agencies have failed to comply until such time as the agency submit such reports.

(7) Any increases in the rate provided for employees in Rule X of the competitive class shall be granted only upon approval of the Mayor.

(b) BUDGET MODIFICATION

Subject to the provisions of Civil Service Law or other applicable statutes, changes in schedules within units of appropriations, may be made as follows:

(1) In accordance with the provisions of the Career and Salary Plan or any special pay plan, to adjust inequities, or to provide increments not provided in the schedules.

(2) Modifications increasing a rate of compensation not in accordance with provisions increasing salary scales may not be done by the head of an agency unless approved by the Mayor, except that the head of an agency may grant a merit increase to an employee in the competitive class, within increment ranges, with at least one year of service in the title, and who is under the Career and Salary Plan. Such increase shall not exceed an adjustment equal to one increment in a fiscal year.

(3) The provisions of subsection (b) (2) above shall not apply to employees included in collective bargaining agreements.

(4) Any modification creating any position in excess of $8,000 per annum in any schedule shall be done only upon approval of the Mayor.

EXECUTIVE ORDER NO.

7. All agencies shall be subject to the following general terms and conditions in the administration of budget appropriations.

(a) CHANGES IN APPROPRIATIONS

Any change in appropriations by transferring funds between Personal Service and other than Personal Service shall be done only upon approval of the Mayor.

(b) SUBMISSION OF REPORTS

For those agencies to which the provisions of Section 6 do not apply, the head of each such agency shall submit to the Director of the Budget on or before the 10th day following the end of each quarter a complete summarized list of vacancies existing on the last day of the preceding quarter, in each and every personal service appropriation in his agency.

(c) SCHEDULE MODIFICATIONS

Any modification changing any schedule as allowed by these terms and conditions shall be on a schedule basis, and not on a cash basis, unless otherwise directed by the Mayor.

(d) SALARY ADJUSTMENT AND INCREMENTS FOR POSITIONS COVERED BY CAREER AND SALARY PLANS

Salary adjustments and increments are to be provided in accordance with the provisions of a resolution adopted by the Board of Estimate on June 23, 1955 (Cal. No. 498), as amended.

(e) SALARY ADJUSTMENTS AND INCREMENTS FOR POSITIONS UNDER SPECIAL PAY PLANS.

Positions for which annual adjustments are provided in accordance with Special Pay Plans are to be provided in accordance with the provisions of the resolutions adopted by the Board of Estimate approving such Salary Plans.

(f) SKILLED AND UNSKILLED LABOR

(1) The supporting schedules contained in the Mayor's 1968-69 Budget Message contain provisions for the employment of certain positions for a specific number of days.

A payroll certificate shall be submitted in such form as the Comptroller may prescribe establishing the fact that employees of such positions are working the required number of days, and the compensation of employees not working such number of days shall be reduced proportionately. It is not the purpose of the condition to deduct compensation for absences due to vacation, sick leaves, holidays, weather or other permissible cause.

(2) No skilled laborer whose position is provided for in this budget at a prevailing rate and on per diem basis shall be permitted to work in excess of five days in any one week, or two hundred and fifty days in one year, except in case of seasonal work or in an emergency, and then only upon approval of the Mayor authorizing an increased number of days. The foregoing general provision shall be superseded by any special provision attached to any particular line or code in this budget.

(3) Where the number of days of employment is indicated, each day shall constitute eight (8) working hours for all titles, except the titles of Cable Splicer and Lineman (Departments of Traffic and Police), Lineman's Helper, Boilermaker, Boilermaker's Helper, Armature Winder, Bricklayer, Bridge Painter, Carpenter, Cement Mason, Compositor (Job) (Borough President of Queens), Core Drill Operator (Department of Public Works), Core Drill Operator's Helper, Electrician's Helper, Flagger, Glazier, (Public Works), Mason's Helper, Painter, Paver, Pipe Caulker, Plumber, Plumber's Helper, Rammer, Sheet Metal Worker, Sheet Metal Worker's Helper, Sign Painter, Steam Fitter, Steam Fitter's Helper, Thermostat Repairer, Tinsmith, Laborer (County Clerk's Offices), and Foreman of any of the skilled trades herein for which each day shall constitute seven (7) working hours, and Electrician, Foreman Electrician, Plasterer and Plasterer's Helper for which each day shall constitute six (6) working hours, unless otherwise specified.

(g) SNOW AND ICE REMOVAL

Funds provided for this purpose in Code 098-98-901 "Snow and Ice Removal" shall be allocated only upon approval of the Mayor and payment to all persons engaged in Snow and Ice Removal shall be made in accordance with the terms and conditions contained therein. All laborers or skilled mechanics and all other employees whose duties are appropriate thereto, shall upon request of the Commissioner of Sanitation be required to work, consistent with their titles, upon or in connection with snow removal, and if their compensation is fixed upon a per annum basis, no extra compensation shall be paid them for such work for that number of days upon which their per annum compensation is based. If any such employee shall fail or refuse to work upon or in connection with snow removal, his per annum compensation shall be reduced proportionately to the number of days during which he fails so to work.

(h) VACATION

(1) The vacation and leave allowances for employees who are under the Career and Salary Plan shall be in accordance with the resolution approved by the Board of Estimate on June 15, 1956 establishing "Leave Regulations for Employees who are under the Career and Salary Plan". The vacation and leave allowances for all other employees shall be in accordance with regulations to be established by the Personnel Director and the Director of the Budget.

(2) Where the work of employees is seasonal in character the vacation shall be allowed during the slack season.

(i) MAINTENANCE CHARGES

(1) Incumbents receiving full or partial maintenance, are to receive full compensation and increments in accordance with the Career and Salary Plan and other special pay plans approved by the Board of Estimate. Such employees are to reimburse the City of New York in accordance with the schedules of charges

heretofore approved by the Board of Estimate on February 23, 1956 (Cal. No. 217), or any amendments thereto, in the following manner:

(2) Charges shall be debited against the total compensation, the incumbent is entitled to (inclusive of increments and other differentials), and shall be paid for by the incumbent from such total compensation received.

(3) Administration for the collection of charges shall be the responsibility of department or agency employing the incumbent, subject to audit by the Comptroller.

(j) PAYMENT OF OVERTIME FOR CITY EMPLOYEES

Payment of overtime for City Employees shall be paid in accordance with the general rules and regulations promulgated in accordance with the resolution of March 22, 1962 (Cal. No. 379) adopted by the Board of Estimate as amended by Personnel Order No. 54/68 dated June 21, 1968.

(k) LIMITATION ON EXPENDITURES

No liability is to be contracted for in excess of funds available for the purpose. The head of a department or other agency shall be held strictly accountable for exceeding appropriations without specific itemized approval of the Mayor.

(l) SPECIFICATIONS

All contracts and open market orders except those of the Board of Education, for supplies, materials, and equipment, chargeable to appropriations classified as "Other Than Personal Service", shall be based upon specifications which have been approved by the Board of Standardization in accordance with the New York City Charter. In the absence of such Standard or Tentative Standard specifications for the particular supplies, materials, or equipment required, contracts and open market orders shall be based upon specifications which are definite and certain and which permit of competition, as required by the New York

EXECUTIVE ORDER NO.

City Charter or which comply with Section 12 of the regulations of the Board of Estimate adopted June 30, 1949 (Cal. No. 318-A).

(2) The head of the agency awarding the contract shall, at the time the contract is transmitted to the Comptroller for registration, certify that such contract is based upon specifications which comply with the above provisions. All open market orders issued shall contain a certificate by the head of the agency issuing the orders that such order is based upon specifications which comply with the above provisions.

(3) No contract chargeable to this budget shall, after an award is made, be cancelled nor shall any contract be modified in a manner materially affecting the substance thereof, unless such cancellation or such modification is approved by resolution of the Board of Estimate. This rule, however, shall not apply to a case where the terms of the contract reserve to the head of an agency the right to void a contract for default or abandonment of the work by a contractor.

(m) APPROVAL OF CONTRACTS

(1) No contract or proposal for work to be performed chargeable to this budget, the cost of which is estimated to be in excess of $20,000 but not more than $50,000 shall not be advertised until such contract and specifications or proposal shall have been submitted to and approval by the Director of the Budget.

(2) Contracts and specifications or proposals for work estimated to cost in excess of $50,000 shall be submitted to and approved by the Mayor before such contracts and specifications or proposals are advertised. When specifications have been approved by the Mayor, addenda thereto may be approved by the Director of the Budget, provided, however, that the estimated cost is not increased or that the change is not material. The specifications for the supplies, materials, and equipment in such contracts shall comply with the requirements of Subsection "l" herein.

(3) Contracts for professional services must be submitted to the Mayor for his approval.

(4) The provisions of this subsection ("m"), (1), (2), and (3) shall not apply to the Board of Education.

(5) All contracts, in accordance with Section 343a of the New York City Charter to be awarded without public letting, must be submitted to the Mayor and approved by the Board of Estimate. Whenever the Board of Estimate exempts items from public letting, no further approval of the Mayor is required of such expenditure.

(n) TELEPHONE SERVICE AND TABULATING EQUIPMENT

(1) Major modifications of telephone service contracts shall not be effective, except to the extent and in the manner approved by the Mayor.

(2) No call directors, automatic switchboards, leased lines except for Civil Defense services, etc., shall be contracted for unless approved by the Mayor.

(3) All contracts for the rental of tabulating and auxiliary tabulating equipment shall be restricted to the equipment provided for under the contract in force when this budget takes effect. Modifications or proposals involving additional equipment shall not be effective except and in the manner approved by the Mayor.

(4) The provisions of this subsection ("n") shall not apply to the Board of Education.

(o) GENERAL PURCHASE FUND

Subject to the provisions of subsection "l" herein, the appropriations provided for the various agencies for supplies, materials, equipment, and certain contractual services are hereby made to the Department of Purchase to the extent of the amounts set forth in the amended schedules of the Mayor's Budget Message for this fiscal year and as also indicated in brackets opposite departmental appropriations for Other Than Personal Service, and the Comptroller is hereby authorized and directed to transfer from the respective appropriations the amounts stated in the said schedule to the General Purchase Fund herein established for the Department of Purchase. The balance remaining in the said appropriations, after the amounts stated in the said schedule have been transferred to the General Purchase Fund, shall be under the jurisdiction of and control of the various agencies. Certain allowances set up in this budget which are payable from other than tax levy funds appropriated to agencies, subject to the provisions of law, for supplies, materials and equipment, shall be made upon requisitions for purchase by the Department of Purchase.

EXECUTIVE ORDER NO.

(p) AUTHORITY FOR PETTY CASH EXPENDITURES

Requests for permission to draw upon the Comptroller and the City Treasurer by requisition for such amounts as may be required to defray the cost of minor and incidental expenditures chargeable to appropriations included in the Budget for this fiscal year, may be made upon the Comptroller or vouchers filled by the agency for the amount required.

(q) FEES

Appropriations to the various agencies for Witness Fees and Expenses, Juror Fees and Expenses, and Stenographer Fees (including minutes) shall be subject to administration by the Comptroller is authorized and directed to adjust such accounts of the various agencies when necessary to provide for expenditures; but the total of such appropriations shall not be exceeded. In addition to the foregoing, the Comptroller is authorized to distribute the budget appropriations for Judgments and Claims to other Judgment and Claim Accounts, namely, Accounts 710 to 719, inclusive and between Account No. 465, Special Obligatory County Expenses Per State Statutes, and Account No. 467, Services of Counsel Assigned by Courts. The Comptroller will distribute, in accordance with the Manual of Expense Accounts, appropriations for 902 Repaving of Street and 903, Demolition of Unsafe Buildings, as the Department of Highways, the Department of Parks and the Department of Buildings may direct with respect to their share of such appropriations.

(r) TRAVEL EXPENSES

(1) Expenditures of the various agencies for travel expenses shall receive prior approval of the Deputy Mayor and those incurred for lodging and meals shall be limited to audit of the Comptroller to a maximum of $22.00 per day for officials and for employees while traveling out-of-town on official business. The maximum allowance for a hotel room is to be $12 per day per person and for meals $10 per person for a 24 hour period. Meals consumed while aboard a train or otherwise enroute are to be considered as part of the transportation cost.

(2) Claims for the reimbursement of all traveling expenses shall be submitted on the regularly authorized form and must be itemized and stated in chronological order. The expenses as incurred must be supported by receipted bills for every expense for which a receipt can be obtained.

EXECUTIVE ORDER NO.

(s) PURCHASE OF EQUIPMENT

All expenditures for the purchase of equipment through the General Purchase Fund shall be based on the schedules upon which the appropriation is predicated. The Director of the Budget shall file schedules with the Office of the Comptroller, the Department of Purchase and the agency. Agency heads upon notification to the Department of Purchase may make substitutions or additions in these schedules, except that variations or substitutions to provide for executive offices furnishings, rugs, drapes, air conditioners, motor vehicles (unless a similar vehicle is surrendered to the Division of Salvage of the Department of Purchase and such replacement is in accordance with the motor vehicle replacement standards) and items of a similar nature must be approved by the Mayor.

(t) FORMS

It is necessary that the Director of the Budget maintain a Master Budget. Accordingly, all modifications and changes in units of appropriations shall be transmitted to the Director of the Budget on forms provided by that office (Revised form M).

(1) The Departmental Modification form submitted by a department in accordance with Section 124 (a) of the New York City Charter shall be validated by the Director of the Budget who shall sign four copies which shall be distributed as follows: two (2) copies sent to the Office of the Comptroller, one (1) returned to the department for payroll entry, and the copy retained by the Bureau of the Budget is to be used to update the Master Budget.

(2) The Departmental Modification form submitted by a department in accordance with Section 124 (b) of the New York City Charter shall be reviewed and examined by the Bureau of the Budget and then forwarded to the Mayor or his authorized representative for his signature on four copies which shall be distributed as follows: two (2) to the Office of the Comptroller, and one (1) to the Department and one (1) to the Bureau of the Budget for updating the Master Budget.

(3) The Department Modification form submitted by a department in accordance with Section 124 (c) of the New York City Charter shall, after review and examination be attached to the necessary Calendar Memos and Reports for submission to the City Council and the Board of Estimate, and forwarded to the Mayor for his signature and processing. After action

by the Mayor, the Board of Estimate and the City Council a certificate of the Budget Director shall be issued and distributed as follows: two (2) copies to the Office of the Comptroller, one (1) to the department, and one (1) to the Bureau of the Budget for updating the Master Budget.

(4) Personal Service expenditures, etc., made pursuant to this Executive Order are to be reported monthly to the Director of the Budget on forms provided by his office.

(u) DEPARTMENT QUARTERLY PERFORMANCE REPORTS

For the development of performance standards, and for analyses of work load data and manpower utilization, all agencies shall submit performance reports, in triplicate to the Director of the Budget on forms prescribed by the Director of the Budget.

8. The Comptroller shall not authorize the payment of any compensation to any person appointed on or after July 1, of this year which is not in conformity with the provisions of this directive.

9. This executive order shall take effect immediately.

John V. Lindsay

JOHN V. LINDSAY

MAYOR

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

EXECUTIVE ORDER NO. 88

September 26, 1968

TRANSFER OF JURISDICTION OVER CERTAIN BURIAL GROUNDS

WHEREAS, section 384-11.0 of the Administrative Code was amended by chapter 822 of the Laws of 1968 so as to authorize the Mayor, by executive order, to transfer the care, maintenance and operation of certain former town burial grounds from the Borough Presidents to any agency designated by the Mayor, and

WHEREAS, it is essential to implement such authorization and to provide for the assumption of such care, maintenance and operation and for the transfer of the necessary personnel from the offices of the Borough Presidents,

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, and in accordance with the authority contained in the aforesaid section of the Administrative Code, I hereby order as follows:

Section 1. The Department of Real Estate is charged, until the establishment of the Municipal Services Administration, with the responsibility for the care, maintenance and operation of all the burial grounds which have been under the jurisdiction of the Borough Presidents. The Municipal Services Administration, upon its establishment, shall assume such responsibility.

§ 2. All permanent employees in the competitive class or the labor class who are in the employ of the various Borough Presidents on the effective day of this executive order and who are performing duties in connection with the care, maintenance and operation of such burial grounds, shall be transferred to the Department of Real Estate in

accordance with the provisions of the Civil Service Law and the Rules of the City Civil Service Commission relating to functional Transfers.

§ 3. This order shall take effect on the date hereof.

JOHN V. LINDSAY
Mayor

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

EXECUTIVE ORDER NO. 89

August 12, 1968

Administration of Budget Appropriation
Regarding State, Federal or Other Grants

WHEREAS, the New York City Charter empowers and charges the Mayor with the responsibility of administering the Expense Budget for the 1968-69 fiscal year, and

WHEREAS, it is necessary to provide for administration and control of applications for state, federal or other grants.

NOW, THEREFORE , by the power vested in me as Mayor of the City of New York, it is hereby ordered:

Section 1. Any agency making an application for a State, Federal, Foundation or other grant shall submit a copy of such application to the Bureau of the Budget at the time the application is initiated. When the agency receives approval of such grant in the original or amended form, the agency shall notify the Bureau of the Budget by letter of such approval.

§ 2. This order shall take effect immediately.

JOHN V. LINDSAY
MAYOR

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

EXECUTIVE ORDER NO. 90
September 4, 1968

ESTABLISHMENT OF THE HEALTH SERVICES ADMINISTRATION

WHEREAS, the City Council has passed and I, as Mayor, have approved a local law designated as Local Law No. 127 of 1967 which amends the City Charter to provide for the consolidation into a Health Services Administration of the functions, powers and duties of the Department of Hospitals and the Board of Hospitals, the Department of Health and the Board of Health, the Community Mental Health Board and the Director of Community Mental Health Services, and the Office of the Chief Medical Examiner, and

WHEREAS, such local law provides by its terms that it shall take effect on such date as I shall provide by executive order, and

WHEREAS, implementation of such local law requires the creation of an organizational structure to fulfill the Health Services Administration's responsibilities, and

WHEREAS, implementation of such local law and of the health and medical programs of the City of New York requires coordination of the operations of other agencies of the city government with the operation of the Health Services Administration, and

WHEREAS, establishment of effective liaison with the federal and state governments is desirable to enhance eligibility for and use of federal and state programs of financial aid,

NOW, THEREFORE, by the power vested in me as the Mayor of the City of New York, I hereby order as follows:

Section 1: The effective date of Local Law No. 127 shall be September 4, 1968.

§ 2: The Health Services Administrator shall establish immediately in the Health Services Administration a Department of Health, the head of which shall be a Commissioner of Health appointed by the Mayor, and shall designate such Commissioner to be the Chairman of the Board of Health.

§ 3: The Health Services Administrator shall establish immediately in the Health Services Administration a Department of Hospitals, the head of which shall be a Commissioner of Hospitals, appointed by the Mayor, and shall designate such Commissioner to be the Chairman of the Board of Hospitals.

§ 4: Except as otherwise provided herein, the Health Services Administrator shall in his discretion organize the administration into departments, divisions or offices, and make assignments of powers and duties among them and from time to time change such organization or assignments, subject only to the extent to which the organization is prescribed by law, and to the extent that the powers and duties of certain officials of the administration are authorized pursuant to the provisions of Section 1702 of the Charter.

§ 5: The Health Services Administration is designated to act as the representative of the City of New York in relation to health and medical care programs of the United States and New York State governments.

§ 6: The Human Resources Administrator and the Commissioner of Social Services, in exercising their functions and responsibilities in relation to the medical assistance programs of the Social Services Department, shall collaborate with the Health Services Administrator in the development of the expense budget for such services within those programs.

John V. Lindsay
MAYOR

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

EXECUTIVE ORDER NO. 91

October 2, 1968

ESTABLISHMENT OF THE OFFICE OF UNIVERSITY RELATIONS

WHEREAS, institutions of higher education are becoming increasingly aware of the important contributions they can make in helping to solve the problems of urban centers, and

WHEREAS, there is a great concentration of said institutions located within and around the City of New York, and

WHEREAS, it is both necessary and desirable that the resources of said institutions be brought to bear upon attempts to solve the problems of the City of New York in an effective, efficient, and coordinated manner;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. There is hereby established in the Office of the City Administrator an Office of University Relations.

Section 2. A Director of the Office shall be appointed by the Mayor.

Section 3. Duties of the Director

(a) Be responsible on behalf of the City for the development, implementation, coordination, and evaluation of

(1) programs using the resources of or otherwise involving institutions of higher education.

(2) research and demonstration projects established to obtain information relating to the development of ongoing relationships between the City and institutions of higher education.

(b) Advise the Deputy Mayor-City Administrator, and through him the Mayor, of all matters pertaining to higher education which might be of use to the City in achieving solutions to its problems, these matters to include research, demonstration, services, legislation, and related activities.

(c) Evaluate present and proposed research designs, demonstration projects and programs involving the relationship of the City to institutions of higher education.

(d) Undertake or promote programs to develop an ongoing City involvement with institutions of higher education or consortia thereof.

(e) Assist interested faculty members, researchers, and students of institutions of higher education to obtain data and materials pertaining to the City of New York and useful to the teaching and research of these persons.

(f) Participate in cooperative efforts of the Federal, State, and regional governments in the area of higher education.

(g) Consult with and invite the participation of institutions of higher education, especially those situated within the City of New York, in the execution of his duties.

Section 4. The Director shall require such information and reports from agencies under the jurisdiction of the Mayor as the Director determines to be necessary for the proper performance of his duties, and may require any such agency, or any officer or employee of the City, to furnish data and information and to answer inquiries pertinent to the performance of his duties and responsibilities.

Section 5. Affiliations and agreements entered into between the Department of Hospitals and schools of medicine, dentistry, or nursing and institutions of higher education shall not be subject to the responsibility of the Office of University Relations, except that the Department of Hospitals and schools of medicine, dentistry, or nursing shall inform the Office of University Relations of such affiliations and agreements.

Section 6. This order shall take effect immediately.

John V. Lindsay

John V. Lindsay
Mayor

EXECUTIVE ORDER NO.92

Never issued

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

EXECUTIVE ORDER NO. 93

October 31, 1968

AIR POLLUTION CONTROL-ALERT WARNING SYSTEM

WHEREAS, under certain meteorological conditions an air pollution emergency can develop which may result in a serious threat to the public health and safety, and

WHEREAS, it is desirable and necessary that certain preventive measures be adopted, so as to preclude or minimize the impact of an air pollution episode on the health and welfare of the people of the City of New York,

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. There is hereby established an Air Pollution Control-Alert Warning System which shall operate in four stages known as: (1) Forecast, (2) Alert, (3) Warning, (4) Emergency. The criteria for determining the stages shall be those prescribed in the Air Pollution Control-Alert Warning Manual (hereafter "Manual") to be issued by the Administrator, Environmental Protection Administration, on the effective date of this order and such provisions are hereby incorporated in this executive order.

§ 2. Whenever the Department of Air Resources of the Environmental Protection Administration, by appropriate physical measurement and after consultation with the Weather Bureau and the New York-New Jersey Cooperative Committee on Air Pollution shall determine that the criteria for any of the stages set forth in Section 1 shall have been reached, the Administrator of the Environmental Protection Administration (hereafter referred to as "the Administrator") shall so advise the Mayor.

§ 3. Upon receipt of notice that meteorological conditions are such that the Forecast stage has been reached, the Mayor may declare the existence of such stage. Upon receipt of notice that conditions are such that any of the other stages have been reached, the Mayor will declare the existence of such other stage.

Upon any such declaration, the following action shall be taken:

a) At all Stages:

The preventive and abatement measures prescribed for all City departments and agencies, private emitters, and other governmental agencies in the Manual for the declared stage shall be taken by the appropriate organization.

b) At the Forecast Stage:

(1) At the time the Administrator advises the Mayor that the criteria for the Forecast stage have been reached, the Department of Air Resources of the Environmental Protection Administration shall establish a 24 hour monitoring procedure to determine the level of contaminants, and shall activate its emergency procedures system.

(2) Upon declaration of the Forecast stage by the Mayor, all utilities and other large emitters including industrial emitters, shall be requested by the Department of Air Resources of the Environmental Protection Administration to prepare to change their fuel patterns to that of one per cent sulfur content or lower.

c) At the Alert Stage:

(1) The Mayor's Emergency Control Board shall be advised of the existence of the Alert.

(2) The Health Service Administration shall immediately take such measures as are necessary to assess the potential impact of the air pollution episode on the public health and shall report its findings and recommendations to the Mayor.

(3) All City departments and agencies shall cooperate with the Administrator of the Environmental Protection Administration in the enforcement of all laws and regulations affecting the contamination of the atmosphere.

(4) The Department of Air Resources of the Environmental Protection Administration shall request the utilities and other large emitters, including industrial emitters, to shift their fuel patterns to natural gas or fuels with a sulfur content of one per cent or less and to transfer loads to other areas where possible.

d) At the Warning Stage:

(1) The Mayor's Emergency Control Board shall be convened.

(2) Upon the advice and recommendation of the Administrator of the Environmental Protection Administration, the Mayor shall recommend that the Emergency Control Board take such additional preventive and abatement measures as may be determined appropriate and necessary.

(3) The appropriate City departments and agencies shall advise all emitters under their jurisdiction of the existence of the Warning stage and advise them that preventive and abatement measures may be declared and ordered by the Mayor.

e) At the Emergency Stage:

(1) There shall be implemented such preventive and abatement measures which may be declared and ordered by the Mayor, including but not limited to the following:

(a) limitation and control of vehicular traffic

(b) limitation on the use of electric power

(c) limitation on maximum heating levels

(d) limitation on the operation of large industrial and other emitters.

(2) The Board of Health immediately shall take such measures as it deems appropriate and shall advise the Mayor accordingly.

§ 4. The Air Pollution Alert Warning Manual, when issued by the Administrator, and as amended from time to time, shall, in addition to prescribing the criteria for determining the respective stages of the air pollution episode, prescribe the specific measures to be taken by the City departments and agencies and by the private sector in order to carry out the purpose of this order. The Manual and any amendments shall be published in the City Record.

§ 5. Executive Order No. 69 of March 1968 is hereby repealed.

§ 6. This order shall take effect immediately.

JOHN V. LINDSAY
Mayor

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

EXECUTIVE ORDER NO. 94

November 27, 1968

ESTABLISHMENT OF THE OFFICE FOR THE AGED

WHEREAS, a wide variety of programs, services and facilities are available to elderly New Yorkers through public and private agencies, and

WHEREAS, there is a need to coordinate, integrate and amplify the various programs and services to enhance their value to such individuals,

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. There is hereby established in the Office of Administration (Office of the Mayor), an Office for the Aged, the head of which shall be the Director of the Office for the Aged.

§ 2. The Director shall be appointed by the Deputy Mayor-City Administrator.

§ 3. The duties of the Director shall include but not be limited to the following:

(a) to confer with appropriate City, State, Federal and private agencies concerned with programs for the aged, for the purpose of improving the scope and efficiency of the services rendered to the aged;

(b) to advise the Mayor and the Deputy Mayor-City Administrator on the establishment of policies that will assist in the resolution of the problems of the aged;

(c) to conduct research, operate demonstration programs, and conduct evaluation studies in the problems of the aged.

§ 4. The Deputy Mayor-City Administrator is authorized to contact any individual or public or private agency for the purpose of securing such funds as he may deem necessary for the maintenance and support of such office.

§ 5. All City agencies shall furnish the Director with such reports and information as he may deem necessary to carry out the functions and purposes of his office.

§ 6. This order shall be effective as of September 30, 1968.

John V. Lindsay
MAYOR

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

EXECUTIVE ORDER NO.95

January 31, 1969

ESTABLISHMENT OF THE MUNICIPAL SERVICE ADMINISTRATION

WHEREAS, the City Council has passed and I, as Mayor, have approved a local law designated as Local Law No. 69 of 1968 which amends the New York City Charter and provides among other things, for the consolidation of certain City departments and agencies into a Municipal Service Administration, and prescribes the functions, powers and duties of such administration and

WHEREAS, such local law provides by its terms that it shall take effect on such date as I shall provide by executive order, and

WHEREAS, implementation of such local law requires the creation of an organizational structure to fulfill the Municipal Service Administration's responsibilities, and

WHEREAS, implementation of such local law and development of programs to enhance the municipal services of the City of New York, as defined in Local Law No. 69 of 1968, requires coordination of the operations of other agencies of the city government with the operation of the Municipal Service Administration, and

EXECUTIVE ORDER NO. 95 January 31, 1969

WHEREAS, establishment of effective liaison with the federal and state governments is desirable to enhance eligibility for the use of federal and state programs for financial aid,

NOW, THEREFORE, by the power vested in me as the Mayor of the City of New York, I hereby order as follows:

Section 1. The effective date of Local Law No. 69 of 1968 shall be January 31, 1969.

§ 2. The Municipal Service Administrator shall, in his discretion, organize the administration in departments, bureaus, boards, divisions or offices, and make assignments of powers and duties among them and from time to time change such organization or assignments, subject only to the extent to which the organization is prescribed by law.

§ 3. The Municipal Service Administrator is designated to act as the representative of the City of New York in relation to municipal services program of state and federal agencies as are more fully defined in Local Law No. 69 of 1968.

John V. Lindsay
MAYOR

EXECUTIVE ORDER NO. 96

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

EXECUTIVE ORDER NO. 96

March 10, 1969

AMENDMENT OF EXECUTIVE ORDER NO. 87 (dated August 1, 1968)

WHEREAS, it is necessary and desirable to amend Executive Order No. 87 in order to expedite repair and alteration work required by the Board of Education for the maintenance and modernization of various public schools.

NOW, THEREFORE, by the authority vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. Subdivisions one, two and four of subsection m, section seven of Executive Order 87, dated August 1, 1968 are hereby repealed, and new subdivisions one, two and four are inserted therein, in lieu thereof, to read as follows:

(1) No contract or proposal for work to be performed chargeable to this budget, except for work to be performed for the Board of Education, the cost of which is estimated to be in excess of $20,000 but not more than $50,000 shall be advertised until such contract and specifications or proposal shall have been submitted to and approved by the Director of the Budget.

No contract or proposal for work to be performed chargeable to this budget, for the Board of Education, the cost of which is estimated to be in excess of $50,000 but not more than $100,000 shall be advertised until such contract and specifications or proposal shall have been submitted to and approved by the Director of the Budget.

(2) Contracts and specifications or proposals for work estimated to cost in excess of $50,000, except for work to be performed for the Board of Education, shall be submitted to and approved by the Mayor before such contracts and specifications or proposals are advertised. Contracts and specifications or proposals for work to be performed for the Board of Education estimated to cost in excess of $100,000, shall be submitted to and approved by the Mayor before such contracts and specifications or proposals are advertised. When specifications have been approved by the Mayor, addenda thereto may be approved by the Director of the Budget, provided, however, that the estimated cost is not increased or that the change is not material. The specifications for the supplies, materials, and equipment in such contracts shall comply with the requirements of Subsection "1" herein.

The Board of Education is authorized to advertise contracts and specifications or proposals the cost of which is estimated to be not more than $50,000 without prior submission and approval by the Director of the Budget.

EXECUTIVE ORDER 96 March 10, 1969

(4) The provisions of subsection (m) (3) shall not apply to the Board of Education.

§ 2. This order shall take effect immediately.

John V. Lindsay
MAYOR

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

EXECUTIVE ORDER NO. 97
April 1, 1969

ESTABLISHMENT OF THE OFFICE OF MIDTOWN PLANNING AND DEVELOPMENT

WHEREAS, the Board of Estimate on September 20, 1968, declared its intention to budget as a future capital project a new crosstown transportation link in the vicinity of 48th Street between First and Twelfth Avenues, planned in conjunction with a comprehensive study of Midtown Manhattan development and circulation;

WHEREAS, the Board of Estimate on November 21, 1968, and the City Council on February 12, 1969, approved an amendment to the Capital Budget for construction of a consolidated passenger ship terminal on the North River between 46th and 50th Streets, which would require functional links to and provide potential waterfront amenity for the Midtown area;

WHEREAS, there is a need for a large, modern convention and exposition facility in Midtown Manhattan, and the Department of City Planning and the Bureau of the Budget, with the help of outside consultants, have completed site selection studies for such a facility;

WHEREAS, the Board of Estimate and the City Council in November, 1967, approved establishment of the "Special Theatre District" as a Special Purpose Zoning District designed, among other things, to promote the most desirable use of land within the area in accordance with a well-considered plan and to develop and strengthen a much-needed circulation network in order to avoid congestion arising from movements of large numbers of people; including convenient transportation to, from, and within the district;

WHEREAS, there is a pressing need for new office space in Midtown Manhattan, as well as for a wide variety of supporting commercial facilities and uses;

WHEREAS, there is a similar demand for housing with adequate supporting community facilities in or near the Midtown area;

WHEREAS, the Department of City Planning and the Housing and Development Administration, working with the Clinton Planning Council, are preparing plans to build a substantial number of low-, moderate- and middle-income housing units in the area around Dewitt Clinton Park, with a view towards redeveloping this potentially attractive district as a residential community;

WHEREAS, the Planning Commission received in March, 1968, from its consultants a preliminary plan for the development of West Midtown, drawn up in consultation with the Clinton Planning Council;

WHEREAS, the proper development of this Midtown area, running from 39th to 59th Streets, requires a coordinated, comprehensive plan and development strategy in order to prevent the random, piecemeal, and often chaotic development which takes place without such a plan or strategy;

WHEREAS, this plan and strategy will require, among other things:

the development of new transportation and related facilities;

the development of housing and related facilities and services;

the development of new commercial and industrial activities and the relocation of existing industry in such a way as to support and strengthen the existing economic core of the area; and

the development of parks and other recreation facilities,

which activities fall within the jurisdiction of the Transportation Administration, the Housing and Development Administration, and the Parks, Recreation and Cultural Affairs

Administration;

NOW, THEREFORE, by virtue of the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. Office of Midtown Planning and Development

There is established in the Executive Office of the Mayor the Office of Midtown Planning and Development which shall be headed by a Director of Midtown Planning and Development, who shall be appointed by and serve at the pleasure of the Mayor.

Section 2. Powers and Duties of the Director

The Director shall have the following powers and duties with respect to the planning and development of the area bounded by 39th Street, 59th Street, the East River and the North River, excluding the U.N. Development District and Welfare Island:

a. In consultation with the agencies concerned to have full responsibility to create an overall plan for the Midtown Manhattan area ("The Plan");

b. To coordinate and review the actions and plans of all City agencies and various private interests and community groups in connection with the Plan and to report to the Mayor on the effect of such actions and plans on the development of Midtown Manhattan;

c. To study and make recommendations with respect to design controls and zoning within the area;

d. To review and make recommendations with respect to capital budget terms and development programs;

e. To hire staff personnel and retain necessary consultants, subject to applicable laws and regulations, in connection with the performance of the foregoing.

Section 3. Coordination

All actions taken by any City agency or by the Director with respect to the Plan or to any matters which may materially affect the development of the area or the implementation of

the Plan, including: the exercise of any agency's liaison responsibilities with the Port of New York Authority, The Urban Development Corporation and other State, Multi-State and Federal agencies, the submission of applications to Federal and State governments, and the undertaking of joint studies involving the City and State, Multi-State and Federal agencies, shall be consistent with the Plan and shall be undertaken only after consultation among the Director and the City agencies concerned.

Section 4. Cooperating Agencies

City agencies responsible for providing public improvements and services in Midtown Manhattan, including the Economic Development Administration, the Housing and Development Administration, the Municipal Services Administration, the Parks, Recreation and Cultural Affairs Administration and the Transportation Administration shall cooperate with the Director of Midtown Planning and Development in the performance of his functions and duties as set forth herein. Upon the request of the Director, every such agency is directed to designate a staff member at policy level to be its liaison with the Office of Midtown Planning and Development and to cooperate in furnishing such available staff resources for service within the Midtown area as may be requested by the Director.

Section 5. Effective Date

This order shall take effect immediately.

JOHN V. LINDSAY
MAYOR

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

THIS EXECUTIVE ORDER SUPERCEDES EXECUTIVE ORDER No. 97

EXECUTIVE ORDER NO. 97A
April 1, 1969

ESTABLISHMENT OF THE OFFICE OF MIDTOWN PLANNING AND DEVELOPMENT

WHEREAS, the Board of Estimate on September 20, 1968, declared its intention to budget as a future capital project a new crosstown transportation link in the vicinity of 48th Street between First and Twelfth Avenues, planned in conjunction with a comprehensive study of Midtown Manhattan development and circulation;

WHEREAS, the Board of Estimate on November 21, 1968, and the City Council on February 12, 1969, approved an amendment to the Capital Budget for construction of a consolidated passenger ship terminal on the North River between 46th and 50th Streets, which would require functional links to and provide potential waterfront amenity for the Midtown area;

WHEREAS, there is a need for a large, modern convention and exposition facility in Midtown Manhattan, and the Department of City Planning and the Bureau of the Budget, with the help of outside consultants, have completed site selection studies for such a facility;

WHEREAS, the Board of Estimate and the City Council in November, 1967, approved establishment of the "Special Theatre District" as a Special Purpose Zoning District, designed, among other things, to promote the most desirable use of land within the area in accordance with a well-considered plan and to develop and strengthen a much-needed circulation network in order to avoid congestion arising from movements of large numbers of people; including convenient transportation to, from, and within the district;

WHEREAS, there is a pressing need for new office space in Midtown Manhattan, as well as for a wide variety of supporting commercial facilities and uses;

WHEREAS, there is a similar demand for housing with adequate supporting community facilities in or near the Midtown area;

WHEREAS, the Department of City Planning and the Housing and Development Administration, working with the Clinton Planning Council, are preparing plans to build a substantial number of low-, moderate- and middle-income housing units in the area around Dewitt Clinton Park, with a view towards redeveloping this potentially attractive district as a residential community;

WHEREAS, the Planning Commission received in March, 1968, from its consultants a preliminary plan for the development of West Midtown, drawn up in consultation with the Clinton Planning Council;

WHEREAS, the proper development of this Midtown area, running from 39th to 59th Streets, requires a coordinated, comprehensive plan and development strategy in order to prevent the random, piecemeal, and often chaotic development which takes place without such a plan or strategy;

WHEREAS, this plan and strategy will require, among other things:

the development of new transportation and related facilities;

the development of housing and related facilities and services;

the development of new commercial and industrial activities and the relocation of existing industry in such a way as to support and strengthen the existing economic core of the area; and

the development of parks and other recreation facilities,

which activities fall within the jurisdictions of the Transportation Administration, the Housing and Development Administration, the Economic Development Administration, and the Parks, Recreation and Cultural Affairs Administration;

NOW, THEREFORE, by virtue of the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. Office of Midtown Planning and Development

There is established in the Executive Office of the Mayor the Office of Midtown Planning and Development which shall be headed by a Director of Midtown Planning and Development, who shall be appointed by and serve at the pleasure of the Mayor.

Section 2. Powers and Duties of the Director

The Director shall have the following powers and duties with respect to the planning and development of the area bounded by 39th Street, 59th Street, the East River and the North River, excluding the U.N. Development District and Welfare Island:

a. In consultation with the agencies concerned to have full responsibility to create an overall plan for the Midtown Manhattan area ("The Plan");

b. To coordinate and review the actions and plans of all City agencies and various private interests and community groups in connection with the Plan and to report to the Mayor on the effect of such actions and plans on the development of Midtown Manhattan;

c. To study and make recommendations with respect to design controls and zoning within the area;

d. To review and make recommendations with respect to capital budget terms and development programs;

e. To hire staff personnel and retain necessary consultants, subject to applicable laws and regulations, in connection with the performance of the foregoing.

Section 3. Coordination

All actions taken by any City agency or by the Director with respect to the Plan or to any matters which may materially affect the development of the area of the implementation of

the Plan, including: the exercise of any agency's liaison responsibilities with the Port of New York Authority, the Urban Development Corporation and other State, Multi-State and Federal agencies, the submission of applications to Federal and State governments, and the undertaking of joint studies involving the City and State, Multi-State and Federal agencies, shall be consistent with the Plan and shall be undertaken only after consultation among the Director and the City agencies concerned.

Section 4. Cooperating Agencies

City agencies responsible for providing public improvements and services in Midtown Manhattan, including the Economic Development Administration, the Housing and Development Administration, the Municipal Services Administration, the Parks, Recreation and Cultural Affairs Administration and the Transportation Administration shall cooperate with the Director of Midtown Planning and Development in the performance of his functions and duties as set forth herein. Upon the request of the Director, every such agency is directed to designate a staff member at policy level to be its liaison with the Office of Midtown Planning and Development and to cooperate in furnishing such available staff resources for service within the Midtown area as may be requested by the Director.

Section 5. Effective Date

This order shall take effect immediately.

John V. Lindsay

JOHN V. LINDSAY
MAYOR

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

EXECUTIVE ORDER NO. 98

REGULATIONS RELATING TO CHECK-OFF
OF UNION DUES

WHEREAS, it is in the interest of the public and of the City as an employer and in the interest of the city's employees that the aforementioned procedures for check-off of union dues be revised for the purpose of increasing the responsibility of and strengthening the ability of the freely chosen majority representatives of City employees in the appropriate bargaining units to effectuate collective bargaining during the period of their majority representative status in accordance with procedures which have promoted sound and peaceful employee relations in the private and quasi-public sectors and in various governmental fields; thereby improving the collective bargaining process and increasing the efficacy of the City employee relations program in securing uninterrupted functioning of the City's services to its inhabitants and in providing fair and equitable working conditions for the City's employees; and

WHEREAS, the Mayor has caused to be prepared and approved the details of the plan for such revisions and has agreed, through collective bargaining with a number of city-wide majority representatives to include certain terms in currently negotiated agreements consistent with such plan, to take effect on a date following the implementation of such plan;

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the City of New York, it is hereby ordered that the following Regulations relating to Check-Off of Union Dues be and the same are hereby established effective October 1, 1969.

I. Definition of terms. As used in this order, the following terms shall mean:

a. "Appropriate bargaining unit": A bargaining unit, for the purposes of collective bargaining, designated or certified by the Board of Certification, or by the City Commissioner of Labor prior to the establishment of such Board, as amended by such Board or unless terminated by such Board.

b. "City-wide bargaining unit": An appropriate bargaining unit designated or certified on a city-wide basis.

c. "Departmental bargaining unit": An appropriate bargaining unit designated or certified on a departmental, agency or multi-departmental or multi-agency basis or on any other basis of less extent then city-wide.

d. "Certified employee organization": (1) a certified employee organization as defined in such items (1) and (3) of subdivision 1 of section 1173-3.0 of the administrative code; and (2) the administrative board of the judicial conference.

e. "City-wide certified employee organization": A certified employee organization designated or certified for an appropriate bargaining unit on a city-wide basis.

II. Check-off of union dues. The privilege of check- off of union dues shall be available as follows:

a. Where a certified employee organization has been or shall be duly designated or certified for a city-wide bargaining unit, during the period while such city-wide certified employee organization status remains in effect, authorizations of employees in such city-wide bargaining unit to deduct union dues will be given effect only as to the dues payable to such city-wide certified employee organization.

b. In any case where the certified city-wide employee organization status affecting the employees in a departmental bargaining unit is duly terminated and/or where no city-wide certified employee organization is duly certified and in effect with respect to the employees in such departmental bargaining unit, the authorization of any employee in such departmental bargaining unit will be given effect as to dues payable to any qualified employee organization of which such employee is a member.

III. The Office of Labor Relations shall certify to the Comptroller the city-wide certified employee organizations for various civil service titles with identifying codes and dues rates. Any amendments, additions or deletions shall be likewise certified by the Office of Labor Relations in regard to titles so certified. Copies of these certifications shall be sent to the payroll offices of all City Departments and Agencies.

IV. The deduction of organization dues as referred to herein shall be in accordance with applicable law.

Date 15 May 1969

JOHN V. LINDSAY
MAYOR

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

EXECUTIVE ORDER NO. 99

REGULATIONS GOVERNING PROCEDURES FOR ORDERLY
PAYROLL CHECK-OFF OF UNION DUES

By virtue of the authority vested in me as Mayor of the City of New York, it is hereby ordered that the resolutions of the Board of Estimate of January 12, 1956 (Cal. #127) and of August 30, 1956 (Cal. #61) as amended, relating to payroll check-off of employee organization dues, be and the same are hereby repealed, and it is hereby further ordered that the following Regulations Governing Procedures for Orderly Payroll Check-Off of Union Dues be and the same are hereby established effective October 1, 1969.

1. The Employee Organization Check-Off Committee shall reimburse the City for the cost of administering the check-off system at the following rates:

10 cents for bi-monthly paid employees.
5 cents for monthly paid employees.
4.616 cents for employees paid on a 28-day basis.
2.308 for bi-weekly paid employees.
1.154 cents for weekly paid employees.

Any future adjustments of these cost rates will be subject to determination by the Mayor.

II. Each payroll deduction shall be predicated upon a written authorization by the employee in a form prescribed by the City Comptroller. Such form prescribed by the Comptroller is set forth as Appendix A of this Executive Order. The authorization card shall be signed by each individual employee and filed by the headquarters of the employee organization with the payroll office of the department or agency where the member is employed.

III. When an employee transfers from one department or agency to another, but remains in the same bargaining unit, he shall continue to be covered by the same dues check-off authorization and shall not be required to sign another authorization card.

IV. Authorizations for dues deduction shall be subject to revocation by a prescribed form or by other written notice duly signed by the employee and filed in the payroll office of the department or agency in which the employee is employed.

V. Authorizations for dues deductions will be given effect not later than five weeks after filing in cases of monthly or bi-weekly paid employees and not later than three weeks in cases of weekly paid employees. Notices of revocations will take effect not later than five weeks after filing with the departmental payroll office in cases of monthly or bi-weekly paid employees and not later than three weeks in cases of weekly paid employees; provided, however, that no authorization or revocation shall be given effect during "payroll freeze" periods, as prescribed by the Comptroller in his directives on payroll procedures.

VI. No dues will be deducted for membership in more than one employee organization on any one payroll. If a title is covered by a City-wide certified employee organization, deductions will be made only for that organization.

VII. The authorization card shall show the dues amount in exact figure of dollars and cents in print according to the type of payroll upon which the employee's name appears. A manually changed rate amount on an authorization card, admissable only in exceptional cases, shall be initialed by the employee. Present limitations of the electronic system permit dues rates to a maximum of $9.99. Programming is now under way to eliminate this limitation.

VIII. A change in the amount of union dues shall only be effective on the first payroll subsequent to January 1, or July 1, following the date on which notice of such change is furnished as provided in paragraph IX. Requests for dues rate changes shall be filed not less than two months before such effective date. However, subject to the approval of the Comptroller, employee organizations may request during other periods of the year changes of dues rates to be effected not less than two months after such request is filed.

IX. Notice of changes in amount of dues deductions must be furnished by employee organization to the Organization Dues Check-Off Unit of the Office of the Comptroller, together with the certified copies of any resolution of such employee organization authorizing such change in amount of dues deductions, and certified copies of any instruments of such change necessary or ordinarily required to be filed with any governmental agencies.

X. Check-off deductions will be applied to regular payrolls only.

XI. No assessments of any kind or nature will be collected through the Check-off.

XII. No arrears of any kind or nature will be collected through the Check-off.

XIII. In instances of employees earning insufficient compensation, employee organization dues will be considered last in arithmetical sequence; therefore, where residual amount of pay after other deductions is less than full amount of dues, no fractional amount of dues deduction will be made nor carried over for dues deduction in any subsequent payroll period.

XIV. In cases of unearned salaries or wages refunded to appropriation accounts and in cases of salaries or wages transferred to "UNCLAIMED" account, necessary adjustments in dues accounts will be made by recovery from available unpaid Employee Organization Check-Off fund balances and returned to the City Treasury.

XV. The "Employee Organization Checkoff Committee" shall consist of one member from and selected by each employee organization, the members of which sign and file authorizations for employee organization dues checkoff.

XVI. The Employee Organization Check-off Committee shall elect from its membership a sub-committee of three, one of whom shall be the Treasurer of such committee to whom all dues deductions made by the City shall be paid. At no cost to the City, such Treasurer, prior to entering upon the duties of his office, shall furnish to the City a surety bond or bonds approved as to form by the Corporation Counsel and as to adequacy and sufficiency by the Comptroller and filed with the Comptroller to protect the City of New York and its officials from any and all claims if they arise due to the Treasurer's mistake, error of judgment or any other act of omission or commission, or his failure to pay over to the participating employee organizations any shortage, deficiency, peculations and/or embezzlements in the account of such Treasurer in relation to the employee organization dues turned over to him by the City.

XVII. The total amount of dues collected less deduction of costs as provided in Paragraph I with schedules described in paragraph XVIII will be paid to the Employee Organization Check-Off Committee on or before the first working date of the second month following the month in which the dues have been collected.

XVIII. Electronically processed schedules produced on basis of the exception method showing only the changes in dues deductions will be made available for use of the Employee Organization Check-Off Committee. Once a year a complete roster of all dues paying employees will be issued.

APPENDIX A

FORM PRESCRIBED BY THE CITY COMPTROLLER

NAME OF EMPLOYEE ORGANIZATION
AUTHORIZATION FOR DEDUCTION OF DUES
(Print or Typewriter)

NAME OF EMPLOYEE . . . . . PAYROLL CODE . . . . . .

NAME OF DEPARTMENT . . . . . PAYROLL DISTRIB. CODE. . . . . .

BUREAU OR DIV. . . . . EMP. REGISTRY NO . . . . . .

TITLE . . . . . S.S. NO. . . . . .

HOME ADDRESS . . . . . .

Subject to the terms and conditions set forth in the Mayor's Executive Order, dated . . . . . and in all amendments or supplements thereto hereafter issued, to which terms and conditions I consent and agree, I hereby authorize the City of New York to deduct in each regular payroll from my salary or wages the sum of ($) (monthly) (bi-weekly) (weekly) and to pay over said sum to the Employee Organization Check-Off Committee described in such Order in payment of my dues in the above captioned employee organization, on condition that said employee organization through said committee pay to the City of New York all costs and expenses determined by the City of New York as incurred by the City in connection with carrying out the plan authorized by said Order.

There shall be no change in the amount of the dues deduction without due prior notice to the undersigned employee member.

This authorization shall terminate and cease not later than five weeks (if I am a monthly or bi-weekly paid employee) or not later than three weeks (if I am a weekly paid employee) after the department or agency of The City of New York in which I am employed receives written notice from me revoking and cancelling the same.

SIGNATURE OF EMPLOYEE x_____

(Name of Department)

Received by Dept. . . . . Payroll Office . . . . . .
(Time Stamp)

XXIV. Each participating employee organization shall file with the City Director of Labor Relations a bi-monthly statement showing:

a. The names and addresses of the five principal officers;

b. The amounts of dues deductions which were distributed to it by the Employee Organization Check-Off Committee during the proceeding two months period;

c. The basis upon which such amounts were determined;

d. The date on which each distribution was made.

A copy of such statement shall be made available for examination by employee members at the offices of the participating Union.

XXV. Upon written authorization of any employee organization participating in the payroll check-off of employee organization dues, the Employee Organization Check-off Committee shall adjust the amount to be paid to the affected organization by an amount equal to that organization's cost allocation as a member of the Municipal Labor Committee, pursuant to section 1174 subd. a, of the New York City Charter and Article 7 of the Rules of the Municipal Labor Committee, adopted October 13, 1967, or as duly amended thereafter, and pay such amount directly to the Municipal Labor Committee.

XXVI. Any employee organization which willfully fails to comply with the provisions of this Order may be suspended by the City Director of Labor Relations from the participation in the payroll deduction of employee organization dues, pursuant to this Order, for a period to be determined by the City Director of Labor Relations. Appeals from such determination by the City Director of Labor Relations may be taken by the affected employee organization to the Office of Collective Bargaining. The decision of the Office of Collective Bargaining shall be final and binding.

XXVII. Whenever necessary, the City Director of Labor Relations may issue an opinion interpreting or construing the provisions of this Order.

John V. Lindsay

JOHN V. LINDSAY
MAYOR

15 May, 1969
DATE

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

EXECUTIVE ORDER NO. 100

June 13 , 1969

Continuation of increased-take-home-pay plan during 1969-1970 fiscal year, for City-paid officers and employees who are members of City-supported retirement systems and additional provisions relating to the period June first, nineteen hundred sixty-nine through June thirtieth, nineteen hundred seventy for sanitationmen.

WHEREAS, since the City fiscal year 1960-1961, the City has provided, for successive periods of one fiscal year pursuant to statutes enacted by the State Legislature at the request of the City, an increased-take-home-pay plan applicable to City-paid officers and employees who are members of City-supported retirement systems; and

WHEREAS, under such plan the City makes possible a decrease in pension contributions of such personnel without diminution or loss of pension rights, with the result that the take-home-pay of such personnel is increased; and

WHEREAS, by reason of the economic benefits conferred by such plan on such personnel, their morale, efficiency and productiveness are improved, with resulting substantial benefits to the functioning of the City government and the welfare of the people of the City; and

WHEREAS, I have determined that it is in the best interests of the City and the above-mentioned officers and employees that such plan shall be continued during the 1969-1970 fiscal year;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

OTHER-THAN-AUTHORITY MEMBERS OF THE NEW YORK CITY EMPLOYEES' RETIREMENT SYSTEM.

Section 1. For the purposes of this executive order, the provisions of subdivision j of section B3-36.1 of the Administrative Code shall apply, subject to the terms and conditions specified in this executive order, in the same manner, to the same extent and with the same force and effect as if:

(a) wherever the word "sixty-two" appears in such subdivision j, the word "sixty-nine" were substituted therefor;

(b) wherever the word "sixty-three" appears in such subdivision j, the word "seventy" were substituted therefor;

(c) wherever "board of estimate" is referred to in such subdivision j, the word "mayor" were substituted therefor; and

(d) wherever such subdivision refers to adoption of a resolution by the board of estimate, such subdivision instead referred to adoption of an executive order by the mayor.

§ 2. Effective during the period of time from and including the payroll period the first day of which is nearest to July 1, 1969 (which first day is hereinafter referred to as the commencement date of the 1969-1970 increased-take-home-pay period) and to and including the payroll period immediately preceding that, the first day of which is nearest to June 30, 1970 (which total period of time is hereinafter referred to as the "1969-1970 increased take-home-pay period"), the governing provisions of subdivision 14 of such subdivision j, is hereby made applicable, and the provisions of subdivisions g, h and i of such section B3-36.1 shall be applicable to and for the benefit of all other-than-authority members of the New York City Employees' Retirement System, provided, however, that the reduced rate of contribution to be used in computing the reduction of contributions shall be four per cent, except as otherwise provided in sections three and four of this executive order.

§ 3. Pursuant to Chapter 870 of the Laws of 1969 and subdivision i of section B3-36.3 of the Administrative Code (L.1964, ch 954), the reduced-rate-of contribution factor shall be five percent in the case of all members of the Uniformed Correction Force, as defined by Laws 1964, Chapter 954, who elected the optional plan of retirement provided for by such Chapter pursuant to its terms and who were members of the New York City Employees' Retirement System under such plan immediately prior to the commencement date of the 1969-1970 increased-take-home-pay period. The reduced rate of contribution factor in the case of all members of the Uniformed Correction Force, as defined in Laws of 1964, Chapter 954, who on or after the commencement date of the 1969-1970 increased-take-home-pay period, have the privilege, under such Chapter, of electing the optional plan of retirement provided for by such Chapter, and who elect, within the time limited therefor by such Chapter 954, an optional plan of retirement pursuant to such chapter shall be five percent, and such benefit shall be effective from the date of commencement of membership in the New York City Employees' Retirement System, or from the date of commencement of service in the Uniformed Correction Force, whichever is later, provided however that such benefits shall not be effective from any

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date earlier than the commencement date of the 1969-1970 take-home-pay-period.

§ 4(a). The reduced rate-of-contribution factor shall be two and one-half per cent in the case of all members of the uniformed force of the department of sanitation as defined in subdivision a of section B3-36.2 of the code, except members in the title of sanitationman.

(b) The reduced rate of contribution factor shall be five per cent in the case of all members of the uniformed force of the department of sanitation in the title of sanitationman.

MEMBERS OF THE NEW YORK CITY TEACHERS' RETIREMENT SYSTEM WHO ARE EMPLOYEES OF THE BOARD OF HIGHER EDUCATION AND OTHER CONTRIBUTERS TO SUCH SYSTEM.

§ 5. (a) Beginning with the payroll period, the first day of which is nearest to September 1, 1968, and ending with the payroll period immediately prior to that the first day of which is nearest to June 30, 1969, the provisions of paragraph four of subdivision 1, the provisions of subparagraph (a) of paragraph one of subdivision 1 of Section B20-41.1 and the provisions of subdivisions e and f of such section shall be applicable to and for the benefit of all contributors to the New York City Teachers'

Retirement System who are employees of the board of higher education of the City of New York.

(b) Beginning with the payroll period the first day of which is nearest to June 30, 1969, and ending with the payroll period the last day of which is August 31, 1970, the provisions of paragraph four of such subdivision 1 and the provisions of subparagraph (c) of paragraph one of subdivision 1 of such Section B20-41.1, and the provisions of subdivision e and f of such section shall be applicable to and for the benefit of all contributors to the New York City Teachers' Retirement System who are employees of the board of higher education of the City of New York.

(c) Pursuant to subparagraph (g) of paragraph one of subdivision 1 of Section B20-41.1 of the Administrative Code, beginning with the payroll period, the first day of which is nearest to July 1, 1969, and ending with the payroll period immediately prior to that the first day of which is nearest to June 30, 1970, the provisions of paragraph four of subdivision 1 of Section B20-41.1 and the provisions of subdivisions e and f of such section shall be applicable to and for the benefit of (1) all contributors who are transferred contributors and

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(2) all contributors other than contributors who are employees of the board of education of the City of New York or board of higher education of the City of New York.

MEMBERS OF THE APPELLATE DIVISION, FIRST DEPARTMENT AND FIRST JUDICIAL DISTRICT RETIREMENT FUND

§ 6. The deduction from the salary or compensation of any employee or officer made pursuant to Section 108 of the Judiciary Law, need not be made and no contribution in lieu thereof need be made during the one-year period commencing with July 1, 1969.

MEMBERS OF THE RELIEF AND PENSION FUND OF THE DEPARTMENT OF STREET CLEANING

§ 7. The deduction from the pay, salary or compensation of any member of the Relief and Pension Fund of the Department of Street Cleaning, made pursuant to the provisions of Section G51-3.0, par. 2 of the Administrative Code, shall be reduced to zero percentum during the one-year period commencing with July 1, 1969.

MEMBERS OF THE HEALTH DEPARTMENT PENSION FUND

§ 8. The deduction from the pay, salary or compensation of each member of the Health Department Pension

Fund made pursuant to Section 051-53.0 of the Administrative Code need not be made and no contribution in lieu thereof need be made by any such member during the one-year period commencing with July 1, 1969.

NO IMPLICATION OF FURTHER CONTINUATION OF BENEFITS

§ 9. The provisions of this executive order shall not imply any obligation, commitment or promise that benefits herein granted or provided for shall be continued beyond the termination date thereof, as herein prescribed.

EFFECTIVE DATE

§ 10. This order shall take effect on June 13, 1969.

JOHN V. LINDSAY
M A Y O R

By ROBERT W. SWEET
Deputy Mayor

EXECUTIVE ORDERS NO.101-106

These orders deal with continuation of salary adjustment plan. A sample of these orders, no.105 is included. A complete series for 1969 can be seen in nos. 77 to81

Deputy Mayor

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

EXECUTIVE ORDER NO. 105

June 13, 1969

CONTINUATION OF SALARY ADJUSTMENT PLAN

WHEREAS, the New York City Board of Estimate, on June 21, 1962 (Cal. No. 525) adopted a salary adjustment plan for the City's 1962-1963 fiscal year, providing certain salary adjustments for specified categories of City employees and other public or quasi-public employees, who could not benefit from the increased-take-home-pay plan put into effect by the City for members of City-supported retirement systems; and

WHEREAS, such salary adjustment plan has been since continued by the City for each fiscal year as to which such increased-take-home-pay plan has been continued; and

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. The salary adjustment plan adopted by the Board of Estimate on June 21, 1962 (Cal. No. 525) for the 1962-1963 fiscal year is hereby continued for the 1969-1970 fiscal year, including the same terms and conditions. In addition to the City employees covered by the plan, the salary adjustment plan is continued for officers and employees of public authorities, Board of Education and Higher Education, the Community Colleges, and the Cultural Institutions, provided such agencies provided the necessary funds from their existing appropriations. This salary adjustment plan is also continued for employees in the New York Zoological Garden and Brooklyn Botanic Garden whose wages are fixed in accordance with Section 220 of the Labor Law under the same terms and conditions provided by Executive Order No. 74 issued for the 1963-1964 fiscal year.

2. This salary adjustment plan which had been provided for employees in the American Museum of Natural History whose wages are fixed in accordance with Section of the Labor Law under the terms and conditions provid Executive Order No. 83 dated June 14, 1968 is hereby terminated for such employees effective January 1, 1

3. This order insofar as it applies to S shall take effect June 13, 1969.

JOHN V. LINDSAY
MAYOR

by ROBERT W. SWEF
Deputy Mayor

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

EXECUTIVE ORDER NO. 107

Administration of Budget Appropriations

WHEREAS, the New York City Charter empowers and charges the Mayor with the responsibility of administering the Expense Budget for the 1969-1970 fiscal year, and

WHEREAS, certain itemized information and supporting schedules of appropriations, as last modified as of March 15, 1969, were contained in the Mayor's 1969-1970 Budget message, in accordance with Section 117 (b) 2 of the New York City Charter, and it is necessary to provide for certain actions taken subsequent to March 15, 1969,

NOW, THEREFORE, in order to carry out and provide for an effective administration of the 1969-70 Expense Budget, by the authority vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. The budget appropriations of all departments and agencies shall be administered during the fiscal year 1969-1970 under the terms of this executive order.

2. The term "Agency" as used in this executive order means any office, administration, department, division, bureau, board, commission, corporation, institution or other unit of government, the expenses of which are paid in whole or in part from the City Treasury.

3. The schedules of appropriations as contained in the Mayor's 1969-70 Budget Message as amended by the Board of Estimate and the Council are hereby approved effective July 1, 1969.

4. (a) All actions taken in accordance with the New York City Charter, subsequent to March 15th, 1969, approving modifications of the supporting schedules as contained in the Mayor's 1969-70 Budget Message are hereby carried over effective July 1, 1969.

(b) All actions taken in accordance with the New York City Charter, approving modifications which adjusted the rates of certain positions in accordance with the provisions of special pay plans, or reallocations as of July 1, 1967, January 1, 1968, July 1, 1968, and January 1, 1969 are hereby carried over effective July 1, 1969.

5. All the powers of budget modification, as granted in Section 124 (a) of the New York City Charter are hereby withdrawn from all agencies except as to the following: The Boards of Education and Higher Education, the Community Colleges, the Offices of the Borough Presidents, the Comptroller, the Board of Elections, the District Attorneys and the City Council; provided that the Mayor may, as a condition of making these exceptions, require these agencies to cooperate with the Vacancy Control Board in realizing savings required to meet potential budget deficits that may arise during the fiscal year.

6. Those agencies not specifically excepted from the provisions of Section 5 herein providing for the withdrawal of the power of budget modifications shall be governed by the following special terms and conditions in the administration of budget appropriations:

(a) VACANCIES

(1) The provisions of Executive Order No. 5 dated January 19, 1966 as modified by the memorandum on the subject of appointments dated February 2, 1967 are hereby continued in full force and effect for these agencies for the fiscal year 1969-1970.

(2) The Vacancy Control Board, consisting of the Deputy Mayor, City Administrator, the Director of the Budget and the Personnel Director appointed on January 24, 1966 is hereby continued in operation for the purpose of investigating and recommending for approval by the Mayor of request for the filling of positions in these agencies.

(3) The Vacancy Control Board is hereby authorized to act in such a manner as to give the various agencies maximum flexibility in filling vacancies, consistent with the responsibilitu of operating the City government within the amounts appropriated for the fiscal year 1969-1970. However, the head of agencies must cooperate with the Vacancy Control Board to the maximum extent possible in realizing savings required to meet potential budget deficits that may arise during the fiscal year.

(4) A monthly report shall be sent to the Deputy Mayor stating the number of positions in the agency, the number filled, the number of vacancies (both regular and leave of absence) the number pending establishment, and the positions each agency expects to fill. Accompanying this report should be a list of vacancies by code and line number, title, schedule line rate, and the rate at which the position will be filled. A duplicate copy of this information must be submitted to the Bureau of the Budget.

(5) All agencies shall forward to the Deputy Mayor monthly a listing of the positions that have been filled giving the code, the line number, the title, the schedule rate and the appointment rate. A duplicate copy of this listing must be submitted to the Bureau of the Budget.

(6) The reports required by subsections (4) and (5) are necessary for review of requests for filling of vacancies by the Vacancy Control Board. Consideration of filling of vacancies shall be deferred in all cases where agencies have failed to comply until such time as the agency submit such reports.

(7) Any increase in the rate provided for employees in Rule X of the competitive class shall be granted only upon approval of the Mayor.

(b) BUDGET MODIFICATION

Subject to the provisions of Civil Service Law or other applicable statutes, changes in schedules within units of appropriations, may be made as follows:

(1) In accordance with the provisions of the Career and Salary Plan or any special pay plan, to adjust inequities, or to provide increments not provided in the schedules.

(2) Modifications increasing a rate of compensation not in accordance with provisions increasing salary scales may not be done by the head of an agency unless

approved by the Mayor, except that the head of an agency may grant a merit increase to an employee in the competitive class, within increment ranges, with at least one year of service in the title, and who is under the Career and Salary Plan. Such increase shall not exceed an adjustment equal to one increment in a fiscal year.

(3) The provisions of subsection (b) (2) above shall not apply to employees included in collective bargaining agreements.

(4) Any modification creating any position in excess of $8,000 per annum in any schedule shall be done only upon approval of the Mayor.

7. All agencies shall be subject to the following general terms and conditions in the administration of budget appropriations.

(a) CHANGES IN APPROPRIATIONS

Any change in appropriations by transferring funds between Personal Service and other than Personal Service shall be done only upon approval of the Mayor.

(b) CLASSIFICATION OF LABORERS

The provisions of Interpretive Memorandum #6, issued by the City Director of Labor Relations and dated June 26, 1969 on Classification of Laborers are to be fully complied with in filling vacant "A", "B", "C", "D", "E" positions of Laborer.

(c) SUBMISSION OF REPORTS

For those agencies to which the provisions of Section 6 do not apply, the head of each such agency shall submit to the Director of the Budget on or before the 10th day following the end of each quarter a complete summarized list of vacancies existing on the last day of the preceding quarter, in each and every personal service appropriation in his agency.

(d) SCHEDULE MODIFICATIONS

Any modification changing any schedule as allowed by these terms and conditions shall be on a schedule basis, and not on a cash basis, unless otherwise directed by the Mayor.

(e) SALARY ADJUSTMENT AND INCREMENTS FOR POSITIONS COVERED BY CAREER AND SALARY PLANS

Salary adjustments and increments are to be provided in accordance with the provisions of a resolution adopted by the Board of Estimate on June 23, 1955 (Cal. No. 498), as amended.

(f) SALARY ADJUSTMENTS FOR POSITIONS UNDER COLLECTIVE BARGAINING AGREEMENTS OR SPECIAL PAY PLANS

Positions for which salary adjustments are provided in accordance with Collective Bargaining Agreements or Special Pay Plans are to be provided in accordance with the

provisions of the personnel orders approved by the Mayor covering such positions.

(5. SKILLED AND UNSKILLED LABOR

(1) The supporting schedules contained in the Mayor's 1969-70 Budget Message contain provisions for the employment of certain positions for a specific number of days. A payroll certificate shall be submitted in such form as the Comptroller may prescribe establishing the fact that employees of such positions are working the required number of days, and the compensation of employees not working such number of days shall be reduced proportionately. It is not the purpose of the condition to deduct compensation for absences due to vacation, sick leaves, holidays, weather or other permissible cause.

(2) No skilled laborer whose position is provided for in this budget at a prevailing rate and on per diem basis shall be permitted to work in excess of five days in any one week, or two hundred and fifty days in one year, except in case of seasonal work or in an emergency, and then only upon approval of the Mayor authorizing an increased number of days. The foregoing general provision shall be superseded by any special provision attached to any particular line or code in this budget.

(3) Where the number of days of employment is indicated, each day shall constitute eight (8) working hours for all titles, except the titles of Cable Splicer and Lineman (Departments of Traffic and Police), Lineman's Helper, Boilermaker, Boilermaker's Helper, Armature Winder, Bricklayer, Bridge Painter, Carpenter, Cement Mason, Compositor (Job) (Borough President of Queens), Core Drill Operator (Department of Public Works), Core Drill Operator's Helper, Electrician's Helper, Flagger, Glazier, (Public Works), Mason's Helper, Painter, Paver, Pipe Caulker, Plumber, Plumber's Helper, Rammer, Sheet Metal Worker, Sheet Metal Worker's Helper, Sign Painter, Steam Fitter, Steam Fitter's Helper, Thermostat Repairer, Tinsmith, Laborer (County Clerk's Offices), and Foreman of any of the skilled trades herein for which each day shall constitute seven (7) working hours, and Electrician, Foreman Electrician, Plasterer and Plasterer's Helper for which each day shall constitute six (6) working hours, unless otherwise specified.

.n. SNOW AND ICE REMOVAL

Funds provided for this purpose in Code 098-98-901 "Snow and Ice Removal" shall be allocated only upon approval of the Mayor and payment to all persons engaged in Snow and Ice Removal shall be made in accordance with the terms and conditions contained therein. All laborers

or skilled mechanics and all other employees whose duties are appropriate thereto, shall upon request of the Commissioner of Sanitation be required to work, consistent with their titles, upon or in connection with snow removal, and if their compensation is fixed upon a per annum basis, no extra compensation shall be paid them for such work for that number of days upon which their per annum compensation is based. If any such employee shall fail or refuse to work upon or in connection with snow removal, his per annum compensation shall be reduced proportionately to the number of days during which he fails so to work.

(i) VACATION

(1) The vacation and leave allowances for employees who are under the Career and Salary plan shall be in accordance with the resolution approved by the Board of Estimate on June 15,1956 establishing "Leave Regulations for Employees who are under the Career and Salary Plan". The vacation and leave allowances for all other employees shall be in accordance with regulations to be established by the Personnel Director and the Director of the Budget.

(2) Where the work of employees is seasonal in character the vacation shall be allowed during the slack season.

(j) MAINTENANCE CHARGES

(1) Incumbents receiving full or partial maintenance, are to receive full compensation and increments in accordance with the Career and Salary Plan and other special

pay plans approved by the Board of Estimate. Such employees are to reimburse the City of New York in accordance with the schedules of charges heretofore approved by the Board of Estimate on February 23, 1956 (Cal. No. 217), or any amendments thereto, in the following manner:

(2) Charges shall be debited against the total compensation, the incumbent is entitled to (inclusive of increments and other differentials), and shall be paid for by the incumbent from such total compensation received.

(3) Administration for the collection of charges shall be the responsibility of department or agency employing the incumbent, subject to audit by the Comptroller.

(k) PAYMENT OF OVERTIME FOR CITY EMPLOYEES

Payment of overtime for City Employees shall be paid in accordance with the general rules and regulations promulgated in accordance with the resolution of March 22, 1962 (Cal. No. 379) adopted by the Board of Estimate as amended by Personnel Order No. 54/68 dated June 21, 1968.

(l) LIMITATION ON EXPENDITURES

No liability is to be contracted for in excess of funds available for the purpose. The head of a department or other agency shall be held strictly accountable for exceeding appropriations without specific

itemized approval of the Mayor.

(m) SPECIFICATIONS

All contracts and open market orders except those of the Board of Education, for supplies, materials, and equipment, chargeable to appropriations classified as "Other Than Personal Service", shall be based upon specifications which have been approved by the Board of Standardization in accordance with the New York City Charter. In the absence of such Standard or Tentative Standard specifications for the particular supplies, materials, or equipment required, contracts and open market orders shall be based upon specifications which are definite and certain and which permit of competition, as required by the New York City Charter or which comply with Section 12 of the regulations of the Board of Estimate adopted June 30, 1949 (Cal. No. 318-A).

(2) The head of the agency awarding the contract shall, at the time the contract is transmitted to the Comptroller for registration, certify that such contract is based upon specifications which comply with the above provisions. All open market orders issued shall contain a certificate by the head of the agency issuing the orders that such order is based upon specifications which comply with the above provisions.

(3) No contract chargeable to this budget shall, after an award is made, be cancelled nor shall any contract be modified in a manner materially affecting the substance thereof, unless such cancellation or such modification is approved by resolution of the Board of Estimate. This rule, however, shall not apply to a case where the terms of the contract reserve to the head of an agency the right to void a contract for default or abandonment of the work by a contractor.

(n) APPROVAL OF CONTRACTS

(1) No contract or proposal for work to be performed chargeable to this budget, except for work to be performed for the Board of Education, the cost of which is estimated to be in excess of $20,000 but not more than $50,000 shall be advertised until such contract and specifications or proposal shall have been submitted to and approved by the Director of the Budget.

No contract or proposal for work to be performed chargeable to this budget, for the Board of Education, the cost of which is estimated to be in excess of $50,000 but not more than $100,000 shall be advertised until such contract and specifications or proposal shall have been submitted to and approved by the Director of the Budget.

(2) Contracts and specifications or proposals for work estimated to cost in excess of $50,000, except for work to be performed by the Board of Education,

shall be submitted to and approved by the Mayor before such contracts and specifications or proposals are advertised. Contracts and specifications or proposals for work to be performed for the Board of Education, estimated to cost in excess of $100,000 shall be submitted to and approved by the Mayor before such contracts and specifications or proposals are advertised. When specifications have been approved by the Mayor, addenda thereto may be approved by the Director of the Budget, provided, however, that the estimated cost is not increased or that the change is not material. The specifications for the supplies, materials, and equipment in such contracts shall comply with the requirements of Subsection "l" herein.

The Board of Education is authorized to advertise contracts and specifications or proposals the cost of which is estimated to be not more than $50,000 without prior submission and approval by the Director of the Budget.

(3) Contracts for professional services must be submitted to the Mayor for his approval.

(4) The provisions of this subsection ("m"), (3) shall not apply to the Board of Education.

(5) All contracts, in accordance with Section 343a of the New York City Charter to be awarded without public letting, must be submitted to the

Mayor and approved by the Board of Estimate. Whenever the Board of Estimate exempts items from public letting, no further approval of the Mayor is required of such expenditure.

(o) TELEPHONE SERVICE AND TABULATING EQUIPMENT

(1) Major modifications of telephone service contracts shall not be effective, except to the extent and in the manner approved by the Mayor.

(2) No call directors, automatic switchboards, leased lines except for Civil Defense services, etc., shall be contracted for unless approved by the Mayor.

(3) Telephone Service Orders issued by the New York Telephone Company will reflect the required installations, deletions and changes, but not the cost thereof. The using agency shall certify the charges reflected on the telephone bills and certify the bills for payment in accordance with the tariff chart. These certified bills are to be forwarded promptly to the Comptroller's Office for payment. If there are discrepancies holding up certification of a previous month's bill, an agency shall process subsequent monthly bills without delay where such bills can be certified. Where questionable toll charges appear on a bill, such charges shall be deducted from the bill on which they appear and the remainder of the bill processed for payment immediately.

(4) All contracts for the rental of tabulating and auxiliary tabulating equipment shall be restricted to the equipment provided for under the contract in force when this budget takes effect. Modifications or proposals involving additional equipment shall not be effective except and in the manner approved by the Mayor.

(5) The provisions of this subsection ("n") shall not apply to the Board of Education.

(p) GENERAL PURCHASE FUND

Subject to the provisions of subsection "l" herein, the appropriations provided for the various agencies for supplies, materials, equipment, and certain contractual services are hereby made to the Department of Purchase to the extent of the amounts set forth in the amended schedules of the Mayor's Budget Message for this fiscal year and as also indicated in brackets opposite departmental appropriations for Other Than Personal Service, and the Comptroller is hereby authorized and directed to transfer from the respective appropriations the amounts stated in the said schedule to the General Purchase Fund herein established for the Department of Purchase. The balance remaining in the said appropriations, after the amounts stated in the said schedule have been transferred to the General Purchase Fund, shall be under the jurisdiction of and control of the various agencies.

Certain allowances set up in this budget which are payable from other than tax levy funds appropriated to agencies, subject to the provisions of law, for supplies, materials and equipment, shall be made upon requisitions for purchase by the Department of Purchase.

(q) AUTHORITY FOR PETTY CASH EXPENDITURES

Requests for permission to draw upon the Comptroller and the City Treasurer by requisition for such amounts as may be required to defray the cost of minor and incidental expenditures chargeable to appropriations included in the Budget for this fiscal year, may be made upon the Comptroller or vouchers filled by the agency for the amount required.

(r) FEES

Appropriations to the various agencies for Witness Fees and Expenses, Juror Fees and Expenses, and Stenographer Fees (including minutes) shall be subject to administration by the Comptroller is authorized and directed to adjust such accounts of the various agencies when necessary to provide for expenditures; but the total of such appropriations shall not be exceeded. In addition to the foregoing, the Comptroller is authorized to distribute the budget appropriations for Judgments and Claims to other Judgment and Claim Accounts, namely, Accounts 710 to 719, inclusive and between Account No. 465, Special Obligatory County Expenses Per State Statutes, and Account No. 467, Services of Counsel Assigned by Courts. The Comptroller

will distribute, in accordance with the Manual of Expense Accounts, appropriations for 902 Repaving of Street and 903, Demolition of Unsafe Buildings, as the Department of Highways, the Department of Parks and the Department of Buildings may direct with respect to their share of such appropriations.

(s) TRAVEL EXPENSES

(1) Expenditures of the various agencies for travel expenses shall receive prior approval of the Deputy Mayor and those incurred for lodging and meals shall be limited to audit of the Comptroller to a maximum of $22.00 per day for officials and for employees while traveling out-of-town on official business. The maximum allowance for a hotel room is to be $12 per day per person and for meals $10 per person for a 24 hour period. Meals consumed while aboard a train or otherwise enroute are to be considered as part of the transportation cost.

(2) Claims for the reimbursement of all traveling expenses shall be submitted on the regularly authorized form and must be itemized and stated in chronological order. The expenses as incurred must be supported by receipted bills for every expense for which a receipt can be obtained.

(t) PURCHASE OF EQUIPMENT

All expenditures for the purchase of equipment through the General Purchase Fund shall be based on the schedules upon which

the appropriation is predicated. The Director of the Budget shall file schedules with the Office of the Comptroller, the Department of Purchase and the agency. Agency heads upon notification to the Department of Purchase may make substitutions or additions in these schedules, except that variations or substitutions to provide for executive offices furnishings, rugs, drapes, air conditioners, motor vehicles (unless a similar vehicle is surrendered to the Division of Salvage of the Department of Purchase and such replacement is in accordance with the motor vehicle replacement standards) and items of a similar nature must be approved by the Mayor.

(u) APPLICATIONS FOR STATE, FEDERAL AND OTHER GRANTS

(1) Any agency making an application for a State, Federal, Foundation or other grant shall submit a copy of such application to the Bureau of the Budget at the time the application is initiated. When the agency receives approval of such grant in the original or amended form, the agency shall notify the Bureau of the Budget by letter of such approval.

(2) Any agency making an application for a State, Federal, Foundation or other grant, receipt of which involves a commitment of City funds (for example, in the form of matching commitments of cash or personal services), shall submit a copy of such application to the Bureau of the Budget for its comments as to the availability of city funds before the application is filed.

(v) FORMS

It is necessary that the Director of the Budget maintain a Master Budget. Accordingly, all modifications and changes in units of appropriations shall be transmitted to the Director of the Budget on forms provided by that office (Revised form M).

(1) The Departmental Modification form submitted by a department in accordance with Section 124 (a) of the New York City Charter shall be validated by the Director of the Budget or his authorized representative who shall sign four copies which shall be distributed as follows: two (2) copies sent to the Office of the Comptroller, one (1) returned to the department for payroll entry, and the copy retained by the Bureau of the Budget is to be used to update the Master Budget.

(2) The Departmental Modification form submitted by a department in accordance with Section 124 (b) of the New York City Charter shall be reviewed and examined by the Bureau of the Budget and then forwarded to the Mayor or his authorized representative for his signature on four copies which shall be distributed as follows: two (2) to the Office of the Comptroller, and one (1) to the Department and one (1) to the Bureau of the Budget for updating the Master Budget.

(3) The Department Modification form submitted by a department in accordance with Section 124 (c) of the New York City Charter shall, after review and examination be attached to the necessary Calendar Memos and Reports for submission to the City Council and the Board of Estimate, and forwarded to the Mayor for his signature and processing. After action by the Mayor, the Board of Estimate and the City Council a certificate of the Budget Director shall be issued and distributed as follows: two (2) copies to the Office of the Comptroller, one (1) to the department, and one (1) to the Bureau of the Budget for updating the Master Budget.

(4) Personal Service expenditures, etc., made pursuant to this Executive Order are to be reported monthly to the Director of the Budget on forms provided by his office.

(w) DEPARTMENT QUARTERLY PERFORMANCE REPORTS

For the development of performance standards, and for analyses of work load data and manpower utilization, all agencies shall submit performance reports, in triplicate to the Director of the Budget on forms prescribed by the Director of the Budget.

8. The Comptroller shall not authorize the payment of any compensation to any person appointed on or after July 1, of this year which is not in conformity with the provisions of this directive.

9. This executive order shall take effect July 1, 1969.

JOHN V. LINDSAY

MAYOR

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

EXECUTIVE ORDER NO. 108

August 21, 1969

COMMISSION ON INFLATION AND ECONOMIC WELFARE

WHEREAS, the full and faithful discharge of the responsibilities vested in the Mayor of the City of New York by the Charter and other laws applicable to his functions to protect the economic welfare of the People of the City will be substantially aided by a study of the nature and incidence of inflation in New York City and its impact on the efficacy of government programs; and

WHEREAS, the causes of the current inflation and its impact on income distribution among different sectors of the economy have not been identified; nor have effective measures been invoked to control inflation or to remedy the needs of those groups hardest hit by its effects; and

WHEREAS, the creation of a commission to report to the Mayor on the causes of inflation, on its impact in New York City, and on steps which the City can take to help combat inflation and generally to protect its citizens from rising prices is desirable, useful and necessary.

NOW, THEREFORE, by power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. There is created in the Office of the Mayor a Commission on Inflation and Economic Welfare in New York City. The Commission shall consist of 13 members one of whom shall be Chairman, all appointed by and serving at the pleasure of the Mayor. The Commission shall be unsalaried and shall serve until it completes its report to the Mayor.

§ 2. The Commission shall prepare a report, to be submitted to the Mayor by October 1, 1969, which is to include, but not be limited to, studies and recommendations in the following areas:

(a) The causes of the current inflation, including the extent to which price levels are attributable both to market pressures and to non-market influences, including federal, state, and municipal policies;

(b) The effects of the current inflationary cycle, including:

1. The manner in which current inflationary and other economic, monetary and fiscal patterns operate as vehicles for redistribution of wealth among various groups in society;

2. The relative impact of inflation on the various items in the family budgets of New Yorkers;

3. The degree to which price trends in New York City differ from rural areas, from other metropolitan areas and from other regions of the nation;

(c) Measures against the current inflation, including:

1. Effective national policies to control inflation and to remedy the hardships caused by it;

2. Steps the City can take alone or in conjunction with other governments, to assist in the implementation of needed measures at the national level, and otherwise to help combat inflation through municipal and state action.

§ 3. The Commission shall have a staff director, staff members and may retain consultants.

§ 4. This executive order shall take effect immediately.

John V. Lindsay

MAYOR

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N. Y.

EXECUTIVE ORDER NO. 109

August 28, 1969

EMPLOYEE SAFETY PROGRAM

WHEREAS, the City of New York, as an employer, has a responsibility to seek to prevent personal injuries to its employees and the losses to the City which result from on-the-job accidents; and

WHEREAS, effective Employee Safety Programs are needed in all City agencies;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered, as follows:

Section 1. Each administration and agency is directed to designate a qualified safety officer and to assign such other resources as are required to conduct an effective employee safety program.

§ 2. Each administration and agency is directed to study its present employee safety program, determine the degree to which its safety needs are being met and develop and strengthen its employee safety program to better meet its needs. This program should include procedures for the following:

(a) collection and analysis of accident data.
(b) investigation of all accidents.
(c) regular inspection of all facilities and work procedures.
(d) identification of hazards to employees and visitors, and recommendations for the elimination of same.
(e) establishment of training programs to gain employee acceptance of safety rules, help first line supervisors to carry out their responsibilities to encourage and enforce safe work procedures and improve the technical capabilities of employees assigned to safety duties to enable them to function effectively.
(f) periodic review and evaluation of its safety program.

§ 3. Each administration and agency shall report to the Department of Personnel in such manner and at such times as determined by that department the following:

(a) all accident statistics.
(b) an analysis of the costs of accidents.
(c) cost of efforts and of procedures taken to prevent accidents.

§ 4. The Department of Personnel, in carrying out its responsibility to administer the safety program of the City, shall:

(a) provide consultant and technical assistance services to all administrations and agencies in the planning and conduct of employee safety programs.
(b) collect and analyze safety and accident statistics, and such other data as are necessary to develop and maintain a City-wide employee safety plan, and make recommendations to the Mayor on City-wide safety matters.
(c) establish and conduct safety training programs needed to supplement agency training programs.
(d) coordinate the safety activities of all City agencies.
(e) report to the Mayor annually on the status and effectiveness of the City's employee safety programs.

§ 5. This order shall become effective immediately.

/S/ JOHN V. LINDSAY
MAYOR

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

EXECUTIVE ORDER NO. 109

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(c) establish and conduct safety training programs needed to supplement agency training programs.

(d) coordinate the safety activities of all City agencies.

(e) report to the Mayor annually on the status and effectiveness of the City's employee safety programs.

§ 5. This order shall become effective immediately.

JOHN V. LINDSAY
MAYOR

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

EXECUTIVE ORDER NO. 110

September 2, 1969

Procurement of Office and other Space
for City Departments and Agencies

WHEREAS, this Administration has reviewed existing procedures for procuring and allocating office and other space for all City Departments and Agencies, and

WHEREAS, new procedures have been evolved to speed such procurement and allocation and to centralize responsibility for the control and administration of space requirements within the administration, and

WHEREAS, the functions of the several agencies require space to permit the Administrations, Departments and Agencies to perform assigned missions effectively and economically, and

WHEREAS, the necessity exists for assuring that the procurement and allocation of office and other space be equitable,

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the City of New York and subject to the powers vested in the Board of Estimate, it is hereby ordered as follows:

Section 1. Municipal Service Administrator

The determination of space policy and priority of occupancy shall be the responsibility of the Municipal Service Administrator whose approval shall be required for the procurement or allocation of office or other space.

§ 2. Procedure for requesting new or additional space

Requests for space shall be made in writing to the Municipal Service Administration, Commissioner of Real Estate, accompanied by the following information:

(a) "A-B-C" forms in duplicate. Forms are obtainable from the Department of Real Estate.

(b) Certification by the Commissioner or Head of the Agency (on form supplied by Department of Real Estate) attesting that the program, personnel and facilities shown on "A-B-C" forms have been previously authorized by the Mayor and/or the Budget Director.

(c) If pertinent, the geographical area in which the space should be located together with a statement of requirements of the agency as to the type, quality and specialized facilities or installations in the space desired, date of occupancy, funding method, expense or capital budget, state or federal reimbursement, etc.

Upon receipt of the preceding information, the Municipal Service Administration, Department of Real Estate, shall determine the amount of space required, whether the space can be supplied in a municipally-owned building under its jurisdiction, or procure the required space in a privately-owned building. The Municipal Service Administration, Commissioner of Real Estate, shall negotiate the terms of a lease for such space, and thereafter, request confirmation from the Director of the Budget that funds for the payment of the rental and other charges under the lease are available. After receipt of confirmation from the Bureau of the Budget, the Department of Real Estate shall prepare and submit a Report and Resolution to the Board of Estimate to authorize the Municipal Service Administration, Commissioner of Real Estate to enter into and execute the proposed lease on behalf of the City of New York.

§ 3. Procedure for requesting renewals and extensions of expiring leases on presently occupied space at annual rental of $10,000 or less

Requests for renewals or extensions of leases on space with an annual rental of $10,000 or less shall be initiated by letter to the Municipal Service Administration, Commissioner of Real Estate, stating:

(a) that continued occupancy of the space is required.

(b) that Departmental operations and personnel housed in the space have not changed materially since the inception date of the expiring lease or rental arrangement.

(c) any additional conditions or provisions which the Department desires be incorporated in the renewal agreement.

(d) the desired term of the renewal.

The Municipal Service Administration, Department of Real Estate shall negotiate the renewal of the lease or obtain substitute quarters, and obtain Board of Estimate authorization for the renewal of the lease.

§ 4. Procedure for requesting renewals and extensions of expiring leases on presently occupied space at annual rentals in excess of $10,000

Such requests shall be processed in the same manner as the requisitions for new or additional space, as described in section 2 above.

§ 5. Inventory

(a) The Municipal Service Administration, Commissioner of Real Estate shall maintain a current inventory of space occupied by City agencies in municipally and privately-owned buildings.

(b) Space assigned to any city function that is no longer required for the purpose for which it was allocated must be reported to the Municipal Service Administrator for disposition.

§ 6. Effective Date

This Order shall take effect immediately and shall supersede Executive Order No. 50 issued August 16, 1967.

John V. Lindsay
MAYOR

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

EXECUTIVE ORDER NO. 111

OCTOBER 24, 1969

ESTABLISHMENT OF THE MAYOR'S ORGANIZATIONAL TASK FORCE FOR COMPREHENSIVE HEALTH PLANNING FOR THE CITY OF NEW YORK

WHEREAS, Section 314(b), of the Public Health Service Act (42 U. S. C. A. §246 (b) as amended by P. L. 89-749 and P. L. 90-174 (hereinafter referred to as "Comprehensive Health Planning Act") calls for promoting and assuring the highest level of health attainable for every person in an environment which contributes positively to healthful individual and family living, and

WHEREAS, such Act, to carry out such purpose, calls for comprehensive planning of health services, manpower facilities and research at every level of public and private endeavor and provides for federal financial assistance for such purpose, specifically providing for area-wide planning agencies for regions, metropolitan areas, or local areas, and

WHEREAS, Congress has declared that attainment of the goals of the Comprehensive Health Planning Act "depends on an effective partnership, involving close intergovernment collaboration, official and voluntary efforts, and participation of individuals and organization," and

WHEREAS, effective local comprehehsive health planning must be undertaken for the City of New York, and

WHEREAS, the Mayor's Organizational Task Force for Comprehensive Health Planning for the City of New York (hereinafter referred to as the Task Force) meets the requirements of the Comprehensive Health Planning Act and conforms to the policies of the Public Health Service of the U. S. Department of Health, Education and Welfare, and

WHEREAS, the Task Force is essential to organize and agency which will effectuate the purposes of the Comprehensive Health Planning Act and obtain proper coordination of delivery of health services in the City of New York, and

WHEREAS, the experience and knowledge of the Health and Hospital Planning Council of Southern New York (in the performance of its responsibilities under Article 28 of the Public Health Law) and other planning agencies in New York must be utilized and definite arrangements must be developed during the organizational period to assure continuity in the performance of such Article 28 responsibilities and other components of health planning,

NOW, THEREFORE, by virtue of the power vested in me as Mayor of the City of New York it is hereby ordered as follows:

Section 1. There is established in the office of the Mayor the "Mayor's Organizational Task Force for Comprehensive Health Planning for the City of New York" (hereinafter referred to as the "Task Force") which shall consist of 59 members of whom 30 shall be representatives of consumers of health services and 29 representatives of providers of health services,

Consumer Representatives*

9 persons who shall represent neighborhood-based consumer groups.

9 persons who shall represent city-wide consumer groups.

2 persons who shall represent the New York City Council Against Poverty.

3 municipal officials among whom shall be the Deputy Mayor-City Administrator, the Chairman of the City Planning Commission and a representative of the City Council.**

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*From among the 30 consumers there shall be appointed:

a. At least 2 persons to represent the interests of mental health and/or mental retardation.

b. At least 1person (other than the one already identified) to represent the interests of environmental health.

c. At least 1 person to represent the interests of rehabilitation or such representation to be appointed among the providers of health services.

d. At least 1 person who shall have a special interest in education.

e. 1 resident of each borough.

**Municipal officials may designate a permanent alternate to represent them at Task Force meetings.

1 person who shall be representative of the regional planning organizations that include New York City in their planning area.

1 person who shall be representative of commerce and industry.

1 person who shall represent the interests of environmental health.

2 persons who shall be representative of labor organizations.

1 person who shall represent older New Yorkers.

1 person who shall be representative of consumer-oriented health prepayment organizations.

Provider Representatives

5 persons who shall represent hospitals (4 of whom shall represent voluntary institutions and 1 of whom shall represent private institutions).

2 persons who shall represent nursing homes (1 of whom shall represent voluntary institutions and 1 of whom shall represent private institutions).

1 person who shall be the representative of the Health and Hospital Planning Council of Southern New York.

1 person who shall represent commercial health prepayment organizations.

6 physicians who shall represent medical societies (5 of whom shall represent the county medical societies through their Coordinating Council).

1 person who shall represent dental societies.

1 person who shall be representative of nursing organizations.

3 persons who shall be representative of other health professions and paraprofessions.

6 municipal officials among whom shall be the Health Services Administrator (who shall be the chairman of the task force) and 3 other representatives of the Health Services Administration: to wit, the Commissioners of Health, Hospitals*, Mental Health and Mental Retardation Services, and the Environmental Protection Administrator, and the Human Resources Administrator.**

1 person who shall be a practitioner in the field of mental health.

1 person who shall represent the regional medical program in New York City.

§ 2. a) All members of the Task Force, other than the ex officio members, shall be appointed by the Mayor from among nominations submitted by appropriate individuals and organizations and shall serve unless removed by the Mayor, until the comprehensive area-wide health planning agency for the City of New York is established under the Comprehensive Health Planning Act, but in no event for more than two years from the date on which the Task Force is appointed. The ex officio members include:

(1) Municipal officers - The Health ServicesAAdministrator and 3 other representives of the Health Services Administration: to wit, the Commissioners of Health, Hospitals*, Mental Health and Mental Retardation Services, the Environmental Protection Administrator, the Human Resources Administrator, the Deputy Mayor-City Administrator, the Chairman of the City Planning Commission, and a representative of the City Council.

(2) Other ex officio members - appointed by the Mayor pursuant to section one hereof, upon nomination by the following public and private agencies:

2 representatives of the New York City Council Against Poverty.

1 representative of the Health and Hospital Planning Council of Southern New York.

5 representatives of the New York State Medical Society 1st District Branch Coordinating Council.

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*In the event that the office of the Commissioner of Hospitals no longer exists then the vacancy shall be filled by the Executive Director of the New York City Health and Hospitals Corporation.

**Municipal officials may designate a permanent alternate to represent them at Task Force meetings.

1 representative of the regional medical program.

4 persons who shall represent the voluntary hospitals and nominated by the Greater New York Hospital Association.

1 person who shall represent proprietary hospitals and nominated by the Association of Private hospitals.

1 person who shall represent voluntary nursing homes and nominated by the New York City Division of the New York State Association of Homes for the Aging.

1 person who shall represent proprietary nursing homes and nominated by the Metropolitan Nursing Home Association.

§ 3. The Task Force shall have the following functions, power and duties:

a. To develop a system for local participation in comprehensive health planning based upon the experience of the Task Force and related projects demonstrating the feasibility of methods of consumer, provider and government participation in planning at local levels: borough-wide, community and neighborhood.

b. To develop the data base needed to organize the agency and implementation of subsequent planning functions.

c. To determine the scope, functions and relationships (with appropriate public and private agencies) required for a comprehensive health planning agency. The Task Force shall establish one or more committees to meet regularly with representatives of the Health and Hospitals Planning Council of Southern New York (to make definite arrangements for them to continue the performance of their Public Health Law Article 28 responsibilities) and with other appropriate planning agencies, to develop organizational relationships between them and the permanent comprehensive health planning agency. Committee recommendations shall be submitted to the Task Force for their consideration.

d. To obtain consumer, government and provider support of the proposal for the permanent comprehensive health planning agency.

e. To organize the comprehensive health planning agency, upon securing the approval of the appropriate municipal, state and federal agencies.

f. Training both consumers and health professionals in the concepts and skills required in comprehensive health planning.

g. To apply for, receive and accept grants of property, money and services and other assistance offered or made available to it by any person, government or agency.

h. The Task Force shall meet not less than six times in each 12 month period and shall submit an annual report to the Mayor at the end of the first 12 month period and a final report when its work has been completed.

§ 4. The Task Force may require such reports, analyses and statements from the agencies of the City as it may deem necessary for the proper performance of its duties hereunder.

§ 5. The Task Force may employ such professional, technical and clerical staff within budgetary appropriation as may be necessary to conduct its business.

JOHN V. LINDSAY
Mayor

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

EXECUTIVE ORDER NO. 112

DECEMBER 29, 1969

ESTABLISHMENT OF THE TRANSPORTATION ADMINISTRATION

WHEREAS, the City Council has passed and I, as Mayor, have approved a local law designated as Local Law No. 67 of 1969 which amends the New York City Charter by providing for the consolidation of certain City agencies into a Transportation Administration, and prescribes the functions, powers and duties of such administration, and

WHEREAS, such local law provides by its terms that it shall take effect on such date as I shall provide by executive order, and

WHEREAS, implementation of such local law requires the creation of an organizational structure to fulfill the Transportation Administration's responsibilities, and

WHEREAS, the development of programs to improve transportation in the City of New York requires coordination of the operations of other agencies of the City government with the operation of the Transportation Administration, and

WHEREAS, establishment of effective liaison with the federal and state government is desirable to enhance eligibility for and use of federal and state programs of financial aid for transportation purposes,

NOW, THEREFORE, by the power vested in me as the Mayor of the City of New York, I hereby order as follows:

SECTION 1. The effective date of Local Law No 67 shall be December 29, 1969.

§ 2. The Transportation Administrator shall, in his discretion, organize the administration into departments, bureaus, boards, divisions or offices, and make assignments of powers and duties among them and from time to time change such organization or assignments, subject only to the extent to which the organization is prescribed by law.

§ 3. The Transportation Administrator is designated to act as the representative of the City of New York in relation to transportation administration programs of state and federal agencies.

§ 4. Executive Orders No. 4 and No. 30 dated January 17, 1966 and September 16, 1966 respectively, except insofar as they are expressly preserved by any provisions of this order, are hereby, repealed.

John V. Lindsay
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