

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Thursday, October 10, 2024, 2:05 p.m.

Council Members

Adrienne E. Adams, *The Speaker*

Amanda C. Farías, The Majority Leader
and Acting President Pro Tempore

Joseph C. Borelli, The Minority Leader

Shaun Abreu	Shahana K. Hanif	Keith Powers
Joann Ariola	Kamillah M. Hanks	Lincoln Restler
Alexa Avilés	Robert F. Holden	Kevin C. Riley
Diana I. Ayala	Crystal Hudson	Carlina Rivera
Chris Banks	Rita C. Joseph	Yusef Salaam
Erik D. Bottcher	Shekar Krishnan	Rafael Salamanca, Jr
Justin L. Brannan	Linda Lee	Pierina A. Sanchez
Gale A. Brewer	Farah N. Louis	Lynn C. Schulman
Selvena N. Brooks-Powers	Kristy Marmorato	Althea V. Stevens
Tiffany L. Cabán	Christopher Marte	Sandra Ung
David M. Carr	Julie Menin	Inna Vernikov
Carmen N. De La Rosa	Francisco P. Moya	Nantasha M. Williams
Eric Dinowitz	Mercedes Narcisse	Julie Won
Oswald J. Feliz	Sandy Nurse	Kalman Yeger
James F. Gennaro	Chi A. Ossé	Susan Zhuang
Jennifer Gutiérrez	Vickie Paladino	

Absent: Council Member Mealy.

The Majority Leader (Council Member Farías) assumed the chair as the Acting President Pro Tempore and Presiding Officer for these proceedings. Following the gaveling-in of the Meeting and the recitation of the Pledge of Allegiance, the Roll Call for Attendance was called by the City Clerk and the Clerk of the Council (Mr. McSweeney).

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

There were 50 Council Members marked present at this Stated Meeting held in the Council Chambers at City Hall, New York, N.Y. (including Council Member Moya who participated remotely).

INVOCATION

The Invocation was delivered by Rabbi Aryeh Rockove, Congregation Zkhal Nachlas Avos located at 11325 Myrtle Avenue, Jamaica, N.Y. 11418.

Speaker Adrienne Adams, Council Member Lynn Schulman,
I'm humbled by the honor you have extended to me today.
To you and the honorable Members of the City Council,
I'd like to express on behalf of my family, congregation, and community
our thanks for the gift of living and raising our families in New York City.
Its vibrancy, diversity, and commitment to be welcoming
has provided us with freedoms and opportunities
unimaginable to our parents and grandparents
in the countries in which they were born.

I understand that being a member of the Council
requires devotion and sacrifice.
That is why I stand before you saying thank you.
Thank you for your devotion.
Thank you for your personal sacrifice.
Thank you for giving my family and community
the opportunity to live as religious Jews.

There is much that will be demanded of you in the year ahead.
For that, we turn to God in prayer.
Heavenly Father, uphold and bless our country,
the United States of America, and the great City of New York.
Implant brotherly love among all who dwell therein.
Bless the constituted officers of government.
Set in their hearts the wisdom, understanding,
and moral fortitude to uphold peace and freedom
and to create a society that lives by your words.
Spread, O Lord, the sheltering tabernacle of peace over all the earth,
with mankind dwelling in brotherhood and tranquility.
May this be thy will and let us say
Amen.

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

ADOPTION OF MINUTES

Council Member Gutiérrez moved that the Minutes of the Stated Meeting of September 26, 2024 be adopted as printed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-74

Communication from the Queens County Democratic Committee recommending the name of Jose M. Araujo to the Council regarding his appointment to the office of Commissioner of Elections of the Board of Elections pursuant to § 3-204 (4) of the New York State Election Law.

(For text of the Election Commissioner Certification from the Queens County Democratic Committee recommending the appointment of Jose M. Araujo, please refer to the attachment section of [the M-74 of 2024 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov/>)

Referred to the Committee on Rules, Privileges and Elections.

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Contracts

Report for Int. No. 801-A

Report of the Committee on Contracts in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring an agency to provide an explanation of a denial of approval of a subcontractor.

The Committee on Contracts, to which the annexed proposed amended local law was referred on April 11, 2024 (Minutes, page 1719), respectfully

REPORTS:

I. INTRODUCTION

On October 10, 2024 the New York City Council's Committee on Contracts, chaired by Council Member Julie Won, held a vote on Introduction Number 801-A (Int. 801-A), sponsored by Council Member Julie Won, a Local Law to amend the administrative code of the city of New York, in relation to requiring an agency to provide an explanation of a denial of approval of a subcontractor; Introduction Number 802-A (Int. 802-A), sponsored by Council Member Julie Won, a Local Law to amend the administrative code of the city of New York, in relation to establishing guidelines for insurance requirements for food procurement vendors; and Introduction Number 803-A (Int. 803-A), sponsored by Council Member Julie Won, a Local Law to amend the New York city charter, in relation to requiring the procurement policy board to promulgate rules relating to protests of procurement actions. Earlier versions of these bills were previously heard by the Committee on June 4, 2024, and the Committee received testimony from the Mayor's Office of Contract Services (MOCS), engineering and construction industry representatives, human service providers, and other interested stakeholders. The Committee approved these bills by a vote of 5 in the affirmative and zero in the negative.

II. LEGISLATIVE ANALYSIS

Int. 801-A - A Local Law to amend the administrative code of the city of New York, in relation to requiring an agency to provide an explanation of a denial of approval of a subcontractor

Int. 801-A would amend Chapter 1 of Title 6 of the Administrative Code of the City of New York by adding a new section 6-142.1 to require explanations for agency denials of subcontractors.

The bill would require agencies to provide contractors with a written explanation when denying approval of a subcontractor, upon the contractor's request. Agencies would have 30 days to provide this explanation after receiving the request.

The bill excludes denials of subcontractor approval requests related to emergency procurements or small purchases.

Int. 801-A would go into effect 120 days after it becomes law.

Int. 802-A - A Local Law to amend the administrative code of the city of New York, in relation to establishing guidelines for insurance requirements for food procurement vendors

Int. 802-A would amend Chapter 1 of Title 6 of the Administrative Code of the City of New York by adding a new section 6-130.1 to establish guidelines for insurance requirements for food procurement vendors.

The bill would require an agency or office designated by the mayor, in consultation with the office for food policy, to establish guidelines for insurance requirements for food procurement vendors. These guidelines would be provided to the council at least 30 days prior to being finalized.

Int. 802-A defines "food procurement vendor" as any vendor contracting with an agency to provide food-related services, and "food-related services" as services where the principal purpose is the provision, preparation, handling, transportation, storage, or serving of food.

The bill would require agency solicitations for food or food-related services to be consistent with the established guidelines.

The agency or office designated by the mayor to establish the guidelines would be required to review the guidelines every two years and provide recommendations to the designated agency or office.

Int. 802-A would go into effect 120 days after it becomes law.

Int. 803-A - A Local Law to amend the New York city charter, in relation to requiring the procurement policy board to promulgate rules relating to protests of procurement actions

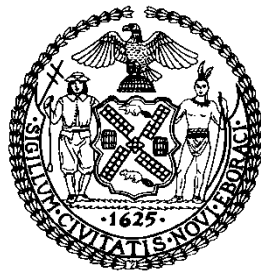
Int. 803-A would amend Paragraphs 8 and 9 of subdivision b of section 311 of the New York City Charter and add a new paragraph 10.

The bill would require the Procurement Policy Board to promulgate rules authorizing the submission of protests by vendors or their designated representatives regarding agency procurement action determinations.

Int. 803-A would exclude determinations related to accelerated procurements, emergency procurements, and small purchases from the protest submission process.

Int. 803-A would go into effect 120 days after it becomes law.

(The following is the text of the Fiscal Impact Statement for Int. No. 801-A:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION**

**TANISHA EDWARDS, CHIEF FINANCIAL OFFICER
AND DEPUTY CHIEF OF STAFF TO THE SPEAKER**

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. 801-A

COMMITTEE: Contracts

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring an agency to provide an explanation of a denial of approval of a subcontractor.

Sponsors: Council Members Won, Brooks-Powers, Louis, Stevens, Fariás, Banks, Williams, Brannan, Yeger, Gutiérrez, Narcisse and Schulman.

SUMMARY OF LEGISLATION: This proposed law would require city agencies, upon a contractor's request, to provide such contractor with a written explanation when denying approval of a subcontractor. Agencies would have 30 days to provide such explanations after receiving a request. This proposed law would not require such approval explanations related to emergency procurements or small purchases.

EFFECTIVE DATE: 120 days after becoming law

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2026**FISCAL IMPACT STATEMENT:**

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY26
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this proposed law as the agency responsible for carrying out its requirements would be able to use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Owen Kotowski, Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
Jonathan Rosenberg, Managing Director
Nicholas Connell, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Proposed Int. No. 801 on April 11, 2024, and was referred to the Committee on Contracts (Committee). The Committee heard the legislation on June 4, 2024, and the legislation was laid over. The legislation was subsequently amended, and the amended version, Proposed Int. 801-A, will be considered by the Committee on October 10, 2024. Upon majority affirmative vote by the Committee, Proposed Int. 801-A will be reported to the full Council for a vote on October 10, 2024.

DATE PREPARED: OCTOBER 7, 2024.

(For text of Int. Nos. 802-A and 803-A and their Fiscal Impact Statements, please see the Report of the Committee on Contracts for Int. Nos. 802-A and 803-A, respectively, printed in these Minutes; for text of Int. No. 801-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 801-A, 802-A, and 803-A.

(The following is the text of Int. No. 801-A:)

Proposed Int. No. 801-A

By Council Members Won, Brooks-Powers, Louis, Stevens, Farías, Banks, Williams, Brannan, Yeger, Gutiérrez, Narcisse, Schulman and Rivera.

A Local Law to amend the administrative code of the city of New York, in relation to requiring an agency to provide an explanation of a denial of approval of a subcontractor

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 6 of the administrative code of the city of New York is amended by adding a new section 6-142.1 to read as follows:

§ 6-142.1. Subcontractor denial of approval explanations. *a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Contractor. The term "contractor" has the meaning set forth in section 6-129.

Subcontractor. The term "subcontractor" means a person that has entered into an agreement with a contractor to provide services or perform work that is required pursuant to such contractor's contract with an agency.

b. Where an agency denies a request from a contractor for final approval of a subcontractor, such contractor may request from such agency a written explanation of the reasons for such denial. At the time of denial, such agency shall notify such contractor of the process for requesting a written explanation. Such agency shall provide such contractor a written explanation of the reasons for denial within thirty days of receipt of such request from such contractor.

c. This section shall not apply to denials of requests for approval of subcontractors in connection with emergency procurements or small purchases.

§ 2. This local law takes effect 120 days after enactment.

JULIE WON, *Chairperson*; ERIK D. BOTTCHEER, SANDY NURSE, ALTHEA V. STEVENS, INNA VERNIKOV; 5-0-0; Committee on Contracts, October 10, 2024.

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

Report for Int. No. 802-A

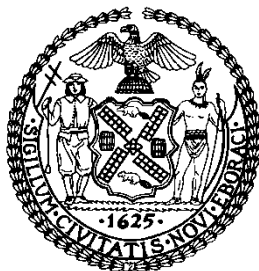
Report of the Committee on Contracts in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to establishing guidelines for insurance requirements for food procurement vendors.

The Committee on Contracts, to which the annexed proposed amended local law was referred on April 11, 2024 (Minutes, page 1720), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Contracts for Int. No. 801-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 802-A:



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION**

**TANISHA EDWARDS, CHIEF FINANCIAL OFFICER
AND DEPUTY CHIEF OF STAFF TO THE SPEAKER**

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. 802-A

COMMITTEE: Contracts

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to establishing guidelines for insurance requirements for food procurement vendors.

Sponsors: Council Members Won, Menin, Farías, Ayala, Louis, Stevens, Banks, Hudson, Gutiérrez, Schulman, Narcisse and Brooks-Powers.

SUMMARY OF LEGISLATION: This proposed law would require the mayor to designate an agency or office to establish guidelines for insurance requirements for food procurement vendors. This proposed law would require such guidelines to be created in consultation with the office of food policy and shared with the council before being finalized. Agency solicitations for food-related services would be required to be consistent with such guidelines. The designated agency or office would be required to review and revise such guidelines every two years.

EFFECTIVE DATE: 120 days after becoming law

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2026

FISCAL IMPACT STATEMENT:

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY26
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this proposed law as the agency responsible for carrying out its requirements would be able to use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Owen Kotowski, Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
Jonathan Rosenberg, Managing Director
Nicholas Connell, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Proposed Int. No. 802 on April 11, 2024, and was referred to the Committee on Contracts (Committee). The Committee held a hearing on the legislation on June 4, 2024, and the legislation was laid over. The legislation was subsequently amended, and the amended version, Proposed Int. 802-A, will be considered by the Committee on October 10, 2024. Upon majority affirmative vote by the Committee, Proposed Int. 802-A will be reported to the full Council for a vote on October 10, 2024.

DATE PREPARED: OCTOBER 7, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 802-A:)

Proposed Int. No. 802-A

By Council Members Won, Menin, Farías, Ayala, Louis, Stevens, Banks, Hudson, Gutiérrez, Schulman, Narcisse and Brooks-Powers.

A Local Law to amend the administrative code of the city of New York, in relation to establishing guidelines for insurance requirements for food procurement vendors

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 6 of the administrative code of the city of New York is amended by adding a new section 6-130.1 to read as follows:

§ 6-130.1 Guidelines for insurance requirements for food procurement vendors. a. Definitions. For purposes of this section, the following terms have the following meanings:

Food procurement vendor. The term "food procurement vendor" means any vendor that enters into a contract with an agency to provide food-related services.

Food-related services. The term "food-related services" means any services where the principal purpose of the contract is the provision, preparation, handling, transportation, storage, or serving of food.

b. The mayor shall designate an agency or an office within the executive office of the mayor to establish guidelines relating to the amount of insurance or type of insurance a food procurement vendor must carry. Such agency or office shall establish such guidelines in consultation with the office of food policy, and shall provide a draft of any such guidelines or changes to such guidelines to the council at least 30 days prior to finalizing them.

c. Any solicitation by an agency for food-related services shall be consistent with the guidelines established pursuant to subdivision b of this section.

d. The agency or office designated by the mayor pursuant to subdivision b of this section shall review the guidelines established pursuant to such subdivision every two years and revise such guidelines in accordance with such review.

§ 2. This local law takes effect 120 days after enactment.

JULIE WON, *Chairperson*; ERIK D. BOTTCHEr, SANDY NURSE, ALTHEA V. STEVENS, INNA VERNIKOV; 5-0-0; Committee on Contracts, October 10, 2024.

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

Report for Int. No. 803-A

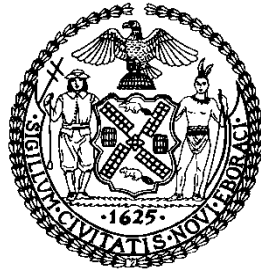
Report of the Committee on Contracts in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to requiring the procurement policy board to promulgate rules relating to protests of procurement actions.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was referred on April 11, 2024 (Minutes, page 1720), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Contracts for Int. No. 801-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 803-A:



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION**

**TANISHA EDWARDS, CHIEF FINANCIAL OFFICER
AND DEPUTY CHIEF OF STAFF TO THE SPEAKER**

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. 803-A

COMMITTEE: Contracts

TITLE: A Local Law to amend the New York city charter, in relation to requiring the procurement policy board to promulgate rules relating to protests of procurement actions.

Sponsors: Council Members Won, De La Rosa, Krishnan, Louis, Banks, Williams, Brooks-Powers, Farías, Hudson, Moya, Yeger, Gutiérrez, Schulman, Zhuang and Narcisse.

SUMMARY OF LEGISLATION: This proposed law would require the Procurement Policy Board to establish rules allowing vendors or their representatives to submit protests regarding agency procurement action determinations, except for determinations related to accelerated procurements, emergency procurements, and small purchases.

EFFECTIVE DATE: 120 days after becoming law

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2026

FISCAL IMPACT STATEMENT:

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY26
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this proposed law as the agency responsible for carrying out its requirements would be able to use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Owen Kotowski, Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
Jonathan Rosenberg, Managing Director
Nicholas Connell, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Proposed Int. No. 803 on April 11, 2024, and was referred to the Committee on Contracts (Committee). The Committee held a hearing on the legislation on June 4, 2024, and the legislation was laid over. The legislation was subsequently amended, and the amended version, Proposed Int. 803-A, will be considered by the Committee on October 10, 2024. Upon majority affirmative vote by the Committee, Proposed Int. 803-A will be reported to the full Council for a vote on October 10, 2024.

DATE PREPARED: OCTOBER 7, 2024.

Accordingly, this Committee recommends its adoption, as amended.

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

Proposed Int. No. 803-A

By Council Members Won, De La Rosa, Krishnan, Louis, Banks, Williams, Brooks-Powers, Farías, Hudson, Moya, Yeger, Gutiérrez, Schulman, Zhuang and Narcisse.

A Local Law to amend the New York city charter, in relation to requiring the procurement policy board to promulgate rules relating to protests of procurement actions

Be it enacted by the Council as follows:

Section 1. Paragraphs 8 and 9 of subdivision b of section 311 of the New York city charter, paragraph 8 as amended by local law number 169 for the year 2023 and paragraph 9 as amended by local law number 20 for the year 2004 and renumbered by local law number 129 for the year 2005, are amended, and a new paragraph 10 is added to such subdivision b, to read as follows:

8. rules relating to the making of small purchases in a manner that will advance the purposes of the program for minority- and women-owned business enterprises and emerging business enterprises established pursuant to subdivision b of section thirteen hundred four; [and]

9. rules authorizing the submission of a protest by a vendor or a vendor's designated representative of a determination of any procurement action by an agency, except for determinations related to accelerated procurements, emergency procurements, and small purchases; and

10. such other rules as are required by this chapter.

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

JULIE WON, *Chairperson*; ERIK D. BOTTCHEr, SANDY NURSE, ALTHEA V. STEVENS, INNA VERNIKOV; 5-0-0; Committee on Contracts, October 10, 2024.

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

Report of the Committee on Finance

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

Report for Res. No. 597

Report of the Committee on Finance in favor of a Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

The Committee on Finance, to which the annexed preconsidered resolution was referred on October 10, 2024, respectfully

REPORTS:

Introduction. The Council of the City of New York (the “Council”) annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 13, 2022, the Council adopted the expense budget for fiscal year 2023 with various programs and initiatives (the “Fiscal 2023 Expense Budget”). On June 30, 2023, the Council adopted the expense budget for fiscal year 2024 with various programs and initiatives (the “Fiscal 2024 Expense Budget”). On June 30, 2024, the Council adopted the expense budget for fiscal year 2025 with various programs and initiatives (the “Fiscal 2025 Expense Budget”).

Analysis. In an effort to continue to make the budget process more transparent, the Council is providing a list setting forth new designations and/or changes in the designation of certain organizations receiving funding in accordance with the Fiscal 2025, Fiscal 2024, and Fiscal 2023 Expense Budgets (“Charts”).

This Resolution, dated October 10, 2024, approves the new designations and the changes in the designation of certain organizations receiving local, youth, anti-poverty, community safety and victim services, and Speaker’s initiative to address citywide needs discretionary funding and funding for certain initiatives in accordance with the Fiscal 2025 Expense Budget; approves the changes in designation of certain organizations receiving funding for certain initiatives in accordance with the Fiscal 2024 Expense Budget; approves the changes in designation of certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2023 Expense Budget; amends the description for the Description/Scope of Services of certain organizations receiving local and Speaker’s initiative discretionary funding, and funding pursuant to a certain initiative in accordance with the Fiscal 2025 Expense Budget; and amends the description for the Description/Scope of Services of certain organizations receiving Speaker’s initiative discretionary funding and funding pursuant to a certain initiative in accordance with the Fiscal 2024 Expense Budget. All new designations and changes in designations are as described in the attached Charts and the Resolution text.

It is to be noted that organizations identified in the attached Charts with an asterisk (*) have not yet completed or began the prequalification process conducted by the Mayor’s Office of Contract Services (for organizations to receive more than \$10,000) by the Council (for organizations to receive \$10,000 or less total), or other government agency. Organizations identified without an asterisk have completed the appropriate prequalification review.

It should also be noted that funding for organizations in the attached Charts with a double asterisk (**) will not take effect until the passage of a budget modification.

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2025, Fiscal 2024, and Fiscal 2023 Expense Budgets. Such Resolution would take effect as of the date of adoption.

(The following is the text of Preconsidered Res. No. 597:)

Preconsidered Res. No. 597

Resolution approving the new designations and changes in the designation of certain organizations to receive funding in the Expense Budget.

By Council Member Brannan.

Whereas, On June 30, 2024, the Council of the City of New York (the “City Council”) adopted the expense budget for Fiscal Year 2025 with various programs and initiatives (the “Fiscal 2025 Expense Budget”); and

Whereas, On June 30, 2023, the Council of the City of New York (the “City Council”) adopted the expense budget for Fiscal Year 2024 with various programs and initiatives (the “Fiscal 2024 Expense Budget”); and

Whereas, On June 13, 2022, the Council of the City of New York (the “City Council”) adopted the expense budget for Fiscal Year 2023 with various programs and initiatives (the “Fiscal 2023 Expense Budget”); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2025, Fiscal 2024, and Fiscal 2023 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, youth, anti-poverty, community safety and victim services, and Speaker’s initiative discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2025 and Fiscal 2024 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local funding, and Speaker’s initiative discretionary funding, and funding pursuant to a certain initiative; now, therefore, be it

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2025 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving anti-poverty discretionary funding in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving community safety and victim services discretionary funding in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Speaker’s Initiative to Address Citywide Needs in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designations and change in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designations and change in the designation of certain organizations receiving funding pursuant to the Support Our Older Adults Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Guaranteed Income Pilot Program Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Maternal and Child Health Services Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2023 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council amends the Purpose of Funds for certain organizations receiving funding in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council amends the Purpose of Funds for certain organizations receiving funding in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 25.

(For text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 597 of 2024 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov>)

JUSTIN L. BRANNAN, *Chairperson*; DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, GALE A. BREWER, AMANDA C. FARIAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA A. SANCHEZ, ALTHEA V. STEVENS, JULIE WON, DAVID M. CARR; 15-0-0; *Absent*: Yusef Salaam and Nantasha M. Williams; Committee on Finance, October 10, 2024.

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

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

Report for L.U. No. 173

Report of the Committee on Finance in favor of a Resolution approving St. Elizabeth Manor: Block 955, Lot 25, Staten Island, Community District No. 2, Council District No. 50.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on October 10, 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

THE COUNCIL OF THE CITY OF NEW YORK

October 10, 2024

TO: Hon. Justin Brannan Chair, Finance Committee
Members of the Finance Committee

FROM: Michael Twomey, Assistant Counsel, Finance Division
Nicholas Connell, Counsel, Finance Division

RE: Finance Committee Agenda of October 10, 2024 – Resolution approving a tax exemption for one Land Use item (Council District 50)

1. St. Elizabeth Manor

A new partial 40-year Article XI exemption for preservation of a one building affordable senior housing project containing 80 units (inclusive of one superintendent unit). The building is converting from HUD Section 202 Project Rental Assistance Contract (PRAC) program to the Rental Assistance Demonstration (RAD) program. Under the terms of the exemption, the building will enter into an HPD regulatory agreement capping household income limits at 50% AMI and complete identified capital work, such as site systems and exterior work, mechanical/electric/plumbing, elevator cab replacement, life safety/fire protection, and interior work for both the common areas and in-unit. The building will also install improvements under HPD's Aging-in-Place initiative.

Summary:

- Borough – Staten Island
- Block 955, Lot 25
- Council District – 50
- Council Member – Carr
- Council Member approval –Yes
- Number of buildings – 1
- Number of units – 80 residential
- Type of exemption – Article XI, partial, 40 years
- Population – Rental
- Sponsors – Sisters of Charity Housing Development Corporation
- Purpose – preservation
- Cost to the city – \$2.74 million (net present value)
- Housing Code Violations
 - Class A – 0
 - Class B – 0
 - Class C – 0
- Anticipated AMI Targets: 50% for all units

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

Preconsidered Res. No. 604

Resolution approving an exemption from real property taxes for property located at (Block 955, Lot 25) Staten Island, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 173).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated September 25, 2024 that the Council take the following action regarding a housing project located at (Block 955, Lot 25) Staten Island (“Exemption Area”):

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

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

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

RESOLVED:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Effective Date” shall mean the date that HPD and the Owner enter into the Regulatory Agreement.

- b. “Exemption Area” shall mean the real property located in the Borough of Staten Island, City and State of New York, identified as Block 955, Lot 25 on the Tax Map of the City of New York.
 - c. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - d. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - e. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - f. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to twelve percent (12.0%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - g. “HDFC” shall mean Sisters of Charity Health Care System Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - h. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - i. “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - j. “Owner” shall mean the HDFC.
 - k. “Prior Exemption” shall mean the exemption from real property taxation for the Exemption Area approved by the New York City Council on March 13, 1997 (Resolution No. 2220).
 - l. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the New Exemption.
2. The Prior Exemption shall terminate upon the Effective Date.
 3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 4. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax.

5. Notwithstanding any provision hereof to the contrary:
 - a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.
 - b. The New Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDPC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
 - d. All previous resolutions, if any, providing an exemption from or abatement of real property taxation with respect to the Exemption Area are hereby revoked as of the Effective Date.
6. In consideration of the New Exemption, the owner of the Exemption Area shall, for so long as the New Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

JUSTIN L. BRANNAN, *Chairperson*; DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, GALE A. BREWER, AMANDA C. FARIAS, KAMILLAH M. HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA A. SANCHEZ, ALTHEA V. STEVENS, JULIE WON, DAVID M. CARR; 15-0-0; *Absent*: Yusef Salaam and Nantasha M. Williams; Committee on Finance, October 10, 2024.

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

Report for the Committee on Housing and Buildings

Report for Int. No. 956-C

Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the New York city building code, in relation to the display of artwork on temporary protective structures on construction sites.

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on June 6, 2024 (Minutes, page 2372), respectfully

REPORTS:

I. INTRODUCTION

On October 10, 2024, the New York City Council Committee on Housing and Buildings (the “Committee”), chaired by Council Member Pierina Sanchez, held a hearing to vote on Int. No. 956-C, sponsored by Council Member Carlina Rivera, in relation to the display of artwork on temporary protective structures on construction sites. The Committee first heard a version of Int. No. 956-C on June 25, 2024.

II. BACKGROUND

Typically, temporary protective structures, such as sidewalk sheds and construction fences, are required to be painted hunter green, minimizing such equipment’s ability to blend with a building’s surroundings.¹ Local Law 163 of 2021 (“LL163”) made permanent the City Canvas pilot program, which is overseen by the New York City Department of Cultural Affairs and permits the display of approved artwork on temporary protective structures, such as sidewalk sheds, construction fences, and supported scaffolding.² LL163 allows property owners to commission site-specific artwork independently or with the assistance of one of three partner organizations: ArtBridge, Print Project or Seven Willow Collaborative.³ Per LL163, artwork may be affixed directly to temporary protective structures provided that certain design requirements are met, including: artwork must be printed on flame retardant material capable of withstanding all weather conditions, may not be illuminated or protrude outward, and must be uninstalled one year after installation.

III. LEGISLATION

Int. No. 956-C

Int. No. 956-C would allow approved or alternative artwork to be affixed to or painted directly on a sidewalk shed or construction fence. It would also allow approved artwork or alternative artwork to remain on display for as long as the sidewalk shed or construction fence has a valid permit. This bill would take effect immediately.

¹ NYC Building Code § 3307.6.4.11 and § 3307.7.9.

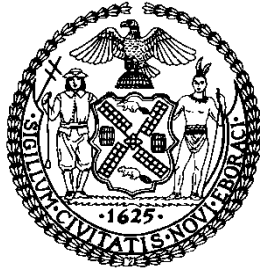
² See Local Law 163 of 2021, available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4069498&GUID=075FAFA9-2374-4359-9DCF-87FCB0E0427B&Options=ID|Text|&Search=city+canvas>.

³ NYC Building Code § 3307.11.2.1.

UPDATE

On Thursday, October 10, 2024, the Committee adopted Int. No. 956-C by a vote of 7 in the affirmative, 0 in the negative, and 0 abstentions.

(The following is the text of the Fiscal Impact Statement for Int. No. 956-C:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION**

**TANISHA S. EDWARDS, ESQ., CHIEF FINANCIAL
OFFICER, AND DEPUTY CHIEF OF STAFF TO THE
SPEAKER**

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 956-C

COMMITTEE: Housing and Buildings

TITLE: A Local Law to amend the New York city building code, in relation to the display of artwork on temporary protective structures on construction sites.

SPONSOR(S): Council Members Rivera, Farías, Krishnan, Salaam, Schulman, Ayala, Cabán and Hanif.

SUMMARY OF LEGISLATION: This proposed law would allow approved or alternative artwork to be painted directly on a sidewalk shed or construction fence. It would also allow such artwork to remain on display for as long as the sidewalk shed or construction fence is permitted. This proposed law would also make technical and clarifying amendments.

EFFECTIVE DATE: This proposed law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2026

FISCAL IMPACT STATEMENT:

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY26
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this proposed law because the Department of Buildings (DOB) and Department of Cultural Affairs (DCLA) would utilize existing resources to fulfill its requirements.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Daniel Kroop, Principal Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
Chima Obichere, Deputy Director
Nicholas Connell, Counsel
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: The legislation was introduced to the Council on June 6, 2024, as Proposed Intro. No. 956, and was referred to the Committee on Housing and Buildings (Committee). The Committee held a hearing on the legislation on June 25, 2024, and the legislation was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. No. 956-C, will be considered by the Committee on October 10, 2024. Upon majority affirmative vote by the Committee, Proposed Intro. No. 956-C will be reported to the full Council for a vote on October 10, 2024.

DATE PREPARED: October 9, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 956-C:)

Int. No. 956-C

By Council Members Rivera, Farías, Krishnan, Salaam, Schulman, Ayala, Cabán, Hanif, Dinowitz and Louis.

A Local Law to amend the New York city building code, in relation to the display of artwork on temporary protective structures on construction sites

Be it enacted by the Council as follows:

Section 1. Section 3307.11 of the New York city building code, as added by local law number 163 for the year 2021, is amended to read as follows:

3307.11 Artwork on temporary protective structures. To the extent permissible under the zoning resolution, approved artwork or alternative artwork, as selected by the owner of a property at which a temporary protective structure has been installed, shall be displayed on such temporary protective structure as provided in this section.

3307.11.1 Temporary protective structure types. Temporary protective structures covered by this section include (i) sidewalk sheds, (ii) construction fences, and (iii) supported scaffolds when such temporary protective structures have been installed for at least 90 days.

3307.11.2 Approved artwork. For purposes of this section, the term “approved artwork” means a work of art approved by the department of cultural affairs or other agencies as designated by the department of cultural affairs for display on temporary protective structures pursuant to [section] Section 2508 of the *New York City Charter*.

3307.11.2.1 Alternative artwork. The owner of a property where a temporary protective structure has been installed may solicit a work or works of art for display on such temporary protective [structures] structure in lieu of approved artwork. Such owner shall notify, at a minimum, the council member in whose district such property is located and the community board of the community district in which

such property is located, of a request for a work of art to be displayed on temporary protective structures at such property. Such owner may additionally notify community-based organizations based in the community district in which such property is located and any school, as such term is defined in subdivision g of [section] Section 522 of the New York City Charter, located in the community district in which such property is located, of a request for works of art to be displayed on temporary protective structures at such property. Notifications made pursuant to this section must be made timely in accordance with a schedule established by rules of the department. Prior to installation of such work of art, such owner must obtain the approval for such work of art from the department of cultural affairs.

3307.11.3 Illumination prohibited. Approved artwork or alternative artwork [installed] affixed to or painted on a temporary protective structure pursuant to this section shall not be illuminated.

3307.11.4 Required signs to be unobstructed. Approved artwork or alternative artwork [installed] affixed to or painted on a temporary protective structure pursuant to this section shall not obscure any sign required to be posted pursuant to Section 3301.9.

3307.11.5 Materials. Notwithstanding any other provision of the building code, approved artwork or alternative artwork may be affixed to a sidewalk shed or construction fence or painted directly on a sidewalk shed or construction fence. Approved artwork or alternative artwork [installed] affixed to or painted directly on a sidewalk shed or construction fence pursuant to this section [shall be printed on completely flat surfaces and] shall not include any illumination, electronic signage, protrusions, or projections. Approved artwork or alternative artwork affixed to a sidewalk shed or construction fence shall be printed on completely flat surfaces on materials that are durable, flame retardant, able to withstand all weather conditions, and designed to meet loads on temporary installations, including but not limited to wind, as prescribed in Chapter 16. All hardware and connection materials used to affix approved or alternative artwork shall also be durable, flame retardant, able to withstand all weather conditions, and designed to meet loads on temporary installations, including but not limited to wind, as prescribed in Chapter 16. The department may promulgate rules concerning materials used for the installation of approved artwork or alternative artwork.

3307.11.5.1 Sidewalk sheds. Approved artwork or alternative artwork [displayed on] may be affixed to or painted directly on a sidewalk shed. Approved artwork or alternative artwork affixed to a sidewalk shed shall be printed on lightweight, solid material that can be installed on the outer sides and ends of sheds either by stretching such material over the shed and fastening to the back or by affixing such material to self-adhesive panels that adhere directly to the shed. Approved artwork or alternative artwork shall not extend above or below the shed parapet.

3307.11.5.2 Construction fences. Approved artwork or alternative artwork [displayed on] may be affixed to or painted directly on a construction fence. Approved artwork or alternative artwork affixed to construction fences shall be printed on lightweight, solid material that can be installed on the outside of the construction fence either by stretching such material over the fence and fastening to the back or by affixing [vinyl] such material to self-adhesive panels that adhere directly to the fence. Approved artwork or alternative artwork shall not extend beyond the top of the fence.

[3307.11.7.3] 3307.11.5.3 Supported scaffolds. Approved artwork or alternative artwork displayed on supportive scaffolds shall be printed directly onto debris netting meeting the requirements of Section 3314.8.2.

3307.11.6 Artist credit and sponsorship message. A temporary protective structure displaying approved artwork or alternative artwork pursuant to this section [shall] may display a barcode that can be read by a smartphone, or successor technology, and directs the user to the website of the department of cultural affairs containing information posted on such website pursuant to subdivision c of Section 2508 of the *New York City Charter*.

3307.11.7 Opt out. The department shall include in its process for an initial application for a permit for a new sidewalk shed, construction fence, or supported scaffold, or for an amendment to an existing sidewalk shed, construction fence, or supported scaffold permit, an option for the owner of the property for which such permit is filed to opt out of participation in the program established by this [Section] section and [section] Section 2508 of the *New York City Charter*. If a property owner fails to affirmatively opt out, the requirements of this [Section] section and [ection] Section 2508 of the *New York City Charter* shall apply. Opting out pursuant to this section shall not be grounds for denial or delay of issuance of a permit for a sidewalk shed, construction fence, or supported scaffold, or for any other permit issued by the department. The department shall by rule allow the owner of such property to opt out of such program at a later time.

3307.11.7.1 Exception. An owner of a property for which a sidewalk shed, construction fence, or supported scaffold permit has been filed may not opt out if the project site is owned by the city of New York or receives capital funding from the city of New York or an agency, provided that this exception shall not apply if (i) approved artwork has been approved for display at 100 or more such sites within a two-year period, or (ii) no appropriation has been made for participation in the program established by this section and Section 2508 of the New York City Charter. For the purposes of this section, the term “agency” has the same meaning as such term is defined in Section 1-112 of the *Administrative Code*.

[3307.11.8 City capital projects. Project sites owned by the city of New York or receiving capital funding from the city of New York or an agency shall participate in the city canvas program, subject to appropriate, provided that not less than 100 such sites within a two-year period participate in such program. For the purposes of this section, the term “agency” has the same meaning as such term is defined in Section 1-112 of the *Administrative Code*.]

[3307.11.9 Installation and de-installation.] 3307.11.8 Display of artwork. Approved artwork or alternative artwork displayed on a temporary protective structure pursuant to this section shall be [installed] affixed to or painted directly on the temporary protective structure in conformity with rules promulgated by the department in consultation with the department of cultural affairs, and [must be de-installed within one year of installation] may remain on display for as long as the temporary protective structure remains in place pursuant to a valid permit. An owner who has participated in this program [and has de-installed artwork pursuant to this section] shall be deemed to have satisfied the requirements of Section 3307.11[, except that such participant may choose to participate in such program again following such de-installation, in conformity with rules promulgated by the department in consultation with the department of cultural affairs].

§ 2. This local law takes effect immediately.

PIERINA A. SANCHEZ, *Chairperson*; ERIC DINOWITZ, OSWALD J. FELIZ, SHAUN ABREU, ALEXA AVILÉS, CRYSTAL HUDSON, LINCOLN RESTLER; 7-0-0; Committee on Housing and Buildings, October 10, 2024.

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

Report of the Committee on Land Use

Report for L.U. No. 130

Report of the Committee on Land Use in favor of approving Application number N 240409 HIK (Brooklyn Edison Building) submitted by the Landmarks Preservation Commission, pursuant to Section 3020 of the New York City Charter and Section 25-303 of the Administrative Code of the City of New York, for the designation of the Brooklyn Edison Building, located at 345 Adams Street (aka 372-392 Pearl Street and 11-17 Willoughby Street), Block 140, Lot 7503 (formerly Lot 123), as an historic landmark (DL-541/LP-2680), Borough of Brooklyn, Community District 2, Council District 33.

The Committee on Land Use, to which the annexed Land Use item was referred on August 15, 2024 (Minutes, page 2997) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 2

N 240409 HIK

Designation by the Landmarks Preservation Commission [DL-541/LP-2680] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Brooklyn Edison Building located at 345 Adams Street, aka 372-392 Pearl Street, and 11-17 Willoughby Street (Block 140, Lot 7503 formerly Lot 123), as an historic landmark.

PUBLIC HEARING

DATE: September 10, 2024

Witnesses in Favor: Two

Witnesses Against: None

III. SUBCOMMITTEE RECOMMENDATION

DATE: October 8, 2024

The Subcommittee recommends that the Land Use Committee affirm the designation.

In Favor:

Hanks
Brannan
Feliz
Marte
Nurse

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** October 9, 2024

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Salamanca	None	None
Moya		
Rivera		
Riley		
Brooks-Powers		
Abreu		
Farias		
Hudson		
Sanchez		
Borelli		

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

Res. No. 605

Resolution affirming the designation by the Landmarks Preservation Commission of the Brooklyn Edison Building located at 345 Adams Street, aka 372-392 Pearl Street and 11-17 Willoughby Street (Block 140, Lot 7503 formerly Lot 123), Borough of Brooklyn, Designation List No. 541, LP-2680 (L.U. No. 130; N 240409 HIK).

By Council Members Salamanca and Hanks.

WHEREAS, the Landmarks Preservation Commission filed with the Council on June 27, 2024 a copy of its designation report dated June 18, 2024 (the "Designation"), designating the Brooklyn Edison Building located at 345 Adams Street, aka 372-392 Pearl Street and 11-17 Willoughby Street, Community District 2, Borough of Brooklyn, as a landmark and Block 140, Lot 7503 formerly Lot 123, as its landmark site pursuant to Section 3020 of the New York City Charter;

WHEREAS, the Designation is subject to review by the Council pursuant to Section 3020 of the New York City Charter and Section 25-303 of the Administrative Code of the City of New York;

WHEREAS, the City Planning Commission submitted to the Council on August 9, 2024, its report on the Designation dated August 7, 2024 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on September 10, 2024; and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Designation.

RESOLVED:

Pursuant to Section 3020 of the City Charter and Section 25-303 of the Administrative Code of the City of New York, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

Report for L.U. No. 148

Report of the Committee on Land Use in favor of approving Application number N 250005 HIM (1 Wall Street Banking Room Interior) submitted by the Landmarks Preservation Commission, pursuant to Section 3020 of the New York City Charter and Section 25-303 of the Administrative Code of the City of New York, for the designation of the 1 Wall Street Banking Room Interior, located at 1 Wall Street (Block 23, p/o Lot 7501 formerly Lot 7), as an historic landmark (DL-542/LP-2679), Borough of Manhattan, Community District 1, Council District 1.

The Committee on Land Use, to which the annexed Land Use item was referred on September 12, 2024 (Minutes, page 3137) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 1

N 250005 HIM

Designation by the Landmarks Preservation Commission [DL-542/LP-2679] pursuant to Section 3020 of the New York City Charter of the landmark designation of the 1 Wall Street Banking Room Interior located at 1 Wall Street (Block 23, p/o Lot 7501 (formerly Lot 7), as an historic landmark.

PUBLIC HEARING

DATE: September 10, 2024

Witnesses in Favor: Two

Witnesses Against: None

I. SUBCOMMITTEE RECOMMENDATION

DATE: October 8, 2024

The Subcommittee recommends that the Land Use Committee affirm the designation.

In Favor:

Hanks
Brannan
Feliz
Marte
Nurse

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: October 9, 2024

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca
Moya
Rivera
Riley
Brooks-Powers
Abreu
Farias
Hudson
Sanchez
Borelli

Against:

None

Abstain:

None

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

Res. No. 606

Resolution affirming the designation by the Landmarks Preservation Commission of the 1 Wall Street Banking Room Interior located at 1 Wall Street (Block 23, p/o Lot 7501 (formerly Lot 7)), Borough of Manhattan, Designation List No. 542, LP-2679 (L.U. No. 148; N 250005 HIM).

By Council Members Salamanca and Hanks.

WHEREAS, the Landmarks Preservation Commission filed with the Council on July 3, 2024 a copy of its designation report dated June 25, 2024 (the "Designation"), designating the 1 Wall Street Banking Room Interior located at 1 Wall Street, Community District 1, Borough of Manhattan, as a landmark and Block 23, p/o Lot 7501 (formerly Lot 7), as its landmark site pursuant to Section 3020 of the New York City Charter;

WHEREAS, the Designation is subject to review by the Council pursuant to Section 3020 of the New York City Charter and Section 25-303 of the Administrative Code of the City of New York;

WHEREAS, the City Planning Commission submitted to the Council on August 23, 2024, its report on the Designation dated August 21, 2024 (the "Report");

WHEREAS, upon due notice, the Council held a public hearing on the Designation on September 10, 2024; and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Designation.

RESOLVED:

Pursuant to Section 3020 of the City Charter and Section 25-303 of the Administrative Code of the City of New York, and on the basis of the information and materials contained in the Designation and the Report, the Council affirms the Designation.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

Report for L.U. No. 149

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230206 ZMM (135th Street Rezoning) submitted by Crosscap Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 5c, changing from an M1-1 District to an R7-2 District, establishing within the proposed R7-2 District a C2-4 District, and establishing a Special Manhattanville Mixed Use District (MMU), Borough of Manhattan, Community District 9, Council District 7.

The Committee on Land Use, to which the annexed Land Use item was referred on September 12, 2024 (Minutes, page 3138), respectfully

REPORTS:

SUBJECT

MANHATTAN CB-9 – FOUR APPLICATIONS RELATED TO 135TH STREET REZONING

C 230206 ZMM (L.U. No. 149)

City Planning Commission decision approving an application submitted by Crosscap Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 5c:

1. changing from an M1-1 District to an R7-2 District property bounded by a line 365 feet northeasterly of West 135th Street, 12th Avenue, West 135th Street, and the westerly boundary of line of a Railroad Right of Way;

2. establishing within the proposed R7-2 District a C2-4 District bounded by a line 365 feet northeasterly of West 135th Street, 12th Avenue, West 135th Street, and the westerly boundary of line of a Railroad Right of Way; and
3. establishing a Special Manhattanville Mixed Use District (MMU) bounded by a line 365 feet northeasterly of West 135th Street, 12th Avenue, West 135th Street, and a westerly boundary of line of the Railroad Right of Way

as shown on a diagram (for illustrative purposes only) dated April 1, 2024, and subject to the conditions of CEQR Declaration E-761.

N 230207 ZRM (L.U. No. 150)

City Planning Commission decision approving an application submitted by Crosscap Holdings, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying special permit provisions of Article X, Chapter 4 (Special Manhattanville Mixed Use District) and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

C 230208 ZSM (L.U. No. 151)

City Planning Commission decision approving an application submitted by Crosscap Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681(a)(i) of the Zoning Resolution to allow a portion of the railroad or transit right-of-way or yard which will be completely covered over by a permanent platform to be included in the lot area for a proposed 7-story mixed use building, on property located at 701 West 135th Street (Block 2101, Lot 58), in an R7-2/C2-4 District, within a Special Manhattanville Mixed Use District (MMU).

C 230209 ZSM (L.U. No. 152)

City Planning Commission decision approving an application submitted by Crosscap Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 104-60 of the Zoning Resolution to modify the rear yard regulations of Section 23-52 (Special Provisions for Shallow Interior Lots) and the lot coverage requirements of Section 23-153 (For Quality Housing buildings), in connection with a proposed 7-story mixed use building, on property located at 701 West 135th Street (Block 2101, Lot 58), in an R7-2/C2-4 District, within a Special Manhattanville Mixed Use District (MMU).

INTENT

To approve the amendment to rezone the project area from an M1-1 district to an R7-2 district with a C2-4 overlay and expand the Special Manhattanville Mixed Use District; amend the zoning text to map the project areas as a Mandatory Inclusionary Housing area (MIH) and extend Manhattanville Special District; grant an approval of the special permit to allow development over a portion of the railroad right-of-way; and modify the rear yard and lot coverage requirements to facilitate the development of a seven-story mixed-used development with 60 residential units, including a Mandatory Inclusionary Housing requirement, at 701 West 135th Street (Block 2101, Lot 58) in the West Harlem neighborhood of Manhattan, Community District 9.

PUBLIC HEARING***L.U. Nos. 149 and 150*****DATE:** September 17, 2024**Witnesses in Favor:** Four**Witnesses Against:** Six***L.U. Nos. 151 and 152*****DATE:** September 24, 2024**Witnesses in Favor:** None**Witnesses Against:** Four**SUBCOMMITTEE RECOMMENDATION****DATE:** October 8, 2024

The Subcommittee recommends that the Land Use Committee approve with modifications the decision of the City Planning Commission on L.U. No. 150 and approve the decisions of the City Planning Commission on L.U. Nos. 149, 151, and 152.

In Favor:

Riley
Abreu
Hanks
Schulman
Salaam
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** October 9, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Rivera
Riley
Brooks-Powers
Abreu

Against:

None

Abstain:

None

Farias
Hudson
Sanchez
Borelli

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

Report for L.U. No. 150

Report of the Committee on Land Use in favor of approving, as modified, Application number N 230207 ZRM (135th Street Rezoning) submitted by Crosscap Holdings, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying special permit provisions of Article X, Chapter 4 (Special Manhattanville Mixed Use District) and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Manhattan, Community District 9, Council District 7.

The Committee on Land Use, to which the annexed Land Use item was referred on September 12, 2024 (Minutes, page 3138), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 149 printed above in these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

Report for L.U. No. 151

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230208 ZSM (135th Street Rezoning) submitted by Crosscap Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-681(a)(1) of the Zoning Resolution to allow a portion of the railroad or transit right-of-way or yard which will be completely covered over by a permanent platform to be included in the lot area for a proposed 7-

story mixed use building, on property located at 701 West 135th Street (Block 2101, Lot 58), in an R7-2/C2-4 District, within a Special Manhattanville Mixed Use District (MMU), Borough of Manhattan, Community District 9, Council District 7.

The Committee on Land Use, to which the annexed Land Use item was referred on September 12, 2024(Minutes, page 3138), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 149 printed above in these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

Report for L.U. No. 152

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230209 ZSM (135th Street Rezoning) submitted by Crosscap Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 104-60 of the Zoning Resolution to modify the rear yard regulations of Section 23-52 (Special Provisions for Shallow Interior Lots) and the lot coverage requirements of Section 23-153 (For Quality Housing buildings), in connection with a proposed 7-story mixed use building, on property located at 701 West 135th Street (Block 2101, Lot 58), in an R7-2/C2-4 District, within a Special Manhattanville Mixed Use District (MMU), Borough of Manhattan, Community District 9, Council District 7.

The Committee on Land Use, to which the annexed Land Use item was referred on September 12, 2024 (Minutes, page 3139), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 149 printed above in these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

Report for L.U. No. 153

Report of the Committee on Land Use in favor of approving Application number C 240244 ZSM (343 West 47th Street Demolition Special Permit) submitted by Midtown West 47 St., LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 96-108 of the Zoning Resolution to allow the demolition of more than 20 percent of residential floor area of an existing 4-story building containing dwelling units, on property located at 343 West 47th Street (Block 1038, Lot 11), in an R8 District, within the Special Clinton District (Preservation Area), Borough of Manhattan, Community District 4, Council District 3.

The Committee on Land Use, to which the annexed Land Use item was referred on September 12, 2024 (Minutes, page 3139) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****MANHATTAN CB - 4****C 240244 ZSM**

City Planning Commission decision approving an application submitted by Midtown West 47 Street, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 96-108 of the Zoning Resolution to allow the demolition of more than 20 percent of residential floor area of an existing 4-story building containing dwelling units, on property located at 343 West 47th Street (Block 1038, Lot 11) in an R8 District, within the Special Clinton District (Preservation Area).

INTENT

To grant an approval of the special permit pursuant to ZR Section 96-108 to permit the demolition of a building at 343 West 47th Street (1038, Lot 11), in an R8 zoning district within the Special Clinton District (Preservation Area) of Manhattan, Community District 4.

PUBLIC HEARING**DATE:** September 17, 2024**Witnesses in Favor:** One**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** October 8, 2024

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

In Favor:

Riley
Abreu
Hanks
Schulman
Salaam
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: October 9, 2024

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca
Moya
Rivera
Riley
Brooks-Powers
Abreu
Farias
Hudson
Sanchez
Borelli

Against:

None

Abstain:

None

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

Res. No. 607

Resolution approving the decision of the City Planning Commission on ULURP No. C 240244 ZSM, for the grant of a special permit (L.U. No. 153).

By Council Members Salamanca and Riley.

WHEREAS, Midtown West 47 Street, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 96-108 of the Zoning Resolution to allow the demolition of more than 20 percent of residential floor area of an existing 4-story building containing dwelling units, on property located at 343 West 47th Street (Block 1038, Lot 11) in an R8 District, within the Special Clinton District (Preservation Area), Borough of Manhattan, Community District 4 (ULURP No. C 240244 ZSM) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on August 23, 2024, its decision dated August 21, 2024 (the “Decision”) on the Application;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 96-107 of the Zoning Resolution of the City of New York;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on September 17, 2024;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued February 22nd, 2024 (CEQR No. 24DCP080M) (the “Negative Declaration”).

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 240244 ZSM, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

1. The property that is the subject of this application (C 240244 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by A&T Engineering P.C. filed with this application and incorporated in this resolution:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z-101	Zoning Lot Site Plan	04/02/2024
Z-102	Zoning Analysis	04/02/2024
A-101	Proposed 1 st Floor Plan	04/02/2024
A-102	Proposed Cellar & 2nd-7th Floor Plan	04/02/2024
A-201	Proposed Section A & B	04/02/2024
A-202	Proposed South & East Elevation	04/02/2024
A-203	Proposed North & West Elevation	04/02/2024

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
5. Upon failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe

any of the covenants, restrictions, agreement, terms or conditions of this resolution whose provisions shall be constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.

6. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

Report for L.U. No. 158

Report of the Committee on Land Use in favor of approving Application number C 240328 ZMQ (South Jamaica Gateway Rezoning) submitted by Fulcrum Properties, LLC; The Briarwood Organization, LLC; and the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14d, changing from an R4 District to an R7A District, changing from an R5B District to an R7A District, changing from an R5D District to an R7A District, and establishing within the proposed R7A District a C1-4 District, Borough of Queens, Community District 12, Council Districts 27 and 28.

The Committee on Land Use, to which the annexed Land Use item was referred on September 26, 2024 (Minutes, page 3306) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB-12 – THREE APPLICATIONS RELATED TO SOUTH JAMAICA GATEWAY REZONING

C 240328 ZMQ (L.U. No. 158)

City Planning Commission decision approving an application submitted by Fulcrum Properties, LLC; The Briarwood Organization, LLC; and the NYC Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14d:

1. changing from an R4 district to an R7A district property bounded by a line 100 feet southeasterly of Tuskegee Airmen Way, a line midway between Guy R. Brewer Boulevard and Union Hall Street, a line 125 feet southeasterly of Tuskegee Airmen Way, and Union Hall Street;
2. changing from an R5B District to an R7A District property bounded by the southwesterly centerline prolongation of 104th Road, a line 105 feet northeasterly of Guy R. Brewer Boulevard, a line perpendicular to the northeasterly street line of Guy R. Brewer Boulevard distant 100 feet south easterly (as measured along the street line) from the point of intersection of the northeasterly street line of Guy R. Brewer Boulevard and the southeasterly street line of Tuskegee Airmen Way, and a line midway between 164th Street and Guy R. Brewer Boulevard;
3. changing from an R5D District to an R7A District property bounded by Tuskegee Airmen Way, a line 105 feet northeasterly of Guy R. Brewer Boulevard, the southwesterly centerline prolongation of 104th Road, a line midway between 164th Street and Guy R. Brewer Boulevard, a line perpendicular to the northeasterly street line of Guy R. Brewer Boulevard distant 100 feet south easterly (as measured along the street line) from the point of intersection of the northeasterly street line of Guy R. Brewer Boulevard and the southeasterly street line Tuskegee Airmen Way, Guy R. Brewer Boulevard, a line 100 feet southeasterly of Tuskegee Airmen Way, and Union Hall Street; and
4. establishing within the proposed R7A District a C1-4 District bounded by:
 - a. a line 100 feet southeasterly of Tuskegee Airmen Way, a line midway between Guy R. Brewer Boulevard and Union Hall, a line 125 feet southeasterly of Tuskegee Airmen Way, and Union Hall Street; and
 - b. Tuskegee Airmen Way, a line 105 feet northeasterly of Guy R. Brewer Boulevard, a line perpendicular to the northeasterly street line of Guy R. Brewer Boulevard distant 100 feet south easterly (as measured along the street line) from the point of intersection of the northeasterly street line of Guy R. Brewer Boulevard and the southeasterly street line of Tuskegee Airmen Way, and a line midway between 164th Street and Guy R. Brewer Boulevard;

as shown on a diagram (for illustrative purposes only) dated May 28, 2024, and subject to the conditions of CEQR Declaration E-768 and E-175.

N 240329 ZRQ (L.U. No. 159)

City Planning Commission decision approving an application submitted by Fulcrum Properties, LLC; The Briarwood Organization, LLC; and the New York City Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

C 240330 HAQ (L.U. No. 160)

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

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

- a. the designation of property located at 106-01 Guy R. Brewer Boulevard (Block 10161, Lots 1,3 and 9) as an Urban Development Action Area; and
 - b. an Urban Development Action Area Project for such area; and
2. pursuant to Section 197-c of the New York City Charter for the disposition of property located at 106-01 Guy R. Brewer Boulevard (Block 10161, Lots 3 and 9) to a developer to be selected by HPD;

to facilitate the development of a nine-story mixed use building containing approximately 78 Affordable Independent. Residence for Seniors (AIRS) units and community facility space, Borough of Queens, Community District 12.

INTENT

To approve the amendment to rezone the project area from an existing R4, R5B and R5D zoning district with a C1-4 overlay to an R7A/C1-4 zoning district; amend the zoning text to establish the Project Area as a Mandatory Inclusionary Housing (MIH) area utilizing Option 2; and approve the urban development action area designation, project approval, and disposition of city-owned property facilitate the development of two new nine-story mixed use building with total of approximately 143 residential units that would be 100 percent income restricted plus two units for superintendents, as well as community facility uses located at 106-01 Guy R Brewer Boulevard and 162-02 Tuskegee Airmen Way in the Jamaica neighborhood of Queens, Community District 12.

PUBLIC HEARING

DATE: October 1, 2024

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: October 8, 2024

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on L.U. Nos. 158 through 160.

In Favor:

Hanks
Brannan
Feliz
Marte
Nurse

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** October 9, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Rivera
Riley
Brooks-Powers
Abreu
Farias
Hudson
Sanchez
Borelli

Against:

None

Abstain:

None

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

Res. No. 608

Resolution approving the decision of the City Planning Commission on ULURP No. C 240328 ZMQ, a Zoning Map amendment (L.U. No. 158).

By Council Members Salamanca and Hanks.

WHEREAS, Fulcrum Properties, LLC; The Briarwood Organization, LLC; and the New York City Department of Housing Preservation and Development (HPD), filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14d, by changing from an R4 district to an R7A district, changing from an R5B District to an R7A District, changing from an R5D District to an R7A District, and establishing within the proposed R7A District a C1-4 District, which in conjunction with the related actions would facilitate the development of two new nine-story mixed-use buildings with a total of approximately 143 residential units that would be 100 percent income-restricted, plus two units for superintendents, as well as community facility uses located at 106-01 Guy R. Brewer Boulevard and 162-02 Tuskegee Airmen Way in the Jamaica neighborhood of Queens, Community District 12 (ULURP No. C 240328 ZMQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on September 23, 2024 its decision dated September 11, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to applications N 240329 ZRQ (L.U. No. 159), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area and C 240330 HAQ (L.U. No. 160), an Urban Development Action Area Project (UDAAP) designation, project approval, and disposition of City-owned property;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 1, 2024;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued on May 24, 2024 (CEQR No. 22HPD058Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and noise (E-175 and E-768) (the “Negative Declaration”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designations (E-768 and E-175) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 240328 ZMQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 14d:

1. changing from an R4 district to an R7A district property bounded by a line 100 feet southeasterly of Tuskegee Airmen Way, a line midway between Guy R. Brewer Boulevard and Union Hall Street, a line 125 feet southeasterly of Tuskegee Airmen Way, and Union Hall Street;
2. changing from an R5B District to an R7A District property bounded by the southwesterly centerline prolongation of 104th Road, a line 105 feet northeasterly of Guy R. Brewer Boulevard, a line perpendicular to the northeasterly street line of Guy R. Brewer Boulevard distant 100 feet south easterly (as measured along the street line) from the point of intersection of the northeasterly street line of Guy R. Brewer Boulevard and the southeasterly street line of Tuskegee Airmen Way, and a line midway between 164th Street and Guy R. Brewer Boulevard;
3. changing from an R5D District to an R7A District property bounded by Tuskegee Airmen Way, a line 105 feet northeasterly of Guy R. Brewer Boulevard, the southwesterly centerline prolongation of 104th Road, a line midway between 164th Street and Guy R. Brewer Boulevard, a line perpendicular to the northeasterly street line of Guy R. Brewer Boulevard distant 100 feet south easterly (as measured along the street line) from the point of intersection of the northeasterly street line of Guy R. Brewer Boulevard and the southeasterly street line Tuskegee Airmen Way, Guy R. Brewer Boulevard, a line 100 feet southeasterly of Tuskegee Airmen Way, and Union Hall Street; and
4. establishing within the proposed R7A District a C1-4 District bounded by:
 - a. a line 100 feet southeasterly of Tuskegee Airmen Way, a line midway between Guy R. Brewer Boulevard and Union Hall, a line 125 feet southeasterly of Tuskegee Airmen Way, and Union Hall Street; and
 - b. Tuskegee Airmen Way, a line 105 feet northeasterly of Guy R. Brewer Boulevard, a line perpendicular to the northeasterly street line of Guy R. Brewer Boulevard distant 100 feet south easterly (as measured along the street line) from the point of intersection of the northeasterly street line of Guy R. Brewer Boulevard and the southeasterly street line of Tuskegee Airmen Way, and a line midway between 164th Street and Guy R. Brewer Boulevard;

as shown on a diagram (for illustrative purposes only) dated May 28, 2024, and subject to the conditions of

CEQR Declaration E-768 and E-175, Borough of Queens, Community District 12.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

Report for L.U. No. 159

Report of the Committee on Land Use in favor of approving Application number N 240329 ZRQ (South Jamaica Gateway Rezoning) submitted by Fulcrum Properties, LLC; The Briarwood Organization, LLC; and the NYC Department of Housing Preservation and Development (HPD), pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 12, Council Districts 27 and 28.

The Committee on Land Use, to which the annexed Land Use item was referred on September 26, 2024 (Minutes, page 3306) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 158 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 609

Resolution approving the decision of the City Planning Commission on Application No. N 240329 ZRQ, for an amendment of the text of the Zoning Resolution (L.U. No. 159).

By Council Members Salamanca and Hanks.

WHEREAS, Fulcrum Properties, LLC; The Briarwood Organization, LLC; and the New York City Department of Housing Preservation and Development (HPD), filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related actions would facilitate the development of two new nine-story mixed-use buildings with total of approximately 143 residential units that would be 100 percent income-restricted plus two units for superintendents, as well as community facility uses located at 106-01 Guy R. Brewer Boulevard and 162-02 Tuskegee Airmen Way in the Jamaica neighborhood of Queens, Community District 12 (ULURP No. N 240329 ZRQ), (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on September 23, 2024, its decision dated September 11, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to application C 240328 ZMQ (L.U. No. 158), a zoning map amendment to change an R4, R5B and R5D zoning districts with a C1-4 commercial overlay to an R7A zoning district with a C1-4 commercial overlay; and C 240330 HAQ (L.U. No. 160), an Urban Development Action Area Project (UDAAP) designation, project approval, and disposition of City-owned property;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 1, 2024;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued on May 24, 2024 (CEQR No. 22HPD058Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and noise (E-175 and E-768) (the “Negative Declaration”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designations (E-768 and E-175) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 240329 ZRQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

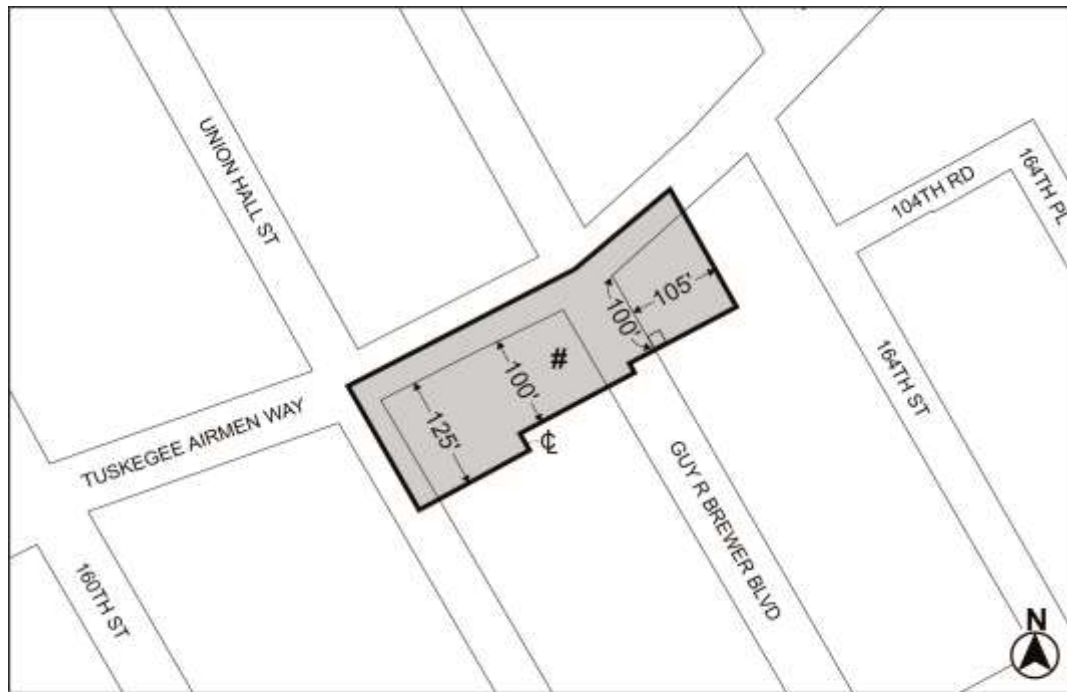
* * *

QUEENS

* * *

Queens Community District 12

* * *

Map 3 – [date of adoption]

Mandatory Inclusionary Housing Area see Section 23-154(d)(3)

Area # — [date of adoption] MIH Program Option 1 and Option 2

Portion of Community District 12, Queens

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

Report for L.U. No. 160

Report of the Committee on Land Use in favor of approving Application number C 240330 HAQ (South Jamaica Gateway Rezoning) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and an Urban Development Action Area Project, and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, for property located at 106-01 Guy R. Brewer Boulevard (Block 10161, Lots 1, 3, and 9), Borough of Queens, Community District 12, Council Districts 27 and 28.

The Committee on Land Use, to which the annexed Land Use item was referred on September 26, 2024 (Minutes, page 3307) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 158 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 610

Resolution approving the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) and the decision of the City Planning Commission, ULURP No. C 240330 HAQ, approving the designation of an Urban Development Action Area, an Urban Development Action Area Project, and the disposition of city-owned property located at 106-01 Guy R. Brewer Boulevard (Block 10161, Lot 1), 163-10 Tuskegee Airmen Way (Block 10161, Lot 3), and 104-10 164 Street (Block 10161, Lot 9), Borough of Queens, Community District 12, to a developer selected by HPD (L.U. No. 160; C 240330 HAQ).

By Council Members Salamanca and Hanks.

WHEREAS, the City Planning Commission filed with the Council on September 23, 2024 its decision dated September 11, 2024 (the “Decision”), on the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) regarding city-owned property located at 106-01 Guy R. Brewer Boulevard (Block 10161, Lot 1), 163-10 Tuskegee Airmen Way (Block 10161, Lot 3), and 104-10 164 Street (Block 10161, Lot 9), (the “Project Area”), approving:

- a) pursuant to Article 16 of the General Municipal Law of New York State the designation of the Disposition Area as an Urban Development Action Area;
- b) pursuant to Article 16 of the General Municipal Law of New York State an Urban Development Action Area Project for the Disposition Area (the “Project”); and
- c) pursuant to Section 197-c of the New York City Charter the disposition of the Disposition Area to a developer to be selected by the New York City Department of Housing Preservation and Development;

which in conjunction with the related actions would facilitate the development of two new nine-story mixed-use buildings with a total of approximately 143 residential units that would be 100 percent income restricted plus

two units for superintendents, as well as community facility uses located at 106-01 Guy R Brewer Boulevard and 162-02 Tuskegee Airmen Way in the Jamaica neighborhood of Queens, Community District 12 (ULURP No. C 240330 HAQ) (the “Application”);

WHEREAS, the Application is related to applications C 240328 ZMQ (L.U. No. 158), a zoning map amendment to change an R4, R5B and R5D zoning districts with a C1-4 commercial overlay to an R7A zoning district with a C1-4 commercial overlay and N 240329 ZRQ (L.U. No. 159), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

WHEREAS, by letter dated September 27, 2024 and submitted to the Council on September 27, 2024, HPD submitted its requests (the “HPD Requests”) respecting the Application including the submission of the project summaries for the Project (the “Project Summary”);

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision and the HPD Requests on October 1, 2024;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued on May 24, 2024 (CEQR No. 22HPD058Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and noise (E-175 and E-768) (the “Negative Declaration”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designations (E-768 and E-175) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the New York City Charter, based on the environmental determination and the consideration described in the report C 240330 HAQ and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

Pursuant to Article 16 of the General Municipal Law of New York State, based on the environmental determination and the consideration described in the report C 240330 HAQ and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

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

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

The Council approves the Project as an urban development action area project pursuant to Section 694 of the General Municipal Law and subject to the terms and conditions of the Project Summary, a copy of which is attached hereto.

The Council approves the disposition of the Disposition Area under Section 197-d of the New York City Charter, to a developer to be selected by the New York City Department of Housing Preservation and Development for the development of the Project consistent with the Project Summary.

ATTACHMENT:

PROJECT SUMMARY

1. **PROGRAM:** SENIOR AFFORDABLE RENTAL APARTMENTS PROGRAM
2. **PROJECT:** South Jamaica Gateway Rezoning – Site A
3. **LOCATION:**
 - a. **BOROUGH:** Queens
 - b. **COMMUNITY DISTRICT:** 12
 - c. **COUNCIL DISTRICT:** 27
 - d. **DISPOSITION AREA:**

<u>BLOCK(S)</u>	<u>LOT(S)</u>	<u>ADDRESS(ES)</u>
10161	3	163-10 Tuskegee Airmen Way
10161	9	104-10 164 Street
 - e. **PROJECT AREA:**

<u>BLOCK(S)</u>	<u>LOT(S)</u>	<u>ADDRESS(ES)</u>
10161	1	106-01 Guy R Brewer Blvd
10161	3	163-10 Tuskegee Airmen Way
10161	9	104-10 164 Street
4. **BASIS OF DISPOSITION PRICE:** Nominal. Sponsor will pay one dollar per lot and deliver an enforcement note and mortgage for the remainder of the appraised value (“Land Debt”). For a period of at least thirty (30) years following completion of construction, the Land Debt or the City’s capital subsidy may be repayable out of resale or refinancing profits. The remaining balance, if any, may be forgiven at the end of the term.
5. **TYPE OF PROJECT:** New Construction
6. **APPROXIMATE NUMBER OF BUILDINGS:** 1
7. **APPROXIMATE NUMBER OF UNITS:** 79 dwelling units (includes one super’s unit)

- | | |
|--------------------------------|---|
| 8. HOUSING TYPE: | Rental |
| 9. ESTIMATE OF INITIAL RENTS | Formerly homeless tenants referred by DHS and other City agencies will pay up to 30% of their income as rent. The target household AMI will be up to 60% of area median income (AMI), with all tenants paying no more than 30% of their income as rent. |
| 10. INCOME TARGETS | Up to 60% of AMI |
| 11. PROPOSED FACILITIES: | Community Room, Social Service Offices, Community Facility Space |
| 12. PROPOSED CODES/ORDINANCES: | None |
| 13. ENVIRONMENTAL STATUS: | Negative Declaration |
| 14. PROPOSED TIME SCHEDULE: | Approximately 24 months from closing to completion of construction. |

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

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

Report for L.U. No. 174

Report of the Committee on Land Use in favor of approving Application number G 240058 XUK (MHANY Multifamily Preservation Loan Program (MPLP), Article XI Tax Exemption) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 577 of Article XI of the Private Housing Finance Law, for approval of an exemption from real property taxation for property located at 1073 Utica Avenue (Block 4735, Lot 43), 996 East 46 Street (Block 5022, Lot 10), 38 Martense Street (Block 5089, Lot 20), and 639 East 87 Street (Block 7992, Lot 22), Borough of Brooklyn, Community Districts 14, 17, and 18, Council Districts 40, 45, and 46.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on October 10, 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT**BROOKLYN CBs -14, 17, and 18 - TWO APPLICATIONS RELATED TO MHANY MULTIFAMILY PRESERVATION LOAN PROGRAM****G 240058 XUK (L.U. No. 174)**

Application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 577 of Article XI of the Private Housing Finance Law, for approval of an exemption from real property taxation for property located at 1073 Utica Avenue (Block 4735, Lot 43), 996 East 46 Street (Block 5022, Lot 10), 38 Martense Street (Block 5089, Lot 20), and 639 East 87 Street (Block 7992, Lot 22), Borough of Brooklyn, Community Districts 14, 17, and 18, Council Districts 40, 45, and 46.

G 240064 NUK (L.U. No. 175)

Application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law for approval of an Urban Development Action Area Project (UDAAP) for property located at 1073 Utica Avenue (Block 4735, Lot 43), 996 East 46 Street (Block 5022, Lot 10), 38 Martense Street (Block 5089, Lot 20), and 639 East 87 Street (Block 7992, Lot 22), Borough of Brooklyn, Community Districts 14, 17, and 18, and Council Districts 40, 45, and 46.

INTENT

To approve the Project pursuant to Article 16 of the General Municipal Law as an Urban Development Action Area Project, and a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law, for property located at 1073 Utica Avenue (Block 4735, Lot 43), 996 East 46 Street (Block 5022, Lot 10), 38 Martense Street (Block 5089, Lot 20), and 639 East 87 Street (Block 7992, Lot 22), to facilitate the preservation of approximately Four multiple dwellings containing a total of approximately 12 dwelling units in the multiple neighborhoods in Brooklyn, Community Districts 14, 17, and 18.

PUBLIC HEARING

DATE: October 1, 2024

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: October 8, 2024

The Subcommittee recommends that the Land Use Committee approve the proposal and grant the requests made by the Department of Housing and Preservation (HPD).

In Favor:
Hanks
Brannan
Feliz
Marte
Nurse

Against:
None

Abstain:
None

COMMITTEE ACTION**DATE:** October 9, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Rivera
Riley
Brooks-Powers
Abreu
Farias
Hudson
Sanchez
Borelli

Against:

None

Abstain:

None

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

Res. No. 611

Resolution approving a tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 4735, Lot 43, Block 5022, Lot 10, Block 5089, Lot 20, Block 7992, Lot 22, Community Districts 14, 17, and 18, Borough of Brooklyn (L.U. No. 174; Non-ULURP No. G 240058 XUK).

By Council Members Salamanca and Hanks.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council on September 30, 2024 its request dated September 27, 2024, that the Council approve a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (the “Tax Exemption Request”) for property located at Block 4735, Lot 43, Block 5022, Lot 10, Block 5089, Lot 20, Block 7992, Lot 22, Borough of Brooklyn, Community Districts 14, 17, and 18, Council Districts 40, 45, and 46 (the “Exemption Area”);

WHEREAS, the Application is related to application G 240064 NUK (L.U. No. __), an Urban Development Action Area Project (UDAAP) pursuant to Article 16 of the General Municipal Law;

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption Request on October 1, 2024; and

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

RESOLVED:

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

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

- a. “Company” shall mean MHANY Mother Gaston LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 4735, Lot 43, Block 5022, Lot 10, Block 5089, Lot 20, and Block 7992, Lot 22 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “HDFC” shall mean MHANY Mother Gaston Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - g. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - h. “Owner” shall mean, collectively, the HDFC and the Company.
 - i. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings

on the Exemption Area that exist on the Effective Date.

- c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

4. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

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

Report for L.U. No. 175

Report of the Committee on Land Use in favor of approving Application number G 240064 NUK (MHANY Multifamily Preservation Loan Program (MPLP) Accelerated UDAAP) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law for approval of an Urban Development Action Area Project (UDAAP) for property located at 1073 Utica Avenue (Block 4735, Lot 43), 996 East 46 Street (Block 5022, Lot 10), 38 Martense Street (Block 5089, Lot 20), and 639 East 87 Street (Block 7992, Lot 22), Borough of Brooklyn, Community Districts 14, 17, and 18, and Council Districts 40, 45, and 46.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on October 10, 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 174 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 612

Resolution approving a tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 4735, Lot 43, Block 5022, Lot 10, Block 5089, Lot 20, Block 7992, Lot 22, Community Districts 14, 17, and 18, Borough of Brooklyn (L.U. No. 175; Non-ULURP No. G 240058 XUK).

By Council Members Salamanca and Hanks.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council on September 30, 2024 its request dated September 27, 2024, that the Council approve a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (the “Tax Exemption Request”) for property located at Block 4735, Lot 43, Block 5022, Lot 10, Block 5089, Lot 20, Block 7992, Lot 22, Borough of Brooklyn, Community Districts 14, 17, and 18, Council Districts 40, 45, and 46 (the “Exemption Area”);

WHEREAS, the Application is related to application G 240064 NUK (L.U. No. __), an Urban Development Action Area Project (UDAAP) pursuant to Article 16 of the General Municipal Law;

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption Request on October 1, 2024; and

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean MHANY Mother Gaston LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - c. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - d. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - e. “Exemption Area” shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 4735, Lot 43, Block 5022, Lot 10, Block 5089, Lot 20, and Block 7992, Lot 22 on the Tax Map of the City of New York.
 - f. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - g. “HDFC” shall mean MHANY Mother Gaston Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.

- h. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - j. “Owner” shall mean, collectively, the HDFC and the Company.
 - k. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
 - d. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

4. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

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

Report for L.U. No. 176

Report of the Committee on Land Use in favor of approving Application number G 240059 XAK (Coney Island Phase III, Article XI Tax Exemption) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 577 of Article XI of the Private Housing Finance Law, for approval of an exemption from real property taxation for property located at 1709 Surf Avenue (Block 7061, Lots 14, 16, 20, 21, and 27), Community District 13, Council District 47

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on October 10, 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 13 - TWO APPLICATIONS RELATED TO CONEY ISLAND PHASE III

G 240059 XAK (L.U. No. 176)

Application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 577 of Article XI of the Private Housing Finance Law, for approval of an exemption from real property taxation for property located at 1709 Surf Avenue (Block 7061, Lots 14, 16, 20, 21, and 27), Community District 13, Council District 47.

G 240060 XAK (L.U. No. 177)

Application submitted by the Department of Housing Preservation and Development (HPD), for approval of the proposed sale of 1709 Surf Avenue (Block 7061, Lots 16 and 21) to a developer to be selected by HPD, pursuant to Section 576-a(2) of the Private Housing Finance Law to facilitate the development of rental housing for low-income families, Borough of Brooklyn, Community District 13, Council District 47.

INTENT

To approve the disposition of the disposition area (Brooklyn, Block 7061, Lots 16 and 21) and a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law (Brooklyn, Block 7061, Lots 14, 16, 20, 21, and 27) in connection with the proposed development of one (1) new building containing a total of approximately 419 units for occupancy by formerly homeless and low-income persons, plus one (1) dwelling unit for a superintendent.

PUBLIC HEARING

DATE: October 8, 2024

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION**DATE:** October 8, 2024

The Subcommittee recommends that the Land Use Committee approve the proposal and grant the requests made by the Department of Housing and Preservation (HPD).

In Favor:

Hanks
Brannan
Feliz
Marte
Nurse

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** October 9, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Rivera
Riley
Brooks-Powers
Abreu
Farias
Hudson
Sanchez
Borelli

Against:

None

Abstain:

None

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

Res. No. 613

Resolution approving a tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 7061, Lots 14, 16, 20, 21, and 27, Community District 13, Borough of Brooklyn (L.U. No. 176; Non-ULURP No. G 240059 XAK).

By Council Members Salamanca and Hanks.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council on October 1, 2024 its request dated October 1, 2024, that the Council approve a real property tax exemption request pursuant to Section 577 of the Private Housing Finance Law (the “Tax Exemption Request”) for property located at Block 7061, Lots 14, 16, 20, 21, and 27, Borough of Brooklyn, Community District 13, Council District 47 (the “Exemption Area”);

WHEREAS, the Application is related to application G 240060 XAK (L.U. No. __), a disposition of city-owned property pursuant to Section 576-a(2) of the Private Housing Finance Law (the “Application”);

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption Request on

October 8, 2024; and

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

RESOLVED:

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

2. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Community Facility Space” shall mean those portions of the Exemption Area which the Regulatory Agreement requires to be devoted solely to community facility uses.
 - b. “Company” shall mean Coney Island Associates 3 Moderate LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - c. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that either (A) HPD and the Owner, or (B) HPD, HDC and Owner, enter into the Regulatory Agreement.
 - d. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - e. “Exemption Area” shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 7061, Lots 14, 16, 20, 21, and 27 on the Tax Map of the City of New York.
 - f. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - g. “HDC” shall mean the New York City Housing Development Corporation.
 - h. “HDFC” shall mean Coney Island Phase 3 Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - i. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - j. “Owner” shall mean, collectively, the HDFC and the Company.
 - k. “Regulatory Agreement” shall mean the regulatory agreement between either (i) HPD and the Owner, or (ii) HPD, HDC and Owner, establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business or commercial use other than the Community Facility Space), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.

3. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that has a new permanent certificate of occupancy or a temporary certificate of occupancy for all of the residential areas on or before five years from the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
4. In consideration of the Exemption, the owner of the Exemption Area shall, so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

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

Report for L.U. No. 177

Report of the Committee on Land Use in favor of approving Application number G 240060 XAK (Coney Island Phase III, Article XI Disposition) submitted by the Department of Housing Preservation and Development (HPD), for the proposed sale of 1709 Surf Avenue (Block 7061, Lots 14, 16, 20, 21, and 27) to a developer to be selected by HPD, pursuant to Section 576-a(2) of the Private Housing Finance Law to facilitate the development of rental housing for low income families, Borough of Brooklyn, Community District 13, Council District 47.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on October 10, 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 176 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 614

Resolution approving the disposition of city-owned property pursuant to Article XI of the Private Housing Finance Law (L.U. No. 177; Non-ULURP No. G 240060 XAK).

By Council Members Salamanca and Hanks.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council on October 1, 2024 its request dated October 1, 2024 that the Council approve, pursuant to Section 576-a(2) of the Private Housing Finance Law, the sale, for a nominal price without public auction or sealed bids (the “Sale”), of city-owned property located at 1709 Surf Avenue (Block 7061, Lots 16 and 21), Community District No. 13, Borough of Brooklyn, Council District No. 47 (the “Disposition Area”) to a housing development fund company organized under Article XI of the Private Housing Finance Law (the “Application”);

WHEREAS, the disposition of the Disposition Area for the proposed use was previously approved pursuant to Section 197-c of the New York City Charter, under ULURP no. C 090276 HAK (Council Resolution 2136 of 2009; L.U. No. 1140);

WHEREAS, the Application is related to application G 240059 XAK (L.U. No. __), a real property tax exemption request pursuant to Section 577 of the Private Housing Finance Law (the “Tax Exemption Request”);

WHEREAS, the Sale is subject to review and action by the Council pursuant to Private Housing Finance Law, Article XI, Section 576-a(2);

WHEREAS, upon due notice, the Council held a public hearing on the Application on October 8, 2024; and

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

RESOLVED:

The Council approves the sale of the Disposition Area to a developer to be selected by HPD pursuant to Section 576-a(2) of the Private Housing Finance Law, upon condition that the Project shall be developed in a manner consistent with Project Summary submitted by HPD, a copy of which is attached hereto and made a part hereof.

ATTACHMENT:
PROJECT SUMMARY

1. PROGRAM:	MIXED INCOME PROGRAM: MIX & MATCH		
2. PROJECT:	Coney Island Phase 3		
3. LOCATION:			
a. BOROUGH:	Brooklyn		
b. COMMUNITY DISTRICT:	13		
c. COUNCIL DISTRICT:	47		
d. DISPOSITION AREA:	<u>BLOCK</u>	<u>LOT(S)</u>	<u>ADDRESS(ES)</u>
	7061	16	2925 West 19 th Street
	7061	21	2930 West 17 th Street
e. PROJECT AREA:	7061	14, 16, 20, 21, and 27	
4. BASIS OF DISPOSITION PRICE:	Nominal. Sponsor will pay one dollar per lot and deliver an enforcement note and mortgage for the remainder of the appraised value (“Land Debt”). For a period of at least thirty (30) years following completion of construction, the Land Debt or the City’s capital subsidy may be repayable out of resale or refinancing profits. The remaining balance, if any, may be forgiven at the end of the term.		
5. TYPE OF PROJECT:	New Construction		
6. APPROXIMATE NUMBER OF BUILDINGS:	1		
7. APPROXIMATE NUMBER OF UNITS:	419 dwelling units, plus one superintendent unit		
8. HOUSING TYPE:	Rental		
9. ESTIMATE OF INITIAL RENTS	Rents will be affordable to families with incomes between 30% and 90% of area median income (“AMI”). Formerly homeless tenants referred by DHS and other City agencies will pay up to 30% of their income as rent.		
10. INCOME TARGETS	Between 30% and 110% of AMI.		
11. PROPOSED FACILITIES:	Approximately 10,833 square feet of commercial space		

Approximately 9,001 square feet of community facility space

12. PROPOSED CODES/ORDINANCES:

None

13. ENVIRONMENTAL STATUS:

Negative Declaration

14. PROPOSED TIME SCHEDULE:

Approximately 24 months from closing to completion of construction

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

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

Report for L.U. No. 178

Report of the Committee on Land Use in favor of approving Application number G 240061 XAK (South Bushwick Neighborhood Homes (SBNH), Tax Exemption) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 577 of Article XI of the Private Housing Finance Law, for approval of an exemption from real property taxation for property located at Block 3232, Lot 63; Block 3389, Lot 45; Block 3401, Lots 37 and 38; Block 3440, Lot 35; and Block 3444, Lot 18, Borough of Brooklyn, Community District 4, Council Districts 34 and 37.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on October 10, 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB 4 - THREE APPLICATIONS RELATED TO SOUTH BUSHWICK NEIGHBORHOOD HOMES

G 240061 XAK (L.U. No. 178)

Application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 577 of Article XI of the Private Housing Finance Law, for approval of an exemption from real property taxation for property located at Block 3232, Lot 63; Block 3389, Lot 45; Block 3401, Lots 37

and 38; Block 3440, Lot 35; and Block 3444, Lot 18, Borough of Brooklyn, Community District 4, Council Districts 34 and 37.

G 240062 XUK (L.U. No. 179)

Application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law (GML) for approval of an Urban Development Action Area Project (UDAAP) and a real property tax exemption pursuant to Section 696 of the General Municipal Law for property located at 1277 Dekalb Avenue (Block 3232, Lot 63), 676 Central Avenue (Block 3440, Lot 35), Borough of Brooklyn, Community District 4, Council Districts 34 and 37.

G 240063 XUK (L.U. No. 180)

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law (GML) for approval of an Urban Development Action Area Project (UDAAP) and a real property tax exemption pursuant to Section 696 of the General Municipal Law for property located at 1143 Hancock Street (Block 3389, Lot 45) Community District 4, Council District 37.

INTENT

The proposed South Bushwick Neighborhood Homes (SBNH) project will consist of six sites as a whole and will include: three fee simple homes, of which two are HPD-owned and third a Neighborhood Restore-owned TPT site; one two-lot merged coop building, of which one lot is also a Neighborhood Restore TPT site, while the other one is privately owned by a member of the development team, RiseBoro Community Partnerships, Inc.; and another coop building. The project will create a total of 23 units; the coops will have eight units each, while the fee simple homes will have two, two, and three units. The units will all be underwritten at either 80% or 100% of AMI, with maximum incomes for these units set at 90% and 110% AMI, respectively.

This project will be on a CLT, which is structured as an HDFC, thus rendering all sites, even the fee simple homes, eligible for an Article XI tax exemption. All six sites, except 1264 Bushwick Avenue have received prior public approvals and Article XI exemptions already. For various reasons, the current Article XI exemptions require revisions or updates; the project is seeking a new 40-year Article XI exemption, to consolidate all requests.

PUBLIC HEARING

DATE: October 8, 2024

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: October 8, 2024

The Subcommittee recommends that the Land Use Committee approve the proposal and grant the requests made by the Department of Housing and Preservation (HPD).

In Favor:
Hanks
Brannan
Feliz

Against:
None

Abstain:
None

Marte
Nurse

COMMITTEE ACTION

DATE: October 9, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:	Against:	Abstain:
Salamanca	None	None
Moya		
Rivera		
Riley		
Brooks-Powers		
Abreu		
Farias		
Hudson		
Sanchez		
Borelli		

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

Res. No. 615

Resolution approving a tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at Block 3232, Lot 63, Block 3389, Lot 45, Block 3401, Lots 37 and 38, Block 3440, Lot 35, Block 3444, Lot 18, Community District 4, Borough of Brooklyn (L.U. No. 178; Non-ULURP No. G 240061 XAK).

By Council Members Salamanca and Hanks.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council on October 1, 2024 its request dated October 1, 2024 that the Council approve a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (the “Tax Exemption Request”) for property located at Block 3232, Lot 63; Block 3389, Lot 45; Block 3401, Lots 37 and 38; Block 3440, Lot 35; and Block 3444, Lot 18, Borough of Brooklyn, Community District 4, Council Districts 34 and 37 (the “Exemption Area”);

WHEREAS, the Application is related to applications G 240062 XUK (L.U. No. ____), an application pursuant to Article 16 of the General Municipal Law for an amended Urban Development Action Area Project approval and related real property tax exemption; and G 240063 XUK (L.U. No. ____), an application pursuant to Article 16 of the General Municipal Law for an amended Urban Development Action Area Project approval and related real property tax exemption;

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption Request on October 8, 2024; and

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

RESOLVED:

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

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean NSTB LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Coop HDFC” shall mean South Bushwick Neighborhood Homes Cooperative Housing Development Fund Corporation and/or any other housing development fund companies that acquire all or a portion of the leasehold interest in the Exemption area with the prior written consent of HPD.
 - c. “CLT HDFC” shall mean CLT Interboro CLT Housing Development Fund Corporation or any other community land trust housing development fund company that acquires all or a portion of the Exemption Area with the prior written consent of HPD.
 - d. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - e. “Exemption Area” shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 3232, Lot 63, Block 3389, Lot 45, Block 3401, Lots 37 and 38, Block 3440, Lot 35, and Block 3444, Lot 18 on the Tax Map of the City of New York.
 - f. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned, leased or controlled by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - g. “HDFC” shall mean Restored Homes Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - h. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - i. “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
 - j. “Owner” shall mean either (i) the HDFC and the Company, or (ii) the CLT HDFC and/or Coop HDFC.
 - k. “Prior Exemption” shall mean the exemption from real property taxation for portions of the Exemption Area approved by the New York City Council on October 15, 2003 (Resolution No. 1117) and July 25, 2007 (Resolution No. 974), respectively.
 - l. “Regulatory Agreement” shall mean the regulatory agreement(s) between HPD and Owner establishing certain controls upon the operation of the Exemption Area during the term of the New Exemption.
2. The Prior Exemption shall terminate with respect to the Exemption Area upon the Effective Date.
3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
4. Notwithstanding any provision hereof to the contrary:
 - a. The New Exemption shall terminate with respect to all or any portion of the Exemption Area if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is

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

- b. The New Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that have a new permanent certificate of occupancy or a temporary certificate of occupancy for all of the residential areas on or before five years from the Effective Date.
 - c. Nothing herein shall entitle the HDFC, CLT HDFC, Coop HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
 - d. All previous resolutions, if any, providing an exemption from or abatement of real property taxation with respect to the Exemption Area are hereby revoked as of the Effective Date.
5. In consideration of the New Exemption, the owner of the Exemption Area shall, for so long as the New Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI,; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

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

Report for L.U. No. 179

Report of the Committee on Land Use in favor of approving Application number G 240062 XUK (South Bushwick Neighborhood Homes II (SBNH), Accelerated UDAAP) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law (GML) for approval of an Urban Development Action Area Project (UDAAP) and a real property tax exemption pursuant to Section 696 of the General Municipal Law for property located at 1277 Dekalb Avenue (Block 3232, Lot 63), 676 Central Avenue (Block 3440, Lot 35), Borough of Brooklyn, Community District 4, Council Districts 34 and 37.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on October 10, 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 178 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 616

Resolution approving an Amended Project as an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law, for property located at 1277 Dekalb Avenue (Block 3232, Lot 63) and 676 Central Avenue (Block 3440, Lot 35), Borough of Brooklyn, Community District 4 (L.U. No. 179; Non-ULURP No. G 240062 XUK).

By Council Members Salamanca and Hanks.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council October 1, 2024 its request dated October 1, 2024, that the Council take the following action regarding the proposed amended Urban Development Action Area Project (the "Amended Project") located at 1277 Dekalb Avenue (Block 3232, Lot 63) and 676 Central Avenue (Block 3440, Lot 35), Community District 4, Borough of Brooklyn (the "Disposition Area"):

1. Find that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to Section 693 of the General Municipal Law;
3. Waive the requirements of Sections 197-c and 197-d of the Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve the exemption of the project from real property taxes pursuant to Section 696 of the General Municipal Law (the "UDAAP Exemption").

WHEREAS, the request made by HPD is related to a previously-approved City Council Resolution No. 1450 (L.U. No. 669) dated October 15, 2020 (the "Original Resolution");

WHEREAS, the request is related to application G 240061 XAK (L.U. No. ____), an application pursuant to Article XI of the Private Housing Finance Law for a real property tax exemption;

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

WHEREAS, upon due notice, the Council held a public hearing on the Amended Project on October 8, 2024; and

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

RESOLVED:

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

The Council waives the designation requirement of the Disposition Area as an Urban Development Action Area pursuant to Section 693 of the General Municipal Law.

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

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

The Amended Project shall be developed in a manner consistent with the Amended Project Summary that HPD has submitted to the Council on October 1, 2024, a copy of which is attached hereto.

The UDAAP Exemption pursuant to Section 696 of the General Municipal Law is approved as follows:

- a. All of the value of the buildings, structures, and other improvements situated on the Disposition Area shall be exempt from local and municipal taxes, other than assessments for local improvements and land value, for a period of 20 years commencing on the date of reconveyance of the Disposition Area to an owner which is not a housing development fund company ("UDAAP Commencement Date"); provided, however, that such exemption shall decrease in ten equal annual decrements commencing upon the July 1st immediately preceding the tenth anniversary of the UDAAP Commencement Date.
- b. In consideration of the tax exemption pursuant to Section 696 of the General Municipal Law provided hereunder ("UDAAP Exemption"), the owner of the Disposition Area shall waive the benefits, if any, of any Alternative Tax Benefit for so long as the UDAAP Exemption shall remain in effect.
- c. The UDAAP Exemption shall terminate with respect to all or any portion of the Disposition Area if the Department of Housing Preservation and Development ("HPD") determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all applicable agreements made by the transferee or any subsequent owner of such real property with, or for the benefit of, the City of New York. HPD shall deliver written notice of any such determination of noncompliance to the owner of such real property and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than 90 days. If the noncompliance specified in such notice is not cured within the time period specified therein, the UDAAP Exemption shall prospectively terminate with respect to the real property specified therein.
- d. The provisions of the UDAAP Exemption shall apply separately to each individual property comprising the Disposition Area, and a sale or other event which would cause the expiration, termination, or revocation of the UDAAP Exemption with respect to one property in the Disposition Area shall not affect the continued validity of the UDAAP Exemption with respect to other properties in the Disposition Area.
- e. Notwithstanding any other provision to the contrary, the UDAAP Exemption shall no longer be available once the Disposition Area is acquired by the CLT.

ATTACHMENT:**AMENDED PROJECT SUMMARY**

1. **PROGRAM:** OPEN DOOR PROGRAM
2. **PROJECT:** South Bushwick Neighborhood Homes II
3. **LOCATION:**
 - a. **BOROUGH:** Brooklyn
 - b. **COMMUNITY DISTRICT:** 4
 - c. **COUNCIL DISTRICTS:** 34 & 37
 - d. **DISPOSITION AREA:**

<u>BLOCKS</u>	<u>LOTS</u>
3440	35
3232	63
4. **BASIS OF DISPOSITION PRICE:** Nominal. Sponsor will pay one dollar per tax lot and deliver a note and mortgage for the remainder of the appraised value ("Land Debt").
5. **TYPE OF PROJECT:** New Construction
6. **APPROXIMATE NUMBER OF BUILDINGS:** Two Two-Family Homes
7. **APPROXIMATE NUMBER OF UNITS:** 4
8. **HOUSING TYPE:** Two-Family Homes. The lots may be (i) owned by a community land trust housing development fund company and ground leased by eligible households, with or without a deed for the improvements, or (ii) owned in fee simple by such eligible households. If homes remain unsold at the end of the Marketing Period and HPD determines in writing that (i) sale is not feasible within a reasonable time, and (ii) a rental fallback is the best available alternative, then the unsold homes may be rented in accordance with the written instructions of HPD.
9. **ESTIMATE OF INITIAL PRICE:** Sales prices will be affordable to families with annual household incomes up to 130% of the area median income (AMI).
10. **LIENS FOR LAND DEBT/CITY SUBSIDY:** Each of the Land Debt and the amount of any construction financing provided through loans from

the City ("City Subsidy") will be secured by a mortgage on the Disposition Area. Upon the lease or sale of each unit to an initial purchaser, the Land Debt and City Subsidy, if any, will be apportioned to such units and/or the CLT. At such time, HPD may unsecure or forgive all or a portion of the Land Debt, and unsecure, but not forgive, all or a portion of the City Subsidy, based on the appraised value of a unit and/or, in the case of forgiveness of Land Debt, if HPD determines that the forgiveness is necessary to reduce the taxable consideration for a unit. The sum evidenced by the note and secured by the mortgage will be reduced to zero upon maturity of the Land Debt and City Subsidy, respectively, if the owner has complied with the program's restrictions.

- | | |
|---------------------------------------|---|
| 11. INCOME TARGETS: | Families with annual household incomes up to 130% of AMI. |
| 12. PROPOSED FACILITIES: | None |
| 13. PROPOSED CODES/ORDINANCES: | None |
| 14. ENVIRONMENTAL STATUS: | Negative Declaration |
| 15. PROPOSED TIME SCHEDULE: | Approximately 18 months from closing to completion of construction. |

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

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

Report for L.U. No. 180

Report of the Committee on Land Use in favor of approving Application number G 240063 XUK (South Bushwick Neighborhood Homes III (SBNH), Accelerated UDAAP) submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law (GML) for approval of an Urban Development Action Area Project (UDAAP) and a real property tax exemption pursuant to Section 696 of the General Municipal Law for property located at 1143 Hancock Street (Block 3389, Lot 45) Community District 4, Council District 37.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on October 10, 2024 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 178 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 617

Resolution approving an Amended Project as an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law, for property located at 1143 Hancock Street (Block 3389, Lot 45), Borough of Brooklyn, Community District 4 (L.U. No. 180; Non-ULURP No. G 240063 XUK).

By Council Members Salamanca and Hanks.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council October 1, 2024 its request dated October 1, 2024, that the Council take the following action regarding the proposed amended Urban Development Action Area Project (the "Amended Project") located at 1143 Hancock Street (Block 3389, Lot 45), Community District 4, Borough of Brooklyn (the "Transfer Area"):

1. Find that the present status of the Transfer Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to Section 693 of the General Municipal Law;
3. Waive the requirements of Sections 197-c and 197-d of the Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve the exemption of the project from real property taxes pursuant to Section 696 of the General Municipal Law (the "UDAAP Exemption").

WHEREAS, the request made by HPD is related to a previously-approved City Council Resolution No. 974 (L.U. No. 484) dated July 25, 2007 (the "Original Resolution");

WHEREAS, the request is related to application G 240061 XAK (L.U. No. ____), an application pursuant to Article XI of the Private Housing Finance Law for a real property tax exemption;

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

WHEREAS, upon due notice, the Council held a public hearing on the Amended Project on October 8, 2024; and

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

RESOLVED:

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

The Council waives the designation requirement of the Transfer Area as an Urban Development Action Area pursuant to Section 693 of the General Municipal Law.

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

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

The Amended Project shall be developed in a manner consistent with the Amended Project Summary that HPD has submitted to the Council on October 1, 2024, a copy of which is attached hereto.

The UDAAP Exemption pursuant to Section 696 of the General Municipal Law is approved as follows:

- a. All of the value of the buildings, structures, and other improvements situated on the Transfer Area shall be exempt from local and municipal taxes, other than assessments for local improvements and land value, for a period of 20 years commencing on the date of reconveyance of the Transfer Area to an owner which is not a housing development fund company ("UDAAP Commencement Date"); provided, however, that such exemption shall decrease in ten equal annual decrements commencing upon the July 1st immediately preceding the tenth anniversary of the UDAAP Commencement Date.
- b. In consideration of the tax exemption pursuant to Section 696 of the General Municipal Law provided hereunder ("UDAAP Exemption"), the owner of the Transfer Area shall waive the benefits, if any, of any Alternative Tax Benefit for so long as the UDAAP Exemption shall remain in effect.
- c. The UDAAP Exemption shall terminate with respect to all or any portion of the Transfer Area if the Department of Housing Preservation and Development ("HPD") determines that such real property has not been, or is not being, developed, used, and/or operated in compliance with the requirements of all applicable agreements made by the transferee or any subsequent owner of such real property with, or for the benefit of, the City of New York. HPD shall deliver written notice of any such determination of noncompliance to the owner of such real property and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than 90 days. If the noncompliance specified in such notice is not cured within the time period specified therein, the UDAAP Exemption shall prospectively terminate with respect to the real property specified therein.
- d. The provisions of the UDAAP Exemption shall apply separately to each individual property comprising the Transfer Area, and a sale or other event which would cause the expiration, termination, or revocation of the UDAAP Exemption with respect to one property in the Transfer Area shall not affect the continued validity of the UDAAP Exemption with respect to other properties in the Transfer Area.
- e. Notwithstanding any other provision to the contrary, the UDAAP Exemption shall no longer be available once the Transfer Area is acquired by the CLT.

ATTACHMENT:**AMENDED PROJECT SUMMARY**

1. PROGRAM:	OPEN DOOR PROGRAM (Previously transferred pursuant to the Third Party Transfer (“TPT”) Program)
2. PROJECT:	South Bushwick Neighborhood Homes III (Former TPT Project: In Rem Action No. 50)
3. LOCATION:	
a. BOROUGH:	Brooklyn
b. COMMUNITY DISTRICT:	4
c. COUNCIL DISTRICT:	37
d. TRANSFER AREA:	<u>BLOCK</u> <u>LOT</u> 3389 45
4. BASIS OF PRICE:	<i>In rem</i> judgment of foreclosure
5. TYPE OF PROJECT:	New Construction
6. APPROXIMATE NUMBER OF BUILDINGS:	One Three-Family Home
7. APPROXIMATE NUMBER OF UNITS:	3
8. HOUSING TYPE:	Three-Family Home. The lot may be (i) owned by a community land trust housing development fund company and ground leased by eligible households, with or without a deed for the improvements, or (ii) owned in fee simple by such eligible households. If homes remain unsold at the end of the Marketing Period and HPD determines in writing that (i) sale is not feasible within a reasonable time, and (ii) a rental fallback is the best available alternative, then the unsold homes may be rented in accordance with the written instructions of HPD.
9. ESTIMATE OF INITIAL PRICE:	Sales prices will be affordable to families with annual household incomes up to 130% of the area median income (AMI).
10. INCOME TARGETS:	Families with annual household incomes up to 130% of AMI.
11. PROPOSED FACILITIES:	None

- 12. PROPOSED CODES/ORDINANCES:** None
- 13. ENVIRONMENTAL STATUS:** Type II
- 14. PROPOSED TIME SCHEDULE:** Approximately 24 months from closing to completion of construction.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

Report of the Committee on Women and Gender Equity

Report for Int. No. 891-A

Report of the Committee on Women and Gender Equity in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to information about the maternal mortality and morbidity review committee.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was referred on May 16, 2024 (Minutes, page 2045), respectfully

REPORTS:

I. INTRODUCTION

On Thursday, October 10, 2024, the Committee on Women and Gender Equity, chaired by Council Member Farah Louis, will consider the following legislation:

- **Proposed Int. No. 891-A** (Louis), A Local Law to amend the administrative code of the city of New York, in relation to information about the maternal mortality and morbidity review committee;
- **Proposed Int. No. 892-A** (Louis), A Local Law to amend the administrative code of the city of New York, in relation to written lactation room accommodation policies;
- **Proposed Int. No. 912-B** (Gutiérrez), A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to develop and distribute parenting resource materials to parents and guardians of newborn children;
- **Proposed Res. No. 133-A** (Menin), Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation to increase Medicaid reimbursement to cover eight pre- and post-natal visits, as well as delivery support by doulas; and

- **Proposed Res. No. 293-A** (Stevens), Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.2898A/A.4017A, the Chisholm Chance Act, which would establish a plan to address the severe maternal morbidity crisis in Brooklyn and the Bronx.

Int. No. 891, Int. No. 892, Int. No. 912, Res. No. 133, and Res. No. 293 were heard by the Committee in a hearing with testimony from the public on June 25, 2024.

II. LEGISLATIVE ANALYSIS

Proposed Int. No. 891-A

This bill would require the Department of Health and Mental Hygiene (DOHMH or the Department) to annually post online information related to the maternal mortality and morbidity review committee. Such information required for posting would include the names and titles of committee members as well as a report on the committee's work for the preceding year. Names and titles of current committee members serving up until 2026 would only be posted with prior consent of such members, but consent would no longer be required after January 1, 2026.

After being heard this bill received technical edits and was amended to require DOHMH to receive consent before posting the names of current members of the committee online. After January 1, 2026, consent from committee members would no longer be required prior to such information being posted.

Proposed Int. No. 892-A

This bill would require employers to distribute their written lactation room accommodation policy when a person is hired and make such policy available in an employer's place of business as well as on the employer's intranet, if one exists

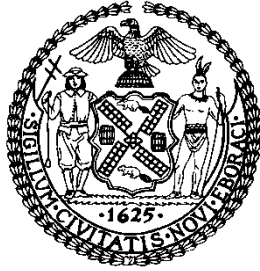
After being heard, this bill received technical edits and was amended to require employers to make their written lactation accommodation policy available physically in the employer's place of business as well as online via the employer's intranet if such intranet exists.

Proposed Int. No. 912-A

This bill would require DOHMH to develop materials that identify resources for parents and guardians of newborn children and would require the Department to distribute such information to new parents and guardians after receiving the registration of any birth. The bill would also require DOHMH to maintain a searchable directory on community-based organizations supporting maternal health available on their website.

After being heard, this bill received technical edits and was amended to place the mandate of both creation and distribution of materials solely on DOHMH and to integrate the existing requirement of distribution of college savings plan materials into the new section. Additionally, amendments were made to make clear that DOHMH would be required to create and maintain a searchable directory on community-based organizations that support maternal health that are contracted with the Department and the other named agencies and entities in subdivision b of the legislation.

(The following is the text of the Fiscal Impact Statement for Int. No. 891-A:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION**

**TANISHA S. EDWARDS, ESQ., CHIEF FINANCIAL
OFFICER, AND DEPUTY CHIEF OF STAFF TO THE
SPEAKER**

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 891-A

COMMITTEE: Women and Gender Equity

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to information about the maternal mortality and morbidity review committee.

SPONSOR(S): Council Member Louis, Restler, Brannan, Cabán, Ung, Gutiérrez, Farías, Hanif, Narcisse, Marte, Hudson, Ayala and Sanchez.

SUMMARY OF LEGISLATION: This proposed law would require the Department of Health and Mental Hygiene (DOHMH) to annually post online information related to the maternal mortality and morbidity review committee. Such information required for posting would include the names and titles of committee members as well as a report on the committee's work for the preceding year. Names and titles of members serving up until 2026 would only be posted with prior consent by current committee members, but consent would no longer be required after January 1, 2026.

EFFECTIVE DATE: Immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2026

FISCAL IMPACT STATEMENT:

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY26
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures resulting from the enactment of this legislation, as DOHMH would use existing resources to fulfill its requirements.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Veda Yagnik, Financial Analyst

ESTIMATE REVIEWED BY: Florentine Kabore, Unit Head
 Elizabeth Hoffman, Assistant Director
 Eisha Wright, Deputy Director
 Michael Twomey, Assistant Counsel
 Nicholas Connell, Counsel
 Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on May 16, 2024, as Int. No. 891 and referred to the Committee on Women and Gender Equity (the Committee). The legislation was considered by the Committee at a joint hearing with the Committee on Mental Health, Disabilities and Addiction on June 25, 2024, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 891-A, will be considered by the Committee on October 10, 2024. Upon majority affirmative vote by the Committee, Proposed Int. No. 891-A will be reported to the full Council for a vote on October 10, 2024.

DATE PREPARED: October 8, 2024.

(For text of Int. Nos. 892-A and 912-B and their Fiscal Impact Statements, please see the Report of the Committee on Women and Gender Equity for Int. Nos. 892-A and 912-B, respectively, printed in these Minutes; for text of Res. Nos. 133-A and 293-A, please see the voice-vote Resolutions calendar section printed in these Minutes; for text of Int. No. 891-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 891-A, 892-A, 912-B, Res. No. 133-A, and 293-A.

(The following is the text of Int. No. 891-A:)

Proposed Int. No. 891-A

By Council Members Louis, Restler, Brannan, Cabán, Ung, Gutiérrez, Farías, Hanif, Narcisse, Marte, Hudson, Ayala, Sanchez, Won and Rivera.

A Local Law to amend the administrative code of the city of New York, in relation to information about the maternal mortality and morbidity review committee

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 17-199.3.1 of the administrative code of the city of New York, as added by local law number 188 for the year 2018, is amended to read as follows:

c. [The] *No later than 45 days after the effective date of the local law that amended this subdivision, and annually thereafter, the department shall post and update as necessary on its website a list of the disciplines represented on the committee established pursuant to this section, the names and titles of the individuals who serve on such committee, and a summary of such committee's activities over the preceding year.*

§ 2. Despite the requirements of subdivision c of section 17-199.3.1 of the administrative code of the city of New York, prior to January 1, 2026, the department of health and mental hygiene shall not post the names and titles of individuals who serve on the maternal mortality and morbidity review committee without receiving the consent of such individuals.

§ 3. This local law takes effect immediately.

FARAH N. LOUIS, *Chairperson*; KEVIN C. RILEY, TIFFANY L. CABÁN, JENNIFER GUTIÉRREZ, INNA VERNIKOV; 5-0-0; Committee on Women and Gender Equity, October 10, 2024. *Other Council Members Attending: Council Member Menin.*

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

Report for Int. No. 892-A

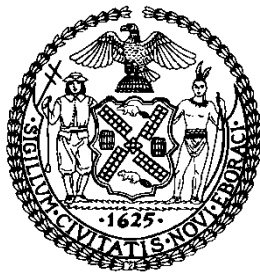
Report of the Committee on Women and Gender Equity in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to written lactation room accommodation policies.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was referred on May 16, 2024 (Minutes, page 2046), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 891-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 892-A:



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION**

**TANISHA S. EDWARDS, ESQ., CHIEF FINANCIAL
OFFICER, AND DEPUTY CHIEF OF STAFF TO THE
SPEAKER**

**RICHARD LEE, DIRECTOR
FISCAL IMPACT STATEMENT**

PROPOSED INT. NO: 892-A

COMMITTEE: Women and Gender Equity

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to written lactation room accommodation policies

SPONSOR(S): Council Member Louis, Cabán, Ung, Gutiérrez, Farías, Hanif, Narcisse, Marte, Hudson, Sanchez, Ayala and Sanchez.

SUMMARY OF LEGISLATION: This proposed law would require employers to distribute their written lactation room accommodation policy to newly hired employees and to make available such policy in the employer's place of business, as well as the employer's intranet, if one exists.

EFFECTIVE DATE: 180 days after becoming law

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2026

FISCAL IMPACT STATEMENT:

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY26
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures resulting from the enactment of this legislation, as the agencies responsible for carrying out its requirements would use existing resources to fulfill its requirements.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Veda Yagnik, Financial Analyst

ESTIMATE REVIEWED BY: Florentine Kabore, Unit Head
Eisha Wright, Deputy Director
Elizabeth Hoffman, Assistant Director
Michael Twomey, Counsel
Nicholas Connell, Counsel
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on May 16, 2024, as Int. No. 892 and referred to the Committee on Women and Gender Equity (the Committee). The legislation was considered by the Committee at a joint hearing with the Committee on Mental Health, Disabilities and Addiction on June 25, 2024, and the legislation was laid over. The legislation was subsequently amended, and the amended version Proposed Int. No. 892-A will be considered by the Committee on October 10, 2024. Upon majority affirmative vote by the Committee, Proposed Int. No. 892-A will be reported to the full Council for a vote on October 10, 2024.

DATE PREPARED: October 8, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 892-A:)

Proposed Int. No. 892-A

By Council Members Louis, Cabán, Ung, Gutiérrez, Farías, Hanif, Narcisse, Marte, Hudson, Ayala, Sanchez and Rivera.

A Local Law to amend the administrative code of the city of New York, in relation to written lactation room accommodation policies

Be it enacted by the Council as follows:

Section 1. Paragraph (c) of subdivision 22 of section 8-107 of the administrative code of the city of New York, as added by local law 186 for the year 2018, is amended to read as follows:

(c) Employer lactation room accommodation policy.

(i) An employer shall develop and implement a written policy regarding the provision of a lactation room[, which] *and shall [be distributed] distribute such written policy to [all] employees [upon hiring] at the commencement of employment. An employer shall make such written policy readily available to employees by, at a minimum, conspicuously posting such policy at an employer's place of business in an area accessible to employees and electronically on such employer's intranet, if one exists.* The policy shall include a statement that employees have a right to request a lactation room, and identify a process by which employees may request a lactation room. This process shall:

(1) Specify the means by which an employee may submit a request for a lactation room;

(2) Require that the employer respond to a request for a lactation room within a reasonable amount of time not to exceed five business days;

(3) Provide a procedure to follow when two or more individuals need to use the lactation room at the same time, including contact information for any follow up required;

(4) State that the employer shall provide [reasonable break time for an employee] *30 minutes of paid break time, and shall further permit an employee to use existing paid break time or meal time for time in excess of 30 minutes* to express breast milk pursuant to section 206-c of the labor law; and

(5) State that if the request for a lactation room poses an undue hardship on the employer, the employer shall engage in a cooperative dialogue, as required by subdivision 28 of this section.

(ii) The commission shall, in collaboration with the department of health and mental hygiene, develop a model lactation room accommodation policy that conforms to the requirements of this subdivision and a model lactation room request form. The commission shall make such model policy and request form available on its website.

(iii) The existence of a lactation room accommodation policy pursuant to this subdivision shall not affect an individual's right to breastfeed in public pursuant to article 7 of the civil rights law.

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

FARAH N. LOUIS, *Chairperson*; KEVIN C. RILEY, TIFFANY L. CABÁN, JENNIFER GUTIÉRREZ, INNA VERNIKOV; 5-0-0; Committee on Women and Gender Equity, October 10, 2024. *Other Council Members Attending: Council Member Menin.*

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

Report for Int. No. 912-B

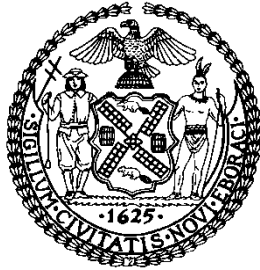
Report of the Committee on Women and Gender Equity in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to develop and distribute parenting resource materials to parents and guardians of newborn children.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was referred on May 23, 2024 (Minutes, page 2206), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 891-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 912-B:



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION**

**TANISHA S. EDWARDS, ESQ., CHIEF FINANCIAL
OFFICER, AND DEPUTY CHIEF OF STAFF TO THE
SPEAKER**

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 912-B

COMMITTEE: Women and Gender Equity

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to develop and distribute parenting resource materials to parents and guardians of newborn children.

SPONSOR(S): Council Members Gutiérrez, Narcisse, Menin, Hudson, Rivera, Gennaro, Abreu, Restler, Cabán. Brooks-Powers, Brannan, Avilés, De La Rosa, Sanchez, Hanif, Marte, Ayala and Schulman (by request of the Brooklyn Borough President).

SUMMARY OF LEGISLATION: This proposed law would require the department of health and mental hygiene to develop materials that identify resources for parents and guardians of newborn children and would require the department to distribute such information to new parents and guardians after receiving the registration of any birth. This proposed law would also require the department of health and mental hygiene to maintain a searchable directory on community-based organizations supporting maternal health available on their website.

EFFECTIVE DATE: One year after becoming law

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2027

FISCAL IMPACT STATEMENT:

	Effective FY26	FY Succeeding Effective FY27	Full Fiscal Impact FY27
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Veda Yagnik, Financial Analyst

ESTIMATE REVIEWED BY: Florentine Kabore, Unit Head
Elizabeth Hoffman, Assistant Director
Eisha Wright, Deputy Director
Michael Twomey, Assistant Counsel
Nicholas Connell, Counsel
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on May 23, 2024, as Intro. No. 912 and was referred to the Committee on Women and Gender Equity (the Committee). The legislation was considered by the Committee at a joint hearing with the Committee on Mental Health, Disabilities and Addiction on June 25, 2024, and the legislation was laid over. The legislation was subsequently amended and the amended version Proposed Int. No. 912-B will be considered by the Committee on October 10, 2024. Upon majority affirmative vote by the Committee, Proposed Int. No. 912-B will be reported to the full Council for a vote on October 10, 2024.

DATE PREPARED: October 8, 2024.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 912-B:)

Proposed Int. No. 912-B

By Council Members Gutiérrez, Narcisse, Menin, Hudson, Rivera, Gennaro, Abreu, Restler, Cabán, Brooks-Powers, Brannan, Avilés, De La Rosa, Sanchez, Hanif, Marte, Ayala, Schulman, Won and Louis (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to develop and distribute parenting resource materials to parents and guardians of newborn children

Be it enacted by the Council as follows:

Section 1. Section 17-168.1, as added by local law 73 for the year 2017, is amended to read as follows:

§ 17-168.1 [Distribution of college savings plan materials within three months of the receipt of the report of any birth. a. Within three months after the receipt of the report of any birth, the department shall provide college savings plan materials described in subdivision b of section 3-209.2 to the parents or guardian of the child, at the address designated for receipt of the child's certificate of registration of birth pursuant to section 17-168.

b. The department shall make such college savings plan materials available on its website in English and each of the designated citywide languages as defined in section 23-1101 of the administrative code.] *Resource materials for parents and guardians of newborn children. a. The department shall make available written materials that identify resources available to parents and guardians of newborn children, and shall update such materials periodically and as necessary to ensure accuracy. Such materials shall include information regarding:*

- 1. Essential items needed for the care of a child;*
- 2. Child safety;*
- 3. Breast feeding and child nutrition;*
- 4. Social services programs available to parents or guardians of newborn children, including:*
 - (a) the supplemental nutrition assistance program;*
 - (b) the special supplemental nutrition program for women, infants, and children;*

- (c) cash assistance;
 - (d) rental assistance;
 - (e) food assistance;
 - (f) child care subsidies; and
 - (g) any other federal, state, or local program available to parents or guardians of newborn children;
 - 5. Resources available for postpartum care;
 - 6. Support services and groups for parents and guardians of newborn children administered by the city;
 - 7. The child and adolescent vaccine schedule recommended by the federal centers for disease control and prevention;
 - 8. The text or description of laws relating to employment and workplace protections for parents or guardians of newborn children, including such laws relating to reasonable accommodations for lactation; temporary schedule changes; disability benefits; and paid and unpaid leave benefits;
 - 9. College savings plan materials described in subdivision b of section 3-209.2; and
 - 10. Any other information that the commissioner determines could promote awareness of resources relevant to parents or guardians of newborn children.
- b. The department shall compile the materials required by this section in consultation with the city commission on human rights, the department of consumer and worker protection, the administration for children's services, the department of social services, relevant taskforces and advisory boards, and any other agency or person the commissioner deems appropriate.
- c. Within 30 days following the registration of any birth, the department shall provide the resource materials described in subdivision a of this section to the parents or guardians of a newborn child at the address designated for receipt of the child's certificate of registration of birth pursuant to section 17-168. Such resource materials may be distributed by including a card or flyer with a printed code that provides electronic access to such materials. The physical materials distributed pursuant to this subdivision shall also indicate how the recipient may identify their local elected officials.
- d. The department shall make such resource materials available on its website in English and each of the designated citywide languages as defined in section 23-1101 of the administrative code.
- e. The department shall create and maintain on its website a publicly accessible, searchable directory of (i) community-based organizations that maintain contracts with the department to provide services supporting maternal health and (ii) organizations contracted with agencies and entities consulted pursuant to subdivision b of this section to support maternal health. The directory shall be simultaneously searchable by multiple factors including, but not limited to, location and service provided. The directory shall include the following information regarding the community-based organizations, to the extent known by the department: the services they provide, the languages in which they provide services, and contact and location information for each organization.
- § 2. This local law takes effect 1 year after it becomes law.

FARAH N. LOUIS, *Chairperson*; KEVIN C. RILEY, TIFFANY L. CABÁN, JENNIFER GUTIÉRREZ, INNA VERNIKOV; 5-0-0; Committee on Women and Gender Equity, October 10, 2024. *Other Council Members Attending: Council Member Menin.*

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

GENERAL ORDERS CALENDAR

Report for L.U. No. 138 & Res. No. 618

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230022 ZMQ (31-17 12th Street Rezoning) submitted by 31 17 19 1Z, LLC, pursuant to Sections 197- c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, by changing from an R5B District to an R6B District, Borough of Queens, Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on August 15, 2024 (Minutes, page 2999) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on September 26, 2024 (Minutes, page 3179), respectfully

REPORTS:**SUBJECT****QUEENS CB-1 – TWO APPLICATIONS RELATED TO 31-17 12th STREET REZONING****C 230022 ZMQ (L.U. No. 138)**

City Planning Commission decision approving an application submitted by 31-17-19 IZ, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, by changing from an R5B District to an R6B District property bounded by a line 100 feet southwesterly of 31st Avenue, a line 150 feet southeasterly of 12th Street, 31st Drive, and 12th Street, as shown on a diagram (for illustrative purposes only) dated March 4, 2024, and subject to the conditions of CEQR Declaration E-757.

N 230023 ZRQ (L.U. No. 139)

City Planning Commission decision approving an application submitted by 31-17-19 IZ, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

To approve the amendment to rezone the project area from an R5B zoning district to an R6B zoning district and amend the zoning text to designate the project area as a Mandatory Inclusionary Housing (MIH) area utilizing Option 1, to facilitate the development of a new five-story residential building with 35 dwelling units, of which nine would be permanently income-restricted, at 31-17 12th Street in the Astoria neighborhood of Community District 1, Queens.

PUBLIC HEARING**DATE:** August 27, 2024**Witnesses in Favor:** Two**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** September 17, 2024

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on L.U. No. 138 and approve with modifications the decision of the City Planning Commission on L.U. No. 139.

In Favor:

Riley
Moya
Abreu
Hanks
Salaam
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** September 19, 2024

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Riley
Brooks-Powers
Abreu
Farias
Hanks
Hudson
Sanchez
Borelli

Against:

None

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSIONS

The City Planning Commission filed a letter dated _____, 2024, with the Council on _____, 2024, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 618

Resolution approving the decision of the City Planning Commission on ULURP No. C 230022 ZMQ, a Zoning Map amendment (L.U. No. 138).

By Council Members Salamanca and Riley.

WHEREAS, 31 17 19 IZ, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, by changing from an R5B District to an R6B District, which in conjunction with the related action would facilitate the development of a new five-story residential building with 35 dwelling units, of which nine would be permanently income-restricted, at 31-17 12th Street in the Astoria neighborhood of Queens, Community District 1 (ULURP No. C 230022 ZMQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on August 9, 2024 its decision dated July 24, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 230023 ZRQ (L.U. No. 139), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on August 27, 2024;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued March 4th, 2024 (CEQR No. 22DCP098Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and air quality (E-757) (the "Negative Declaration").

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-757) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 230022 ZMQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 9a and 9b changing from an R5B District to an R6B District property bounded by 12th Street to the west, a line 100 feet south of 31st Avenue to the north, a line 150 feet east of 12th Street to the east, and 31st Drive to the south. 31st Avenue is a wide street with 80 feet in width, 14th Street is a wide street that is 75 feet in width, 31st Drive is a narrow street that is 50 feet in

width, and 12th Street is a narrow street that is 60 feet in width, as shown on a diagram (for illustrative purposes only) dated March 4, 2024, and subject to the conditions of CEQR Declaration E-757.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

Report for L.U. No. 139 & Res. No. 619

Report of the Committee on Land Use in favor of approving, as modified, Application number N 230023 ZRQ (31-17 12th Street Rezoning) submitted by 31 17 19 1Z, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York modifying APPENDIX F, for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 1, Council District 22.

The Committee on Land Use, to which the annexed Land Use item was referred on August 15, 2024 (Minutes, page 2999) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on September 26, 2024 (Minutes, page 3181) , respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 138 & Res. No. 618 printed above in the General Orders Calendars section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 619

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 230023 ZRQ, for an amendment of the text of the Zoning Resolution (L.U. No. 139).

By Council Members Salamanca and Riley.

WHEREAS, 31 17 19 1Z, LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would facilitate the development of a new eight-story mixed-use building with 35 dwelling units, of which nine would be permanently income-restricted, located at 31-17 12th Street in the Astoria neighborhood of Queens, Community District 1 (ULURP No. N 230023 ZRQ), (the "Application");

WHEREAS, the City Planning Commission filed with the Council on August 9, 2024, its decision dated July 24, 2024 (the "Decision") on the Application;

WHEREAS the Application is related to application C 230022 ZMQ (L.U. No. 138), a zoning map amendment to change an R5B zoning district to an R6B zoning district;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on August 27, 2024;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued March 4th, 2024 (CEQR No. 22DCP098Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and air quality (E-757) (the “Negative Declaration”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-757) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 230023 ZRQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission, with the following modifications.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter double-underlined is new, added by the City Council;

Matter ~~double struck out~~ is old, deleted by the City Council;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution.

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

QUEENS

* * *

Queens Community District 1

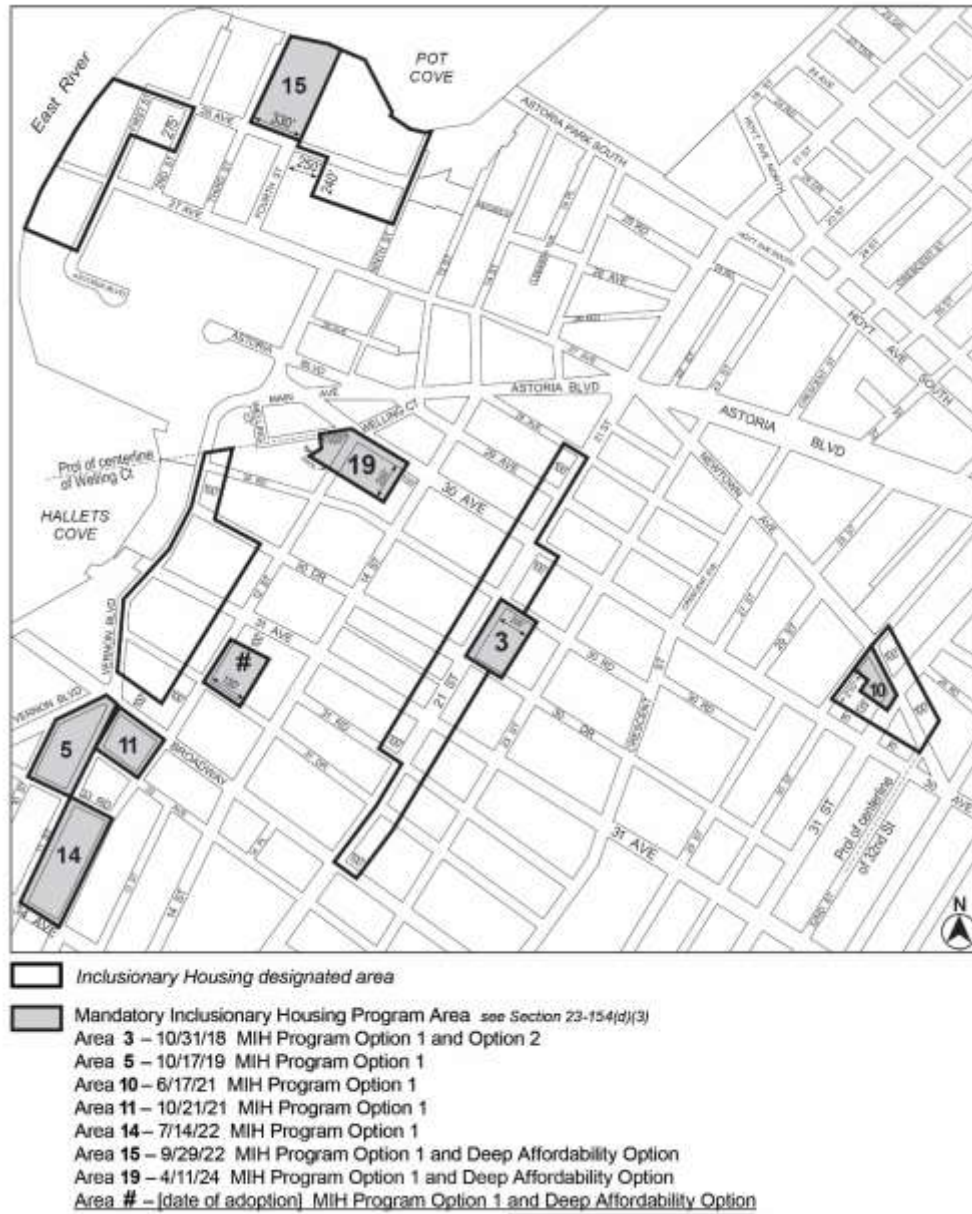
* * *

Map 1 – [date of adoption]

This map of Astoria, Oregon, displays several numbered parcels. The parcels are shaded in gray and labeled with numbers: 3, 5, 10, 11, 14, 15, and 19. The map shows a grid of streets, including East River, Pot Cove, Hallets Cove, and various numbered streets. A north arrow is located in the bottom right corner.

-  *Inclusionary Housing designated area*
-  **Mandatory Inclusionary Housing Program Area** *see Section 23-154(d)(3)*
- Area 3 – 10/31/18 MIH Program Option 1 and Option 2
- Area 5 – 10/17/19 MIH Program Option 1
- Area 10 – 6/17/21 MIH Program Option 1
- Area 11 – 10/21/21 MIH Program Option 1
- Area 14 – 7/14/22 MIH Program Option 1
- Area 15 – 9/29/22 MIH Program Option 1 and Deep Affordability Option
- Area 19 – 4/11/24 MIH Program Option 1 and Deep Affordability Option

[PROPOSED MAP]



Portion of Community District 1, Queens

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

Report for L.U. No. 140 & Res. No. 620

Report of the Committee on Land Use in favor of approving, as modified, Application number C 230354 ZMK (250 86th Street Rezoning) submitted by Dr. Helen Kim, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22b, changing from an R3-2 District to an R6B District, Borough of Brooklyn, Community District 10, Council District 47.

The Committee on Land Use, to which the annexed Land Use item was referred on August 15, 2024 (Minutes, page 3000) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on September 26, 2024 (Minutes, page 3182) , respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 10

C 230354 ZMK

City Planning Commission decision approving an application submitted by Dr. Helen Kim, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22b, changing from an R3-2 District to an R6B District property bounded by 86th Street, a line 100 feet westerly of 3rd Avenue, a line midway between 86th Street and 87th Street, and a line 400 feet westerly of 3rd Avenue.

INTENT

To approve the amendment to rezone the project area from an R3-2 district to an R6B zoning district to facilitate a community facility use within the basement and first floor of an existing two-story mixed use residential building at 250 86th Street (Block 6043, Lot 27) in Bay Ridge neighborhood of Brooklyn, Community District 10, Brooklyn.

PUBLIC HEARING

DATE: August 27, 2024

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: September 17, 2024

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

In Favor:

Riley
Moya
Abreu
Hanks
Salaam
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: September 19, 2024

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca
Moya
Riley
Brooks-Powers
Abreu
Farias
Hanks
Hudson
Sanchez
Borelli

Against:

None

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSIONS

The City Planning Commission filed a letter dated _____, 2024, with the Council on _____, 2024, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 620

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 230354 ZMK, a Zoning Map amendment (L.U. No. 140).

By Council Members Salamanca and Riley.

WHEREAS, Dr. Helen Kim, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22b, changing from an R3-2 District to an R6B District, which in conjunction with the related action would facilitate a community facility use within the basement and first floor of an existing two-story mixed use residential building at 250 86th Street (Block 6043, Lot 27) in Bay Ridge neighborhood of Brooklyn, Community District 10 (ULURP No. C 230354 ZMK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on August 9, 2024 its decision dated July 24, 2024 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 230355 ZRK (L.U. No. 141), a zoning text amendment to Appendix F of the Zoning Resolution to map a new Mandatory Inclusionary Housing (MIH) area;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on August 27, 2024;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued March 29th, 2024 (CEQR No. 23DCP110K) (the “Negative Declaration”).

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 230354 ZMK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission, with the following modifications.

Matter ~~double struck out~~ is old, deleted by the City Council;
Matter double-underlined is new, added by the City Council

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 22b:

1. Changing from an R3-2 District to an ~~R6B~~ R5D District property bounded by 86th Street, a line 100 feet westerly of 3rd Avenue, a line midway between 86th Street and 87th Street, and a line ~~400~~ 300 feet westerly of 3rd Avenue, as shown on a diagram (for illustrative purposes only) dated April 1, 2024.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, AMANDA C. FARÍAS, CRYSTAL HUDSON, PIERINA A. SANCHEZ, JOSEPH C. BORELLI; 10-0-0; *Absent*: Kamillah M. Hanks; Committee on Land Use, October 9, 2024.

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

Resolution approving various persons Commissioners of Deeds

By the Presiding Officer –

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

<i>Approved New Applicants</i>		
<i>Name</i>	<i>Address</i>	<i>District #</i>
KARL BELZ III	45-29 172 ND St. Flushing, New York 11358	19
ALLA ILYABAYEVA	112-38 72 nd Ave Queens, New York 11375	29
CHRISTINA SHANIYA HILL	2042 Seagirt Blvd # 4G Far Rockaway, New York 11691	31
BARBARA PENA	84-23 103 rd Ave #3E Queens, New York 11417	32
KARINA GENIS	1396 Bushwick Ave 2 nd Fl Brooklyn, New York 11207	37
DENISE STEPHANIE ALARCON	684 Drew St. Brooklyn, New York 11208	42
ALINA PEDORENKO	25 Bay 8 th St Brooklyn, New York 11228	50

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

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

- | | |
|---|--|
| (1) Int. No. 801-A - | Agency to provide an explanation of a denial of approval of a subcontractor. |
| (2) Int. No. 802-A - | Guidelines for insurance requirements for food procurement vendors. |
| (3) Int. No. 803-A - | Procurement Policy Board to promulgate rules relating to protests of procurement actions. |
| (4) Int. No. 891-A - | Maternal mortality and morbidity review committee. |
| (5) Int. No. 892-A - | Written lactation room accommodation policies. |
| (6) Int. No. 912-B - | Department of Health and Mental Hygiene to develop and distribute parenting resource materials to parents and guardians of newborn children. |
| (7) Int. No. 956-C - | Display of artwork on temporary protective structures on construction sites. |
| (8) Preconsidered
Res. No. 597 - | New designation and changes in the designation of certain organizations to receive funding in the Expense Budget (Transparency Resolution). |
| (9) L.U. No. 130 &
Res. No. 605 - | App. N 240409 HIK (Brooklyn Edison Building) , Borough of Brooklyn, Community District 2, Council District 33. |
| (10) L.U. No. 138 &
Res. No. 618 - | App. C 230022 ZMQ (31-17 12th Street Rezoning) , Borough of Queens, Community District 1, Council District 22. |
| (11) L.U. No. 139 &
Res. No. 619 - | App. N 230023 ZRQ (31-17 12th Street Rezoning) , Borough of Queens, Community District 1, Council District 22. |

- | | |
|--|--|
| (12) L.U. No. 140 & Res. No. 620 – | App. C 230354 ZMK (250 86th Street Rezoning), Borough of Brooklyn, Community District 10, Council District 47. |
| (13) L.U. No. 148 & Res. No. 606 – | App. N 250005 HIM (1 Wall Street Banking Room Interior), Borough of Manhattan, Community District 1, Council District 1. |
| (14) L.U. No. 153 & Res. No. 607 – | App. C 240244 ZSM (343 West 47th Street Demolition Special Permit), Borough of Manhattan, Community District 4, Council District 3. |
| (15) L.U. No. 158 & Res. No. 608 – | App. C 240328 ZMQ (South Jamaica Gateway Rezoning), Borough of Queens, Community District 12, Council Districts 27 and 28. |
| (16) L.U. No. 159 & Res. No. 609 – | App. N 240329 ZRQ (South Jamaica Gateway Rezoning), Borough of Queens, Community District 12, Council Districts 27 and 28. |
| (17) L.U. No. 160 & Res. No. 610 – | App. C 240330 HAQ (South Jamaica Gateway Rezoning), Borough of Queens, Community District 12, Council Districts 27 and 28. |
| (18) Preconsidered L.U. No. 173 & Res. No. 604 - | St. Elizabeth Manor, Staten Island, Community District No. 2, Council District No. 50. |
| (19) Preconsidered L.U. No. 174 & Res. No. 611 – | App. G 240058 XUK (MHANY Multifamily Preservation Loan Program (MPLP), Article XI Tax Exemption), Borough of Brooklyn, Community Districts 14, 17, and 18, Council Districts 40, 45, and 46. |
| (20) Preconsidered L.U. No. 175 & Res. No. 612 – | App. G 240064 NUK (MHANY Multifamily Preservation Loan Program (MPLP) Accelerated UDAAP), Borough of Brooklyn, Community Districts 14, 17, and 18, and Council Districts 40, 45, and 46. |

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| (21) Preconsidered
L.U. No. 176 &
Res. No. 613 – | App. G 240059 XAK (Coney Island
Phase III, Article XI Tax
Exemption), Community District
13, Council District 47. |
| (22) Preconsidered
L.U. No. 177 &
Res. No. 614 – | App. G 240060 XAK (Coney Island
Phase III, Article XI Disposition),
Borough of Brooklyn, Community
District 13, Council District 47. |
| (23) Preconsidered
L.U. No. 178 &
Res. No. 615 – | App. G 240061 XAK (South
Bushwick Neighborhood Homes
(SBNH), Tax Exemption), Borough
of Brooklyn, Community District 4,
Council Districts 34 and 37. |
| (24) Preconsidered
L.U. No. 179 &
Res. No. 616 – | App. G 240062 XUK (South
Bushwick Neighborhood Homes II
(SBNH), Accelerated UDAAP),
Borough of Brooklyn, Community
District 4, Council Districts 34 and
37. |
| (25) Preconsidered
L.U. No. 180 &
Res. No. 617 – | App. G 240063 XUK (South
Bushwick Neighborhood Homes
III (SBNH), Accelerated UDAAP),
Community District 4, Council
District 37. |
| (26) Resolution approving various persons Commissioners of Deeds. | |

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

Affirmative – Abreu, Ariola, Avilés, Ayala, Banks, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marmorato, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Powers, Restler, Riley, Rivera, Salaam, Salamanca, Sanchez, Schulman, Stevens, Ung, Vernikov, Williams, Won, Yeger, Zhuang, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Farías) and the Speaker (Council Member Adams) - 50.

The General Order vote recorded for this Stated Meeting was 50-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **Int. No. 956-C**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Banks, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marmorato, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Powers, Restler, Riley, Rivera, Salaam, Salamanca, Sanchez, Schulman, Stevens, Ung, Vernikov, Williams, Won, Zhuang, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Farías) and the Speaker (Council Member Adams) - **49**.

Negative – Yeger - **1**.

*The following Introductions were sent to the Mayor for his consideration and approval:
Int. Nos. 801-A, 802-A, 803-A, 891-A, 892-A, 912-B, and 956-C.*

RESOLUTIONS
presented for voice-vote

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

Report for voice-vote item Res. No. 133-A

Report of the Committee on Women and Gender Equity in favor of approving, as amended, a Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation to increase Medicaid reimbursement to cover eight pre- and post-natal visits, as well as delivery support by doulas.

The Committee on Women and Gender Equity, to which the annexed amended resolution was referred on February 28, 2024 (Minutes, page 476), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 891-A printed in the Reports of the Standing Committee section of these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 133-A:)

Proposed Res. No. 133-A

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation to increase Medicaid reimbursement to cover eight pre- and post-natal visits, as well as delivery support by doulas.

By Council Members Menin, Yeger, Hanif, Hudson, Schulman, Ung, Narcisse, Brewer, Cabán, Won and Rivera.

Whereas, The World Health Organization defines maternal death as the death of a woman while pregnant or within 42 days of termination of pregnancy, irrespective of the duration and the site of the pregnancy, from any cause related to or aggravated by the pregnancy or its management, but not from accidental or incidental causes; and

Whereas, According to the National Center for Health Statistics at the Centers for Disease Control and Prevention (CDC), there were 1,205 maternal deaths in the United States (U.S.) in 2021, an increase from 861 maternal deaths in 2020 and 754 maternal deaths in 2019; and

Whereas, Per the CDC, the U.S. maternal mortality rate for 2021 was 32.9 deaths per 100,000 live births, a rise from 23.8 deaths per 100,000 live births in 2020 and 20.1 deaths per 100,000 live births in 2019; and

Whereas, The CDC's data also reveal that in 2021, the U.S. maternal mortality rate for non-Hispanic Black women was 69.9 deaths per 100,000 live births, which was 2.6 times the rate for non-Hispanic White women of 26.6 deaths per 100,000 live births and more than twice the overall national maternal mortality rate of 32.9 deaths per 100,000 live births during the same year; and

Whereas, According to an April 2022 report by the New York State Department of Health, there were 41 pregnancy-related deaths in New York State in 2018, denoting a maternal mortality rate of 18.2 deaths per 100,000 live births; and

Whereas, Per the same report by the New York State Department of Health, as of 2018, in New York State, Black, non-Hispanic women were five times more likely to die of pregnancy-related causes than White, non-Hispanic women; and

Whereas, Moreover, the New York State Department of Health also highlighted that in 46 percent of all pregnancy-related deaths in New York State in 2018, discrimination was identified as a probable or a definite circumstance surrounding the maternal death; and

Whereas, Furthermore, per the New York State Department of Health's 2022 report, as of 2018, in New York State, women who had a Cesarean delivery were 1.7 times more likely to die of pregnancy-related causes than women who delivered vaginally; and

Whereas, According to a January 2023 report by the New York City Department of Health and Mental Hygiene (NYC DOHMH), there were 57 pregnancy-related deaths in New York City in 2019, signifying a maternal mortality rate of 26.4 deaths per 100,000 live births; and

Whereas, Per the NYC DOHMH, between 2001 and 2019, the New York City pregnancy-related mortality rate for Black mothers was, on average, 9.2 times higher than for White mothers, due to structural racism and discrimination in combination with inequities in healthcare access and quality; and

Whereas, In a May 2022 report, the Kaiser Family Foundation, a non-profit health policy research organization, noted that one approach to addressing negative pregnancy outcomes and racial disparities in maternal morbidity and mortality is to provide access through Medicaid coverage to services by doulas; and

Whereas, A doula is a trained non-clinician who assists a pregnant person before, during, and/or after childbirth through physical and/or emotional support, labor coaching, advocacy in healthcare settings, and postpartum care; and

Whereas, Per the Kaiser Family Foundation, pregnant persons who receive doula support tend to have shorter labors, lower Cesarean section rates, fewer birth complications, are more likely to initiate breastfeeding, and their infants are less likely to be born with a low birth weight; and

Whereas, In testimony during a March 2023 hearing of the New York State Senate on Medicaid reimbursement and integration of doula services, the New York Coalition for Doula Access (NYCDA) stressed that implementing an equitable Medicaid reimbursement rate for doula services would exponentially increase access to doulas, help retain doulas in the profession, and improve health outcomes for families, as well as position New York State as a leader in addressing the maternal health crisis and as a safer and more equitable place to give birth; and

Whereas, As an equitable reimbursement, NYCDA recommended the reimbursement rate of \$1,930, which would cover up to eight pre- and post-natal visits at \$85 per visit, and labor and delivery support at the rate of \$1,250, as well as additional uncompensated doula care and expenses, including resource referrals, phone and text communications, transportation, and administrative costs incurred by the doula; and

Whereas, Effective June 10, 2024, a New York State Department of Health Non-Patient-Specific Standing Order for the Provision of Doula Services for New York State Medicaid Members, declared pregnant, birthing or postpartum persons eligible to receive doula services at no cost, for a period of up to twelve months after a pregnancy ends, regardless of the pregnancy outcome; and

Whereas, Such Standing Order shall remain in effect for one year but does not specify whether it will continue after such time; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, legislation to increase Medicaid reimbursement to cover eight pre- and post-natal visits, as well as delivery support by doulas.

FARAH N. LOUIS, *Chairperson*; KEVIN C. RILEY, TIFFANY L. CABAN, JENNIFER GUTIÉRREZ, INNA VERNIKOV; 5-0-0; Committee on Women and Gender Equity, October 10, 2024. *Other Council Members Attending: Council Member Menin.*

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res. No. 293-A

Report of the Committee on Women and Gender Equity in favor of approving, as amended, a Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.2898A/A.4017A, the Chisholm Chance Act, which would establish a plan to address the severe maternal morbidity crisis in Brooklyn and the Bronx.

The Committee on Women and Gender Equity, to which the annexed amended resolution was referred on March 19, 2024, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 891-A printed in the Reports of the Standing Committee section of these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 293-A:)

Proposed Res. No. 293-A

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.2898A/A.4017A, the Chisholm Chance Act, which would establish a plan to address the severe maternal morbidity crisis in Brooklyn and the Bronx.

By Council Members Stevens, Hanif, Riley, Nurse, Gutiérrez, Narcisse, De La Rosa, Farías, Salaam, Hudson, Williams, Cabán, Won and Rivera.

Whereas, The ability to protect the health of mothers, birthing people and babies in childbirth is a basic measure of a society's development; and

Whereas, Yet, more people in the United States (U.S.) die of pregnancy-related complications than in any other developed country; and

Whereas, While the number of reported pregnancy-related deaths has been declining in most of the world, compared to similar countries, the maternal mortality ratio (MMR) – the number of maternal deaths in a population that occur during a given year per 100,000 live births – has increased in the U.S.; and

Whereas, According to the Centers for Disease Control and Prevention (CDC), the MMR in the U.S. has more than doubled since 1987, from 7.2 deaths per 100,000 live births in 1987, to a peak of 18 in 2014, and dropping slightly to 17.3 deaths per 100,000 live births in 2017, the most recent year with reported data; and

Whereas, Data also show that this trend has worsened in recent years: from 2000 to 2014, the MMR in the U.S. increased by an estimated 26.6 percent; and

Whereas, Each year, about 700 American birthing people die from pregnancy-related complications, of which about three-in-five were preventable; and

Whereas, Severe maternal morbidity (SMM) – unexpected outcomes of labor and delivery that result in significant short- or long-term consequences to a birthing person's health – has also increased in recent years; in 2014, the most recent year with available data, more than 50,000 women in the U.S. were affected, per the CDC; and

Whereas, American Indian/Alaska Native and Black women in the U.S. are two to three times more likely to die from complications related to pregnancy than white women, per the CDC; and

Whereas, Such disparities also affect birth outcomes: data suggest Black infants are more than twice as likely to die as white infants; 11.3 per 1,000 Black babies, compared with 4.9 per 1,000 white babies; and

Whereas, Research points to race, rather than educational attainment or income level of the patient, as the cause of such discrepancies; and

Whereas, Indeed, a Black woman with an advanced degree is more likely to lose her baby than a white woman with less than an eighth-grade education; and

Whereas, In New York City (“NYC” or “City”), the MMR was 19.8 per 100,000 live births from 2017-2019, per the New York State (“State”) Department of Health (DOH); and

Whereas, Of the estimated 700 women who die from pregnancy or childbirth-related causes each year nationally, about 30 occur in NYC; and

Whereas, Moreover, statistics indicate that approximately 3,000 birthing people “almost die,” or experience morbidity, during childbirth in NYC; and

Whereas, According to a study in the American Journal of Obstetrics and Gynecology, in NYC, Black women are more likely than white women to give birth in hospitals that already have a high rate of severe maternal morbidity or complications; and

Whereas, Only 23 percent of Black patients gave birth in the safest hospitals, compared to 63 percent of white patients; and

Whereas, Recent citywide data suggest Black mothers in NYC are 8-to-12 times more likely to die from pregnancy-related causes than white mothers; and

Whereas, Brooklyn and the Bronx in particular carry a disproportionate burden of maternal and infant mortality rates: in 2018, residents of Brooklyn had the highest number of both pregnancy-associated and pregnancy-related deaths (14 and 10), followed by the Bronx (10 and 5); and

Whereas, The Chisholm Chance Act (S.2898A/A.4017A), sponsored by State Senator Zellnor Myrie and State Assembly Member Chantel Jackson respectively, would direct DOH to develop, establish, and administer a community-led and operated administrative hubs in Brooklyn and the Bronx; and

Whereas, The hubs would contract community health workers to identify and address standardized health risks via shared metrics or standardized pathways that have demonstrated an impact on the social determinants of health; and

Whereas, In turn, each hub would coordinate participating community-based organizations and community health workers to address gaps in the systems of care for the highest need birthing people and children in their borough; and

Whereas, The City has demonstrated a commitment to addressing the high rates of maternal mortality and morbidity over the past couple of decades; and

Whereas, This includes, but is not limited to, (1) the passage of MMR reporting laws (Local Law 55 of 2017 and Local Law 188 of 2018); (2) the establishment of the NYC Department of Health and Mental Health’s (DOHMH) Maternal Mortality and Morbidity Committee in 2017; (3) a partnership between DOHMH and the Fund for Public Health in New York City to implement SMM projects; and (4) a partnership between DOHMH, NYC Health + Hospitals and the Mayor’s Office to implement a comprehensive maternal care program in 2018; and

Whereas, The City Council has also held hearings about or related to maternal health outcomes, including MMR and SMM, in June 2018, September 2019, January 2020 and December 2020; and

Whereas, Additionally, the City Council also has a long history of using discretionary funding towards reducing maternal morbidity; and

Whereas, This includes the Infant Mortality Reduction Initiative, totaling \$2.5 million in Fiscal Year (FY) 2002, and the Healthy Women, Healthy Future program initiative, totaling \$300,000 in FY2016; beginning in FY2017, the two initiatives were grouped together into the Maternal and Child Health Services Initiative; and

Whereas, In FY2021, the City Council designated \$1.9 million to the Maternal and Child Health Services Initiative, which supports 19 organizations across the five boroughs and reached more than 5,408 individuals in FY2020; and

Whereas, Beginning in FY2017, the City Council funded the Nurse Family Partnership Initiative for \$2 million, then advocated for expanded funding in FY2019 for a total budget of \$14 million; and

Whereas, The significant racial and ethnic disparities in maternal morbidity and mortality are borne out of discrimination and systemic racism that disproportionately impacts Black women; and

Whereas, In fact, today’s racial disparity is greater than in it was in 1850, 15 years before slavery was abolished in the U.S.; and

Whereas, The Chisholm Chance Act would establish a plan to address the SMM crisis with community-based partners in the highest impacted areas of the State; now, therefore be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, S.2898A/A.4017A, the Chisholm Chance Act, which would establish a plan to address the severe maternal morbidity crisis in Brooklyn and the Bronx.

FARAH N. LOUIS, *Chairperson*; KEVIN C. RILEY, TIFFANY L. CABAN, JENNIFER GUTIÉRREZ, INNA VERNIKOV; 5-0-0; Committee on Women and Gender Equity, October 10, 2024. *Other Council Members Attending: Council Member Menin.*

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

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Res. No. 596

Resolution designating March 14 annually as Innocent 11 Remembrance Day in the City of New York in honor of those who were murdered by an anti-Italian mob in New Orleans in 1891.

By Council Members Ariola, Paladino, Holden, Borelli, Marmorato and Carr.

Whereas, Between 1880 and 1930, more than 2,500 people were lynched at the hands of bigoted vigilante mobs in the South in the United States (U.S.), with most of those victims being Black men, but with some being Italian, Chinese, or Jewish; and

Whereas, Journalist G.L. Godkin noted in 1893 that “seven-eighths of every lynching [party] is composed of pure, sporting mob, which goes...for the gratification of the lowest and most degraded instincts of humanity”; and

Whereas, The lynching of 11 members of the Italian-American and Italian immigrant community in New Orleans on March 14, 1891, resulted from the murder of Police Chief David Hennessy, who, as he lay dying, whispered an anti-Italian slur indicating that those of Italian heritage had shot him; and

Whereas, At the time of the murder, New Orleans was home to many Italian Americans and Italian immigrants—more than any other Southern state—who had been coming to New Orleans for almost a century; and

Whereas, In spite of their long history in New Orleans, many Italian Americans and Italian immigrants were discriminatorily viewed as suspicious and related to the Mafia, and their customs were looked down on by New Orleanians as foreign and dangerous; and

Whereas, After Hennessy’s murder, hundreds of presumably innocent Italian Americans and Italian immigrants were rounded up, and some were imprisoned and tried; and

Whereas, The trials of six imprisoned men ended in not guilty verdicts, and the trials of three more ended in mistrials, which led to angry public sentiment; and

Whereas, The *Daily States* newspaper wrote in response to the verdicts, “Rise, people of New Orleans...[a]lien hands of oath-bound assassins have set the blot of a martyr’s blood upon your vaunted civilization”; and

Whereas, After a rally of thousands of New Orleanians protested the verdicts, a group of armed men broke into the prison and pulled out those who had been tried as well as others; and

Whereas, After hundreds of bullets were fired, the mutilated bodies of 11 Italian-American and Italian immigrant men were hanged or torn apart by the lynch mob; and

Whereas, The men who lost their lives on March 14, 1891, were Antonio Bagnetto (tried and acquitted), James Caruso (never tried), Loreto Comitès (never tried), Rocco Geraci (never tried), Joseph Macheca (tried and acquitted), Antonio Marchesi (tried and acquitted), Pietro Monasterio (mistrial), Emmanuele Polizi (mistrial), Frank Romero (never tried), Antonio Scaffidi (mistrial), and Charles Traina (never tried); and

Whereas, Two days after the lynch mob acted, *The New York Times* wrote that “[t]hese sneaking and cowardly Sicilians, the descendants of bandits and assassins, who have transported to this country the lawless passions, the cut-throat practices, and the oath-bound societies of their native country, are to us a pest without mitigation” and that “[t]hese men of the Mafia killed Chief Hennessy in circumstances of peculiar atrocity”; and

Whereas, *The New York Times* further noted that “[l]ynch law was the only course open to the people of New Orleans to stay the issue of a new license to the Mafia to continue its bloody practices”; and

Whereas, The lynch mob, which was made up of well-known New Orleanians, including future mayors and governors, was not punished after a grand jury declared that none of the members of the mob could be identified; and

Whereas, While the true identities of Hennessy’s assassins were never established, an unproved Mafia connection led to anti-Italian sentiment for a very long time; and

Whereas, The lynching of those who came to be known as the “Innocent 11” caused a rift in U.S.-Italian diplomatic relations; and

Whereas, The following year, U.S. President Benjamin Harrison held the first U.S. Columbus Day celebration to help smooth relations between the two countries; and

Whereas, The Columbus Circle monument in New York City (NYC) was erected that same year in a gesture of good will to the Italian-American community, which helped make amends for the discrimination Italian Americans and Italian immigrants had faced; and

Whereas, There are currently hundreds of thousands of New Yorkers of Italian heritage who are living in NYC’s five boroughs and contributing to all facets of NYC’s economic, cultural, civic, and political life; and

Whereas, The story of the Innocent 11 serves as a sorrowful and important reminder of the baseless violence and injustice that have come from racism, religious intolerance, and xenophobia in many times and places in American history; now, therefore, be it

Resolved, That the Council of the City of New York designates March 14 annually as Innocent 11 Remembrance Day in the City of New York in honor of those who were murdered by an anti-Italian mob in New Orleans in 1891.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Preconsidered Int. No. 1070

By Council Members Ayala and Rivera

A Local Law to amend the administrative code of the city of New York, in relation to expanding reporting on domestic violence shelter exits

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 21-141 of the administrative code of the city of New York, as added by local law number 83 for the year 2018, is amended to read as follows:

b. [Not later than] By March [1] 30, 20[19]25, and [on or before March 1 annually] *monthly* thereafter, the department shall submit to the speaker of the council and post on its website [annual] reports regarding exits from domestic violence emergency shelters *and domestic violence tier II shelters for the preceding calendar month*. Such reports shall include, but not be limited to, the total number of individuals and the total number of families who exited *either* a domestic violence emergency shelter *or a domestic violence tier II shelter* during the preceding calendar [year] *month*, disaggregated by the type of housing such individuals and families residing in upon their exit. Such housing types shall include, but not be limited to, the following: (i) a New York city housing authority apartment; (ii) an apartment with a rental subsidy, disaggregated by the type of such subsidy; (iii) a private apartment with no rental subsidy; (iv) supportive housing; (v) shelter operated by or under contract or similar agreement with the department of homeless services; (viii) shelter operated by or under contract or similar agreement with the department, disaggregated by type, where practicable; (ix) made own arrangements or (iix) unknown or unable to validate.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare (preconsidered but laid over by the Committee on General Welfare).

Preconsidered Int. No. 1071

By Council Members Ayala and Rivera.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on demand for domestic violence emergency and tier II shelters

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 3-119.7 of the administrative code of the city of New York, as added by local law 79 for the year 2022 and redesignated by local law 103 for the year 2023, is amended to read as follows:

c. Application and entrance data. [Commencing on November 1, 2011] *Beginning January 1, 2025*, and no later than the first day of each month thereafter, the mayor's office of operations shall for each month, calendar year and fiscal year post on the same location on its website as the data posted pursuant to subdivision b of this section, the following data for those seeking admission and entrance to DHS-administered shelter facilities, provided that any information listed in this subdivision that was not required to be included in reports commencing on November 1, 2011, shall be included in reports commencing on July 1, 2023:

1. the total number of:
 - (a) applications;
 - (b) unduplicated applicants;
 - (c) applicants found eligible for shelter;
 - (d) entrants to DHS-administered facilities; and
 - (e) unduplicated entrants to DHS-administered facilities. The data required by subparagraphs (a), (b), (c), (d) and (e) of this paragraph shall be disaggregated by families with children, adult families, total families, single men, single women, anyone of another gender, and total single adults;
2. the number of families with children found eligible for city-administered facilities;
3. the percentage of eligible families with children who submitted one application;
4. the percentage of eligible families with children who submitted two applications;
5. the percentage of eligible families with children who submitted three applications;
6. the percentage of eligible families with children who submitted four applications;
7. the percentage of eligible families with children who submitted five applications;
8. the percentage of eligible families with children who submitted six applications or more;
9. the number of adult families found eligible for city-administered facilities;
10. the percentage of eligible adult families who submitted one application;
11. the percentage of eligible adult families who submitted two applications;
12. the percentage of eligible adult families who submitted three applications;
13. the percentage of eligible adult families who submitted four applications;
14. the percentage of eligible adult families who submitted five applications; [and]
15. the percentage of eligible adult families who submitted six applications or more[.];
16. *the number of applications for HRA domestic violence shelters, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults; and*
17. *the number of applications for HRA domestic violence Tier II/transitional shelters, disaggregated by families with children, adult families, total families, total adults in families, and total children.*

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare (preconsidered but laid over by the Committee on General Welfare).

Int. No. 1072

By Council Member Brannan.

A Local Law to amend the New York city charter, in relation to press access in city hall

Be it enacted by the Council as follows:

Section 1. The introductory chapter of the New York city charter is amended by adding a new section 2-a to read as follows:

§ 2-a. *Press access in city hall. a. Definitions. For purposes of this section, the following terms have the following meanings:*

City hall. The term “city hall” means the building that opened in 1812 and serves as the seat of the government of the city, located in the park bounded by Broadway, Park row, Centre street, and Chambers street.

Press. The term “press” means persons who gather and publish or broadcast news, regardless of the medium used therefor.

b. Press room. 1. There shall be a press room located within city hall, designated for the press to use in gathering and reporting on news concerning city affairs, and other related activities in connection therewith.

2. The press room shall be located in the east wing of the first floor of city hall in the room that is commonly known as room 9 and that functioned as the press room of city hall on June 30, 2024.

3. Adequate space in the press room shall be reserved for use by members of the press.

4. No changes in press access to the press room shall be valid unless made with the joint approval of the mayor and the speaker of the council.

c. Supplementary space for press. Additional space in city hall may be designated for use by members of the press as needed to support press coverage of city affairs. Such additional space shall be designated as a supplement to, and not in lieu of, the press room.

d. Rulemaking. The commissioner of citywide administrative services may promulgate rules regarding the care and maintenance of the press room and other areas in city hall designated for press use.

§ 2. This local law takes effect immediately and is retroactive to, and deemed to have been in full force and effect on, June 30, 2024.

Referred to the Committee on Governmental Operations, State & Federal Legislation.

Preconsidered Res. No. 597

Resolution approving the new designations and changes in the designation of certain organizations to receive funding in the Expense Budget

By Council Member Brannan.

Whereas, On June 30, 2024, the Council of the City of New York (the “City Council”) adopted the expense budget for Fiscal Year 2025 with various programs and initiatives (the “Fiscal 2025 Expense Budget”); and

Whereas, On June 30, 2023, the Council of the City of New York (the “City Council”) adopted the expense budget for Fiscal Year 2024 with various programs and initiatives (the “Fiscal 2024 Expense Budget”); and

Whereas, On June 13, 2022, the Council of the City of New York (the “City Council”) adopted the expense budget for Fiscal Year 2023 with various programs and initiatives (the “Fiscal 2023 Expense Budget”); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2025, Fiscal 2024, and Fiscal 2023 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, youth, anti-poverty, community safety and victim services, and Speaker’s initiative discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2025 and Fiscal 2024 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local funding, and Speaker's initiative discretionary funding, and funding pursuant to a certain initiative; now, therefore, be it

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2025 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving anti-poverty discretionary funding in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving community safety and victim services discretionary funding in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designations and change in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designations and change in the designation of certain organizations receiving funding pursuant to the Support Our Older Adults Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Guaranteed Income Pilot Program Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Maternal and Child Health Services Initiative in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2023 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council amends the Purpose of Funds for certain organizations receiving funding in accordance with the Fiscal 2025 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council amends the Purpose of Funds for certain organizations receiving funding in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 25.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 597 of 2024 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov>).

Int. No. 1073

By Council Members Cabán, Abreu and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to requiring bird friendly materials in certain existing buildings

Be it enacted by the Council as follows:

Section 1. Exception 20 of section 28-101.4.3 of the administrative code of the city of New York, as added by local law 15 for the year 2020, is amended to read as follows:

20. Where the alteration of a building includes the replacement of [all] *any* exterior glazing, [such alteration] *the replacement exterior glazing* shall comply with section 1403.8 of the New York city building code.

§ 2. Article 315 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-315.13 to read as follows:

§ 28-315.13 Bird friendly materials. *By January 1, 2030, existing buildings whose main use or dominant occupancy is classified in group B, M, or R pursuant to the New York city building code shall comply with Section 1403.8 of the New York city building code.*

Exception: *Detached one- and two-family dwellings are not required to comply with this section.*

§ 3. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Res. No. 598

Resolution calling on New York City health care institutions to contract with industrial laundry companies that respect workers' legal rights and adhere to area standards for wages and benefits.

By Council Members De La Rosa, Hanif and Cabán.

Whereas, There are 45 industrial laundry companies in the New York City metropolitan area that employ nearly 3,000 workers, according to the Bureau of Labor Statistics; and

Whereas, Industrial laundry workers are primarily immigrant women workers, according to a 2018 report published by CLEAN NYC; and

Whereas, New York's industrial laundry workers have organized and bargained for decades to establish and maintain area standards for their workplaces, including quality health insurance for all employees, which they rely on to sustain themselves and their families; and

Whereas, Despite these efforts, some industrial laundry companies flout area standards and repeatedly violate state and federal health, safety and labor laws; and

Whereas, The Laundry, Distribution & Food Service Joint Board, affiliated with Workers United, SEIU, the labor union that represents workers at FDR Services Corp., reports that the company has refused to enter into a collective bargaining agreement that matches area standards for its workers since their last contract expired in 2017; and

Whereas, While servicing New York City hospitals and nursing homes, including Richmond University Medical Center in Staten Island, FDR Services Corp. has repeatedly violated federal and state health, safety and labor laws; and

Whereas, FDR Services Corp was fined by the Occupational Safety and Health Administration in 2019 for five serious safety violations that could have resulted in death or serious harm; and

Whereas, In 2021, FDR Services Corp. reached a settlement with the New York State Attorney General's Office including \$400,000 in backpay for ten workers who were unlawfully fired and denied paid sick leave when they were ill with COVID-19; and

Whereas, The National Labor Relations Board issued complaints against FDR Services Corp. for alleged labor law violations in 2018, 2019, 2020 and 2022; and

Whereas, In April 2023 more than two dozen elected officials wrote a letter to FDR Services Corp. calling on the company to reach agreement on a fair contract and the company has not done so; and

Whereas, New Yorkers deserve to have safe workplaces and their right to bargain collectively respected by their employers; and

Whereas, Most industrial laundry operators serving health care institutions in the New York City adhere to area standards; and

Whereas, Most hospitals and nursing homes in New York City have chosen to use responsible laundry contractors that follow the law and adhere to area workplace standards; and

Whereas, Valuable health care dollars should not be sent to repeat lawbreakers such as FDR Services Corp.; now, therefore, be it,

Resolved, That the Council of the City of New York calls on New York City health care institutions to contract with industrial laundry companies that respect workers' legal rights and adhere to area standards for wages and benefits.

Referred to the Committee on Civil Service and Labor.

Int. No. 1074

By Council Member Farías.

A Local Law to amend the administrative code of the city of New York, in relation to limited hoist machine operator license requirements for rotating telehandlers

Be it enacted by the Council as follows:

Section 1. Section 28-405.3.4 of article 405 of chapter 4 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-405.3.4.1 to read as follows:

§ 28-405.3.4.1 Limited licenses for rotating telehandlers. *Any limited license requirements to operate a rotating telehandler established by the commissioner via rule shall not take effect prior to November 7, 2025.*

§ 2. This local law takes effect immediately, and shall be deemed to have been in force and effect on and after November 7, 2024.

Referred to the Committee on Housing and Buildings.

Int. No. 1075

By Council Members Farías and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to requiring borough presidents to provide trainings on legislative processes and rules of parliamentary procedure to local entities

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-511 to read as follows:

§ 3-511 Provision of legislative process and parliamentary procedure training. *a. Definitions. As used in this section, the following terms have the following meanings:*

Community district education council. The term “community district education council” means a community district education council established pursuant to section 2590-c of the education law.

Precinct community council. The term “precinct community council” means a group of individuals organized through the police department that works on the enhancement of relations between the police and the community in each police precinct.

b. Each borough president, in coordination with the civic engagement commission, shall provide on an annual basis training on the legislative processes of the council and the state legislature and on rules of parliamentary procedure, including but not limited to the rules set forth in the most recent edition of Robert’s Rules of Order, to members and district managers of community boards within their respective borough.

c. Each borough president, in coordination with the civic engagement commission, shall make such trainings available to members of precinct community councils and members of community district education councils within their respective borough and to the boards of directors of district management associations for business improvement districts within their respective borough.

§ 2. This local law takes effect immediately.

Referred to the Committee on Governmental Operations, State & Federal Legislation.

Int. No. 1076

By Council Members Hanif, Won, Cabán, Menin, Hanks, Salaam, Restler, Avilés, Farías, Feliz and Ossé.

A Local Law to amend the administrative code of the city of New York in relation to requiring the inclusion of businesses owned by persons of Middle Eastern and North African descent in future disparity studies

Be it enacted by the Council as follows:

Section 1. Paragraph 26 of subdivision (c) of section 6-129 of the administrative code of the city of New York is amended to read as follows:

(26) “Minority group” means Black Americans, Asian Americans, Hispanic Americans, [and] Native Americans, *and Middle Eastern and North African Americans*, provided that the commissioner shall be authorized to add additional groups to this definition upon a finding that there is statistically significant disparity between the availability of firms owned by individuals in such a group and the utilization of such firms in city procurement. *For the purposes of this paragraph, the term “Middle Eastern and North African Americans” means American persons having origins in any of the original peoples of the Middle East or North Africa.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Contracts.

Int. No. 1077

By Council Members Joseph, Brewer, Ossé, Riley, Cabán and Schulman.

A Local Law to amend the administrative code of the city of New York, in relation to the provision of luggage to foster care youth

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-925 to read as follows:

§ 21-925 Luggage for foster care youth. *a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Demographic information. The term “demographic information” means race or ethnicity, gender, community district, primary language, and any other category ACS deems relevant.

Luggage. The term “luggage” means a suitcase, duffel bag, backpack, or similar reusable container that is designed to hold an individual’s personal belongings and is not a disposable bag or trash bag.

b. ACS shall provide luggage to foster care youth who are: (1) entering foster care; (2) moving from one foster care placement to another; or (3) exiting foster care. Such luggage shall be provided in place of disposable bags.

c. No later than December 1 of each year, ACS shall submit a report to the mayor and the speaker of the council a report regarding the provision of luggage to foster care youth. Such report shall include, but need not be limited to, the following information:

1. The total number of foster care youth given luggage, in total and disaggregated by demographic information;

2. To the extent there are foster care youth utilizing disposable bags to transport their belongings, the number of such foster care youth utilizing such disposable bags, in total and disaggregated by demographic information, and the reason they are utilizing such disposable bag; and

3. The supply, cost, and inventory management procedures for ACS’s luggage supply.

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

Referred to the Committee on Children and Youth.

Int. No. 1078

By Council Member Lee.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale of certain gift cards that lack chip-and-PIN technology

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 15 to read as follows:

**SUBCHAPTER 15
GIFT CARDS**

§ 20-699.12 *Sale of gift cards. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Chip-and-PIN technology. The term “chip-and-PIN technology” means technology involving an embedded microchip that holds payment information and is used to make a purchase, and that requires a personal identification number to be entered for a purchase to be complete.

Gift card. The term “gift card” means a physical payment card that (i) is marketed or labeled as intended for gifting purposes; (ii) is usable at multiple affiliated merchants or service providers that share the same name, mark, or logo, at multiple unaffiliated merchants or service providers, or at automated teller machines; (iii) is issued in a specified amount; (iv) may or may not be increased in value or reloaded; (v) is purchased on a prepaid basis for the future purchase of goods or services, or for use at automated teller machines; and (vi) is honored by any such merchant or service provider upon presentation for the purchase of goods or services, or honored at automated teller machines.

Stock-keeping unit. The term “stock-keeping unit” means each group of items offered for sale of the same brand name, quantity of contents, retail price, and variety.

b. No person shall sell, or offer for sale, a gift card unless it is equipped with chip-and-PIN technology.

c. Any person who violates subdivision b of this section or any rule promulgated thereunder is liable for a civil penalty of not less than \$500 nor more than \$1,000 that is recoverable in a proceeding before the office of administrative trials and hearings pursuant to chapter 45-A of the charter.

d. Each failure to comply with subdivision b of this section or any rule promulgated thereunder with respect to any one stock-keeping unit constitutes a separate violation.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of consumer and worker protection shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.PS

Referred to the Committee on Consumer and Worker Protection.

Int. No. 1079

By Council Member Louis.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to timely retrieve stored sexual offense evidence collection kits

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-198 to read as follows:

§ 14-198 Retrieval of stored sexual offense evidence collection kits. a. Definitions. As used in this section, the following terms have the following meanings:

Sexual offense evidence collection kit. The term “sexual offense evidence collection kit” means human biological specimens and other evidence, including clothing and bedding, collected from the survivor of an alleged sexual offense by a healthcare provider during a forensic medical examination.

Stored sexual offense evidence collection kit. The term “stored sexual evidence collection kit” means a sexual offense evidence collection kit in the custody of a hospital or long-term storage facility, pursuant to section 2805-i of the public health law.

Survivor. The term “survivor” means an individual who is the alleged victim of a sexual offense from whom a sexual offense collection evidence kit was collected by a healthcare provider during a forensic medical examination.

b. Retrieval timeframe. When a survivor consents to the release of a stored sexual evidence collection kit to the department, the commissioner shall ensure that such kit is retrieved from its storage location and delivered to an appropriate forensic laboratory for assessment no later than 7 days after such consent.

c. Reporting. 1. The commissioner shall submit to the mayor and the speaker of the council, and post to the department’s website, a report in a machine readable format on the retrieval of stored sexual offense evidence collection kits. Such report is due annually on February 1 and shall report information for the preceding calendar year. Such report shall include a table in which each row uses a unique identifier to reference each stored sexual evidence collection kit that a survivor consented be released to the department. Each row shall include the following information, as well as any additional information the commissioner deems appropriate, set forth in separate columns:

(a) The date the survivor consented to the stored sexual evidence collection kit’s release to the department;

(b) The date the department retrieved such kit;

(c) Whether the department retrieved such kit from a hospital or a long-term storage facility; and

(d) The date the department delivered such kit to an appropriate forensic laboratory.

2. The report required by paragraph 1 of this subdivision shall not include any personal identifying information.

3. No information required by this section to be reported shall be reported in a manner that would interfere with law enforcement investigations or otherwise conflict with the interest of law enforcement.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 1080

By Council Members Louis, Cabán, and Menin.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the integration of mental health professionals into public service answering points

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-187 to read as follows:

§ 10-187 Integration of mental health professionals into public service answering points. a. Definitions. For purposes of this section, the following terms have the following meanings:

Mental health professional. The term “mental health professional” means an individual licensed to provide mental health services in the state of New York, including but not limited to a licensed master social worker, a

licensed clinical social worker, a licensed mental health counselor, a licensed marriage and family therapist, a psychiatric-mental health registered nurse or advanced practice nurse, a psychiatrist, and a psychologist.

Police communications technician. The term “police communications technician” means an employee of the police department staffed at a public service answering point to take 911 calls.

Public service answering point. The term “public service answering point” has the same meaning as set forth in subdivision 6 of section 301 of the county law.

b. No later than 180 days after the effective date of the local law that added this section, the police commissioner shall establish a program to integrate mental health professionals into public service answering points. This program shall involve, at a minimum:

- 1. Staffing mental health professionals at each public service answering point in the city;*
- 2. The provision of standardized and ongoing training to such mental health professionals and police communications technicians that:*

(a) Is informed by the experiences of such mental health professionals; and
(b) Focuses on identifying 911 callers experiencing mental health crises and determining the appropriate response;

3. Such mental health professionals providing real-time support and feedback to police communications technicians during each 911 call; and

4. Such mental health professionals providing real-time emotional support and guidance to each 911 caller experiencing a mental health crisis.

§ 2. No later than 2 years after the effective date of this local law, the police commissioner shall submit to the mayor and the speaker of the council, and post on the police department’s website, a report on the program established under section 10-187 of the administrative code of the city of New York. This report shall include, but need not be limited to, the following information:

- 1. The number of mental health professionals providing services through such program, disaggregated by the types of such mental health professionals;*
- 2. The number of 911 calls involving mental health crises that were handled with the assistance of such mental health professionals, disaggregated by calls that were resolved internally, calls that were diverted to non-law enforcement responders, and calls that were handled in another manner; and*
- 3. Any challenges encountered during the implementation of such program.*

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

Referred to the Committee on Public Safety.

Res. No. 599

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.8573/A.8624-A, in relation to the practice of natural hair care and braiding.

By Council Member Louis.

Whereas, “Natural hair” is hair that has not been treated by chemicals or heat styling that may alter its natural curl patterns and typically refers to hair textures most commonly associated with Black people, according to the New York City Commission on Human Rights (CCHR); and

Whereas, Natural hair has specific and significant cultural meaning in Black communities and natural hairstyles such as cornrows, locs, twists, afros and bantu knots have connections to history, identity and religion, according to the CCHR; and

Whereas, Black adults, schoolchildren, and members of the military have long been discriminated against because of their natural hairstyles, according to the NAACP Legal Defense Fund; and

Whereas, In 2019, New York State enacted the CROWN Act, which prohibits discrimination based on natural hair style and texture; and

Whereas, The prevalence of natural hair styles is increasing, and 40 percent of Black women wear their hair in a natural style, according to market intelligence agency Mintel; and

Whereas, It is important to have qualified professionals who are educated, trained and licensed to care for diverse natural hair textures; and

Whereas, According to a survey commissioned by TRESemmé, 86 percent of Black women have had challenges finding consistent, quality haircare at salons; and

Whereas, New York State requires a Natural Hair Styling license for professional hair braiders and other hair styling professionals who perform services such as “arranging, dressing, twisting, wrapping, weaving, extending, locking or braiding the hair or beard by either hand or mechanical appliances;” and

Whereas, To obtain a Natural Hair Styling license in New York, applicants must be at least 17 years old, undergo a physical examination by a physician or nurse, provide a social security number or Federal ID number, and complete a 300-hour approved course of study and pass both written and practical exams or document that they have five years of professional natural hair styling experience; and

Whereas, A report published by African Communities Together and TakeRoot Justice found that New York’s Natural Hair Styling license was out of reach for many experienced African hair braiders in New York City due in part to the difficulty of obtaining the documentation required to waive the coursework requirement; and

Whereas, S.8573, introduced by Senator Lea Webb and pending in the New York State Senate, and its companion bill A.8624-A, introduced by Assembly Member J. Gary Pretlow and pending in the New York State Assembly, would make it easier for skilled stylists and those from diverse cultural backgrounds to apply for the license by streamlining the requirements for experienced braiders to document prior experience; and

Whereas, At the same time, S.8573/A.8624-A would expand the educational requirements for natural hair care and braiding specialists by adding modules on infection and bacteriology, alopecia and scalp disorders and diseases, salon health and safety protocols and the science of sanitary practices; and

Whereas, S.8573/A.8624-A would establish an apprenticeship program for trainees to learn from licensed natural hair styling professionals during their course of study; now, therefore, be it,

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.8573/A.8624-A, in relation to the practice of natural hair care and braiding.

Referred to the Committee on Women and Gender Equity.

Int. No. 1081

By Council Members Menin, Hanif and Cabán.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of consumer and worker protection to confirm receipt of complaints related to fair work practices and to notify the person or entity under investigation of the receipt of the complaint

Be it enacted by the Council as follows:

Section 1. Section 20-1207 of chapter 12 of title 20 of the administrative code of the city of New York, as amended by local law number 80 for the year 2020, is amended to read as follows:

§ 20-1207. Administrative enforcement; jurisdiction and complaint procedures.

a. Jurisdiction. The commissioner shall enforce the provisions of this chapter.

b. Complaints and investigations. 1. Any person, including any organization, alleging a violation of this chapter may file a complaint with the department within two years of the date the person knew or should have known of the alleged violation. *The department shall confirm receipt of the complaint to the complainant within 30 days after the department receives the complaint.*

2. Upon receiving such a complaint, the department shall investigate it. *The department shall notify the person or entity under investigation of the complaint within 90 days after the department receives the complaint.*

3. The department may open an investigation on its own initiative.

4. A person or entity under investigation shall, in accordance with applicable law, provide the department with information or evidence that the department requests pursuant to the investigation. If, as a result of an investigation of a complaint or an investigation conducted upon its own initiative, the department believes that a violation of this chapter has occurred, the department may attempt to resolve it through any action authorized by chapter 64 of the charter. Adjudicatory powers pursuant to this subchapter may be exercised by the commissioner or by the office of administrative trials and hearings pursuant to chapter 64 of the charter.

5. The department shall keep the identity of any complainant confidential unless disclosure is necessary to resolve the investigation or is otherwise required by law. The department shall, to the extent practicable, notify such complainant that the department will be disclosing the complainant's identity before such disclosure.

§ 2. This local law takes effect immediately.

Referred to the Committee on Consumer and Worker Protection.

Res. No. 600

Resolution calling on the United States Congress to pass and the President to sign a law to set minimum age to buy all firearms from licensed dealers or private individuals at 21.

By Council Members Menin, Bottcher, Feliz, Schulman and Nurse.

Whereas, Society recognizes that gun ownership comes with significant responsibility, and to exercise this responsibility effectively, an individual must possess a certain level of maturity; and

Whereas, Current federal law restricts licensed dealers from selling handguns to individuals under age 21 and long guns to those under age 18, but allows unlicensed individuals to sell handguns to those as young as 18; and

Whereas, Research shows that the prefrontal cortex, the brain's decision-making center, continues to develop until age 25, meaning individuals under 25 are more prone to impulsive decisions, which, when combined with easy access to firearms, can lead to catastrophic outcomes; and

Whereas, According to the RAND Corporation individuals under age 21 are disproportionately involved in firearm-related crimes and incidents, both as perpetrators and victims of firearm-related injuries and deaths, including suicides and homicides, compared to older age groups; and

Whereas, The presence of firearms in homes, along with perceived ease of access to firearms by youths, call into question the effectiveness of current federal minimum age gun laws; and

Whereas, Many states have implemented stricter minimum age requirements for firearm purchases and possession, yet gaps remain in federal law that allow for inconsistencies and potential exploitation, according to Everytown for Gun Safety; and

Whereas, Raising the minimum age for all firearm purchases to 21 aligns with evidence suggesting that this policy change could help reduce firearm-related injuries and deaths by restricting access to all firearms, including handguns and long guns; and

Whereas, The US Supreme Court, in *DC v. Heller (2008)*, affirmed that Second Amendment rights are not unlimited, allowing for reasonable restrictions on firearm access, including age limits, which are especially reasonable given the impulsiveness of those under 21; and

Whereas, Setting the minimum age for all firearm purchases at 21 at the federal level will address a critical gap in current gun laws, improve national public safety, and align with existing restrictions on other potentially dangerous behaviors for individuals under 21. It represents a necessary and evidence-based step to protect young people and the broader community from the dangers of gun violence; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States Congress to pass and the President to sign a law to set minimum age to buy all firearms from licensed dealers or private individuals at 21.

Referred to the Committee on Public Safety.

Int. No. 1082

By Council Member Narcisse.

A Local Law in relation to a study and report on fees and costs required to start and maintain a small business

Be it enacted by the Council as follows:

Section 1. a. Definitions. For purposes of this section, the following terms have the following meanings:

City. The term “city” means the city of New York.

Commissioner. The term “commissioner” means the commissioner of small business services.

Department. The term “department” means the department of small business services.

M/WBE. The term “M/WBE” means a minority- or women-owned business enterprise certified in accordance with section 1304 of the charter.

Small business. The term “small business” means a business that (i) is small, in accordance with the size standards set forth in section 121.201 of title 13 of the code of federal regulations, (ii) is not a franchise owned by a franchisee, as such terms are defined in section 681 of the general business law, and (iii) occupies commercial premises in the city.

b. Study. The commissioner shall conduct a study of fees and costs required to start and maintain a small business. Through such study, the commissioner shall:

1. Identify and analyze regulatory compliance fees and costs, including at a minimum:

(a) Certification, permitting, and licensing fees;

(b) Entity formation fees;

(c) Relevant taxes;

(d) Costs of providing insurance benefits to employees, including but not limited to health and disability insurance; and

(e) Waste removal costs;

2. Identify and analyze attorney fees;

3. Separately identify and analyze any fees and costs that are unique to small businesses that are M/WBEs; and

4. In coordination with the commissioner of transportation, separately identify and analyze any fees and costs that are unique to small businesses located in neighborhoods that are underserved by public transportation.

c. Report. No later than 180 days after the effective date of this local law, the commissioner shall submit to the mayor and the speaker of the council and post on the department’s website a report on the findings of the study conducted pursuant to subdivision b of this section. Such report shall include recommendations for legislation or regulatory actions that would achieve the objective of lowering or offsetting the fees and costs identified in such study, including distinct recommendations for lowering or offsetting fees and costs identified in such study that are unique to small businesses that are M/WBEs and small businesses located in neighborhoods that are underserved by public transportation.

§ 2. This local law takes effect immediately.

Referred to the Committee on Small Business.

Int. No. 1083

By Council Member Nurse.

A Local Law to amend the administrative code of the city of New York, in relation to the collection and sale of organic waste and compost by community composters

Be it enacted by the Council as follows:

Section 1. Section 16-308.2 of the administrative code of the city of New York is amended by adding a new subdivision h to read as follows:

h. Collecting and selling organic waste and compost. The department shall adopt rules to permit any community partner or operator of a community scale composting facility to charge for the collection of organic waste at an organic waste drop off site or community scale composting facility and to sell compost to the public.

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

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 1084

By Council Members Nurse, Rivera and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of transportation to install e-bicycle battery stations

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-175.9 to read as follows:

§ 19-175.9 *Installation of e-bicycle battery stations. a. Definitions. As used in this section, the following terms have the following meanings:*

Battery station. The term “battery station” means a station where e-bicycle batteries may be charged or exchanged.

Commercial corridor. The term “commercial corridor” means a block located within a commercial district or overlay, as established by the zoning resolution.

E-bicycle. The term “e-bicycle” has the same meaning as the term “bicycle with electric assist” as provided in section 102-c of the vehicle and traffic law.

b. 1. The department shall install at least 35 battery stations within commercial corridors in each of the 5 years following the effective date of the local law that added this section.

2. At least 25 percent of the battery stations the department installs pursuant to paragraph 1 of this subdivision shall be installed in the street adjacent to the curb. Such battery stations shall contain racks or similar structures to which a bicycle frame and one wheel can be secured and which can support a bicycle in a stable position without damage to wheels, frame, or components.

c. In determining locations to install battery stations under subdivision b, the department shall consider factors including:

- 1. The projected utilization of the battery station;*
- 2. The potential impact on motor vehicle parking where spaces in curb lanes or travel lanes have been reallocated for battery stations;*
- 3. Whether the nearby electric grid infrastructure is capable of supporting such battery station; and*
- 4. Whether there are any community partners capable and willing to assist in the maintenance and upkeep of a battery station,*

d. Within 3 years of the effective date of the local law that added this section, the department shall submit to the speaker of the council and the mayor, and post on its website, a report analyzing the status of the battery stations installed pursuant to this section. Such report shall include, but need not be limited to, the utilization rate of each station, the total cost of installing and operating the battery stations, all funding sources that have been used to install and operate the battery stations, and recommendations for improvements in installation and operation of the battery stations.

e. No later than 60 days of the effective date of the local law that added this section, the department shall post and maintain on its website a map showing the locations of all battery stations installed or maintained by the department.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Res. No. 601

Resolution calling on the New York State Legislature to pass, and the New York State Governor to sign, S.6657A/A.7978, to amend the Vehicle and Traffic Law, in relation to registration fees for certain vehicles.

By Council Member Restler.

Whereas, According to the United States (U.S.) Department of Transportation's National Highway Traffic Safety Administration's (NHTSA) preliminary traffic fatality data, an estimated 40,990 people died in motor vehicle traffic crashes in 2023 in the U.S.; and

Whereas, Estimates from the Governors Highway Safety Association note that 7,318 pedestrians were killed in traffic crashes in 2023 in the U.S., including about 283 in New York State (NYS); and

Whereas, In 2023, New York City (NYC) had 265 total traffic fatalities, which included 103 pedestrian fatalities, according to NYC's Vision Zero View; and

Whereas, As of August 31, 2024, year-to-date, NYC has had 175 total traffic fatalities, which includes 78 pedestrian fatalities, according to NYC's Vision Zero View; and

Whereas, Although the NHTSA estimates that the number of people who have died in motor vehicle traffic crashes in the U.S. in the first half of 2024 is 3.2% lower than in the first half of 2023, there is concern that motor vehicles in the U.S. have gotten bigger, thus having a higher propensity to cause fatalities in crashes; and

Whereas, Research from the Insurance Institute for Highway Safety (IIHS), a non-profit organization focused on finding ways to reduce crashes and losses, studied data for nearly 18,000 pedestrian crashes and found that higher front ends and blunt profiles are 45% more likely to cause fatalities in crashes with pedestrians than smaller cars and trucks; and

Whereas, According to the National Bureau of Economic Research, being hit by a 1,000-pound heavier vehicle results in a 47% increase in the baseline probability of being killed in the accident; and

Whereas, Notably, IIHS reports that over the past 3 decades, the average U.S. passenger vehicle has grown about 4 inches wider, 10 inches longer, 8 inches taller, and 1,000 pounds heavier; and

Whereas, As a greater number of larger, heavier vehicles come into use, as compared to smaller vehicles, the safety risk to pedestrians and other road users increases, as does the potential impact on the environment and on the condition of roadways, especially in NYC; and

Whereas, S.6657A, sponsored by NYS Senator Andrew Gounardes and pending in the New York State Senate, and companion bill A.7978, sponsored by Assembly Member Zohran Mamdani and pending in the New York State Assembly, would increase fees for the registration of larger, heavier motor vehicles, while also providing a waiver for a portion of weight added by batteries in electric motor vehicles; and

Whereas, S.6657A/A.7978 would work to address the issues caused by larger, heavier motor vehicles, and could help improve traffic safety and reduce fatalities and injuries; and

Whereas, This legislation would potentially deter the increased use of larger, heavier motor vehicles, while encouraging the use of electric vehicles, which may ultimately increase traffic safety and reduce harmful emissions in NYC; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the New York State Governor to sign, S.6657A/A.7978, to amend the Vehicle and Traffic Law, in relation to registration fees for certain vehicles.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 1085

By Council Members Schulman, Lee, Ariola and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a watch list of commercial landlords determined to have knowingly leased premises to, or otherwise allowed the use of premises by, unlicensed sellers of cigarettes, electronic cigarettes, tobacco products, or illicit cannabis

Be it enacted by the Council as follows:

Section 1. Section 10-186 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. No later than January 1 of each year, the city sheriff, in coordination with the police commissioner, commissioner of consumer and worker protection, and the chief administrative law judge, shall post on the department of finance's website a watch list of all owners that were determined within the previous year, through the payment of civil penalties or decision of the office of administrative trials and hearings after a hearing, to be in violation of subdivision b of this section in connection with a civil summons issued under subdivision d of this section. For each such owner, such watch list shall provide the following information:

1. The name of the owner, provided that if the owner is an entity, such watch list shall include the name of such entity as well as, to the extent such information is available, the name of each individual who owns a controlling interest in, or who is responsible for managing the day-to-day affairs of, such entity;

2. The address of each commercial premises that is the subject of such a determination;

3. For each commercial premises that is the subject of such a determination, the number of times such a determination occurred within the previous year, disaggregated by whether the determination pertains to the distribution, sale, or offer for sale of (i) cigarettes; (ii) electronic cigarettes; (iii) tobacco products; (iv) or illicit cannabis; and

4. The total number of times the owner was determined within the previous 5 years, through the payment of civil penalties or by decision of the office of administrative trials and hearings after a hearing, to be in violation of subdivision b of this section in connection with a civil summons issued under subdivision d of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Res. No. 602

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.9747/S.9209, to amend the New York State Vehicle and Traffic law, in relation to the regulation of the operation of motorized scooters.

By Council Members Schulman, Lee and Ariola.

Whereas, The adoption of electric scooters (e-scooters) within the City of New York has become more common with new advancements in motor vehicle and lithium ion battery technologies; and

Whereas, In 2020, the New York State Legislature passed legislation allowing for people to operate e-scooters on many streets within the State, and the City Council subsequently passed legislation removing prohibitions of the operation of such devices in local law; and

Whereas, According to the New York State Vehicle and Traffic Law, an "e-scooter" is defined as, among other things, having a maximum speed of no more than 20 miles per hour on a paved level surface when powered solely by the electric motor; and

Whereas, State law prohibits the operation of an e-scooter in excess of 15 miles per hours; and

Whereas, According to the New York State Vehicle and Traffic Law, a “limited use motorcycle” is defined as a 2- or 3-wheeled device with a seat for the operator having a maximum speed of no more than 40 miles per hour, with different classes depending on the maximum speed level of the device; and

Whereas, The New York State Vehicle and Traffic Law currently has no definition for seatless scooters that are capable of reaching speeds over 20 miles per hour; and

Whereas, Despite these laws, e-scooters that can reach maximum speeds in excess of 20 miles per hour can be readily purchased online; and

Whereas, A.9747, introduced by Assembly Member Jenifer Rajkumar and pending in the New York State Assembly, and companion bill S.9209, introduced by State Senator Joseph P. Addabbo, Jr. and pending in the New York State Senate, would amend the New York State Vehicle and Traffic law to define “motorized scooters” as “any wheeled device that has handlebars that is designed to be stood or sat upon by the operator, is powered by an electric motor or by a gasoline motor that is capable of propelling the device without human power, and is not a bicycle with electric assist, electric scooter, motorcycle, wheelchair, or electrically driven mobility assistance device”; and

Whereas, A.9747/S.9209 would further amend the New York State Vehicle and Traffic law by adding a new article to regulate motorized scooters, including requirements for motorized scooter registration, insurance, and inspection; and

Whereas, Such legislation might further reinforce New York State’s existing prohibition against operating an e-scooter in excess of 15 miles per hour in the City of New York and would allow the State to define and further regulate scooters that travel in excess of 20 miles per hour; and

Whereas, By defining and regulating motorized scooters as its own class of vehicle, A.9747/S.9209 could potentially promote the safer use of such devices; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, A.9747/S.9209, to amend the New York State Vehicle and Traffic law, in relation to the regulation of the operation of motorized scooters.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 1086

By Council Members Williams, Riley, Brannan, Restler and Stevens.

A Local Law to amend the administrative code of the city of New York, in relation to notifying interested parties of the recording of certain real estate instruments

Be it enacted by the Council as follows:

Section 1. Section 7-628 of the administrative code of the city of New York, as amended by local law number 136 for the year 2021, is amended to read as follows:

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

Deed-related document. The term "deed-related document" includes, but is not limited to, a deed, air rights, condemnation proceeding agreement, condominium declaration, confirmatory deed, contract of sale, correction deed, court order, in rem deed, judgment, life estate deed, memorandum of contract, power of attorney, real estate investment trust deed, revocation of power of attorney, sundry agreement, unit assignment and any other document that may be designated as deed-related by the commissioner of finance.

Department. The term "department" means the department of finance.

Interested party. The term "interested party" means the property owner, the property owner's agent or attorney or designee, the property lienor, the property lienor's agent or attorney, the executor or administrator of the estate of the owner or lienor of the property, the agent or attorney of the executor or administrator of the

estate of the owner or lienor of the property and any other individual that may be designated by the commissioner of finance.

Mortgage-related document. The term "mortgage-related document" includes, but is not limited to, a mortgage, collateral mortgage, mortgage and consolidation, mortgage spreader agreement, satisfaction of mortgage, subordination of mortgage, sundry mortgage, UCC-1 (financing statement), and any other document that may be designated as mortgage-related by the commissioner of finance.

b. The department shall maintain a system that provides [any] *each* interested party a notification by *every means of contact made available to the department, including by e-mail, text message, [or] and postal mail*, that a deed-related *document* or mortgage-related document affecting such party's interest in real property located in the city has been recorded against such property with the city register or the office of the Richmond county clerk, provided that the department has received notice of such recording from the office of the Richmond county clerk. Such notification *shall be sent to each interested party no later than 30 days after such deed-related document or mortgage-related document affecting such interested party's interest in real property has been recorded, and* shall include information on actions such interested party could take if such interested party suspects that a fraudulent document has been recorded, including but not limited to, information about whom to contact for assistance, filing a complaint or reporting an alleged criminal violation. The department shall not charge a fee for use of such notification system.

c. For all class one and class two properties within the city, as defined in subdivision 1 of section 1802 of the real property tax law, the department shall, to the extent practicable and consistent with applicable law, register the property owner named on the most recent deed-related or mortgage-related document recorded and indexed by the city register or the office of the Richmond county clerk prior to the effective date of this local law in the notification system described by subdivision b, provided that the department shall permit any individual registered for the notification system to opt-out of [such receipt] *receiving e-mail or text message notifications*.

d. To the extent practicable, when a deed-related or mortgage-related document is recorded with the city register or the Richmond county clerk, the department shall automatically register the named property owner on such document to receive notifications, provided that the department shall permit any individual registered for the notification system to opt-out of [such receipt] *receiving e-mail or text message notifications*.

e. The department shall report on an annual basis on the notification system established pursuant to subdivision b of this section, and shall include data for Richmond county to the extent that the department has received data from the office of the Richmond county clerk. Such report shall be submitted to the council and published on the department's website no later than the first day of November of each year. Such report shall include, but not be limited to, the following information for the prior year, disaggregated by borough:

[(1) total] 1. *Total* number of individuals registered to receive notifications through the system required by subdivision b of this section, disaggregated by the type of interested party;

[(2) total] 2. *Total* number of individuals registered to receive notifications for multiple properties;

[(3) total] 3. *Total* number of properties for which an individual is registered to receive notifications;

[(4) total] 4. *Total* number of individuals who opted out of receiving notifications;

[(5) total] 5. *Total* number of individuals who contacted the department regarding an incorrect or suspected fraudulent document recording, disaggregated by the source of information that led to such contact; and

[(6) total] 6. *Total* number of referrals made by the city register or office of the Richmond county clerk to the city sheriff related to suspected fraudulent document recording, the outcomes of such referrals, and whether an investigation was commenced by the sheriff.

f. The department shall conduct outreach to property owners about the provisions of this section.

g. The city shall not be liable for any damages as a result of failure to provide the requested notifications, nor shall any cause of action arise from such failure.

§ 2. This local law takes effect 60 days after it becomes law.

Referred to the Committee on Finance.

Int. No. 1087

By Council Members Williams, Riley, Stevens, Ossé, Brooks-Powers and Hanks.

A Local Law in relation to a study on a program to make bridge loans available to awardees of capital funding from the city

Be it enacted by the Council as follows:

Section 1. a. Definitions. For purposes of this local law, the following terms have the following meanings:

Awardee. The term “awardee” means a not-for-profit entity that has been selected to receive a capital funding grant from the city.

Bridge loan. The term “bridge loan” means a loan that provides short-term funding to an awardee to cover the period between the award and disbursement of a capital funding grant.

Director. The term “director” means the director of management and budget.

Office. The term “office” means the office of management and budget.

b. Study. The director, in consultation with the mayor’s office of contract services, the New York city economic development corporation, and the department of small business services, shall conduct a study into the feasibility of creating a bridge loan program for awardees. Such study shall consider the following:

1. Whether there are state or federal programs that could serve as a model for such program;
2. Whether there are lenders who are willing to take part in such program and provide bridge loans;
3. Whether any incentives or guarantees may be necessary to secure adequate participation on the part of lenders; and
4. The estimated number of awardees who would participate in such program.

c. Report. No later than 1 year after the effective date of this local law, the director shall submit to the mayor and the speaker of the council, and shall post conspicuously on the office’s website, a report on the findings of this study and any recommendations based on such findings.

§ 2. This local law takes effect immediately.

Referred to the Committee on Finance.

Res. No. 603

Resolution calling on Congress to pass, and the President to sign, S.1/H.R.11, the Freedom to Vote Act.

By Council Members Williams, Stevens and Riley.

Whereas, Voting is the most fundamental right Americans have; and

Whereas, In the United States, elections are administered by state and local governments; and

Whereas, Elections in New York City are administered by the New York City Board of Elections; and

Whereas, H.R.11, the Freedom to Vote Act, introduced by Representative John Sarbanes and pending in the United States House of Representatives and its companion bill S.1 introduced by Senator Amy Klobuchar, and pending in the United States Senate, would set baseline national standards for federal elections; and

Whereas, The Freedom to Vote Act would require all states to allow same-day voter registration; and

Whereas, New York requires voters to register at least ten days before Election Day; and

Whereas, This means that New York voters may only register and vote on the same day on the first day of early voting; and

Whereas, The Freedom to Vote Act would require that every state have at least 14 days of early voting, including weekends; and

Whereas, New York currently only has nine days of early voting, including two weekends; and

Whereas, The Freedom to Vote Act would make Election Day a federal holiday; and

Whereas, The Freedom to Vote Act would require states to ensure that no voter waits longer than 30 minutes to vote; and

Whereas, Numerous publications including Slate and WNYC reported that some New York City voters waited up to four hours to vote in the 2020 general election; and

Whereas, The Freedom to Vote Act would require states to offer no-excuse absentee voting; and

Whereas, The Freedom to Vote Act would clarify and expand the circumstances in which New Yorkers could request an absentee ballot without having to provide an excuse; and

Whereas, The Freedom to Vote Act would require states to offer accessible and secure ballot drop boxes; and

Whereas, New York does not currently offer ballot drop boxes outside of election day and early voting sites; and

Whereas, The Freedom to Vote Act would prohibit unfair voter list maintenance; and

Whereas, According to Gothamist, the New York City Board of Elections admitted to illegally removing more than 117,000 Brooklyn voters from the voting rolls in 2016; and

Whereas, The Freedom to Vote Act would create fairer congressional re-districting; and

Whereas, The Freedom to Vote Act would create a federal small-donor matching program; and

Whereas, The New York City and State small donor matching funds programs only apply to city and state candidates, and not to federal office-seekers; and

Whereas, The Freedom to Vote Act would require that secret money organizations disclose their donors; now, therefore, be it

Resolved, That the Council of the City of New York calls on Congress to pass, and the President to sign, S.1/H.R.11, the Freedom to Vote Act.

Referred to the Committee on Governmental Operations, State & Federal Legislation.

Preconsidered L.U. No. 173

By Council Member Brannan:

St. Elizabeth Manor: Block 955, Lot 25, Staten Island, Community District No. 2, Council District No. 50.

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

Preconsidered L.U. No. 174

By Council Member Salamanca:

Application number G 240058 XUK (MHANY Multifamily Preservation Loan Program (MPLP), Article XI Tax Exemption) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 577 of Article XI of the Private Housing Finance Law, for approval of an exemption from real property taxation for property located at 1073 Utica Avenue (Block 4735, Lot 43), 996 East 46 Street (Block 5022, Lot 10), 38 Martense Street (Block 5089, Lot 20), and 639 East 87 Street (Block 7992, Lot 22), Borough of Brooklyn, Community Districts 14, 17, and 18, Council Districts 40, 45, and 46.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings, and Dispositions).

Preconsidered L.U. No. 175

By Council Member Salamanca:

Application number G 240064 NUK (MHANY Multifamily Preservation Laon Program (MPLP) Accelerated UDAAP) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law for approval of an Urban Development Action Area Project (UDAAP) for property located at 1073 Utica Avenue (Block 4735, Lot 43), 996 East 46 Street (Block 5022, Lot 10), 38 Martense Street (Block 5089, Lot 20), and 639 East 87 Street (Block 7992, Lot 22), Borough of Brooklyn, Community Districts 14, 17, and 18, and Council Districts 40, 45, and 46.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings, and Dispositions).

Preconsidered L.U. No. 176

By Council Member Salamanca:

Application number G 240059 XAK (Coney Island Phase III, Article XI Tax Exemption) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 577 of Article XI of the Private Housing Finance Law, for approval of an exemption from real property taxation for property located at 1709 Surf Avenue (Block 7061, Lots 14, 16, 20, 21, and 27), Community District 13, Council District 47.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings, and Dispositions).

Preconsidered L.U. No. 177

By Council Member Salamanca:

Application number G 240060 XAK (Coney Island Phase III, Article XI Disposition) submitted by the Department of Housing Preservation and Development (HPD), for the proposed sale of 1709 Surf Avenue (Block 7061, Lots 14, 16, 20, 21, and 27) to a developer to be selected by HPD, pursuant to Section 576-a(2) of the Private Housing Finance Law to facilitate the development of rental housing for low income families, Borough of Brooklyn, Community District 13, Council District 47.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings, and Dispositions).

Preconsidered L.U. No. 178

By Council Member Salamanca:

Application number G 240061 XAK (South Bushwick Neighborhood Homes (SBNH), Tax Exemption) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 577 of Article XI of the Private Housing Finance Law, for approval of an exemption from real property taxation for property located at Block 3232, Lot 63; Block 3389, Lot 45; Block 3401, Lots 37 and 38; Block 3440, Lot 35; and Block 3444, Lot 18, Borough of Brooklyn, Community District 4, Council Districts 34 and 37.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings, and Dispositions).

Preconsidered L.U. No. 179

By Council Member Salamanca:

Application number G 240062 XUK (South Bushwick Neighborhood Homes II (SBNH), Accelerated UDAAP) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law (GML) for approval of an Urban Development Action Area Project (UDAAP) and a real property tax exemption pursuant to Section 696 of the General Municipal Law for property located at 1277 Dekalb Avenue (Block 3232, Lot 63), 676 Central Avenue (Block 3440, Lot 35), Borough of Brooklyn, Community District 4, Council Districts 34 and 37.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings, and Dispositions).

Preconsidered L.U. No. 180

By Council Member Salamanca:

Application number G 240063 XUK (South Bushwick Neighborhood Homes III (SBNH), Accelerated UDAAP) submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law (GML) for approval of an Urban Development Action Area Project (UDAAP) and a real property tax exemption pursuant to Section 696 of the General Municipal Law for property located at 1143 Hancock Street (Block 3389, Lot 45) Community District 4, Council District 37.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings, and Dispositions).

L.U. No. 181

By Council Member Salamanca:

Application number N 240290 ZRY (City of Yes Zoning for Housing Opportunity) submitted by New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying multiple Sections to expand opportunities for housing within all zoning districts, Citywide.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

NEW YORK CITY COUNCIL**A N N O U N C E M E N T S****Tuesday, October 15, 2024**Committee on Immigration jointly with the
Committee on Children and YouthAlexa Avilés, Chairperson
Althea V. Stevens, Chairperson**Oversight** - Oversight - Resources for Immigrant Youth Who Arrived to the United States as Unaccompanied Children.

Council Chambers – City Hall.....11:00 a.m.

Wednesday, October 16, 2024Committee on Housing and Buildings

Pierina Ana Sanchez, Chairperson

Int 429 - By Council Members Sanchez, Brannan, Won, Restler, Farías, Cabán, Ayala, Hanks, Louis, Schulman, Bottcher, Salaam, Brewer, Narcisse, Gutiérrez, Feliz, Gennaro, Salamanca, De La Rosa, Ossé, Powers, Rivera, Banks, Dinowitz, Holden, Krishnan, Moya, Hudson, Menin, Brooks-Powers, Zhuang, Marte, Lee, Avilés, Abreu, Ariola, Paladino, Marmorato, Vernikov and Carr - **A Local Law** to amend the administrative code of the city of New York and the fuel gas code in relation to periodic inspections of gas piping systems, ordinary plumbing work, reestablishing the plumbing and fire suppression piping contractor license board, piping systems, emergency work, fire suppression piping work, and seizure.**Int 925** - By Council Members Louis, Cabán, Brannan, Schulman, Marte and Sanchez - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the inspection of steam radiators in multiple dwellings.

Committee Room – City Hall.....10:00 a.m.

Subcommittee on Zoning & Franchises

Kevin C. Riley, Chairperson

See Land Use Calendar

Council Chambers – City Hall.....11:00 a.m.

Monday, October 21, 2024Subcommittee on Zoning & Franchises

Kevin C. Riley, Chairperson

L.U. 181 - Application number N 240290 ZRY (**City of Yes Zoning for Housing Opportunity**) submitted by New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying multiple Sections to expand opportunities for housing within all zoning districts, Citywide.

Council Chambers – City Hall.....10:30 a.m.

**** PLEASE BE ADVISED: This meeting is for the purpose of receiving a presentation from the Department of City Planning regarding its proposal. No public testimony will be taken at this meeting.**

Tuesday, October 22, 2024

Subcommittee on Zoning & Franchises

Kevin C. Riley, Chairperson

L.U. 181 - Application number **N 240290 ZRY (City of Yes Zoning for Housing Opportunity)** submitted by New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying multiple Sections to expand opportunities for housing within all zoning districts, Citywide.

Council Chambers – City Hall.....9:30 a.m.

*****Public hearing on proposed text amendment, held in accordance with Charter §197-d***

Wednesday, October 23, 2024

Stated Council Meeting

Council Chambers – City Hall.....Agenda – 1:30 p.m.

The following comments were among the remarks made by the Speaker (Council Member Adams) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Adams) acknowledged the victims and survivors of the October 7, 2023 attacks on Israel by Hamas. She spoke of the immense pain and grief reverberating throughout the communities of the city as a result of the Gaza conflict. She noted how these cycles of violence threatened to leave behind generational trauma and she spoke of her mourning for those who had lost loved ones and whose lives were forever altered. The Speaker (Council Member Adams) asked everyone to continue to recognize our shared humanity and to insist that peace was possible by working for collective security for all.

The Speaker (Council Member Adams) acknowledged the start of *Yom Kippur* on October 11th which she noted was the holiest day of the year for our Jewish community. She expressed her hope that everyone observing would have a meaningful and reflective holiday. The Speaker (Council Member Adams) also wished a *Chag Sukkot Sameach* to those celebrating *Sukkot* during the following week.

The Speaker (Council Member Adams) acknowledged the holiday of *Dashain* on October 12th which she described as one of the most cherished religious festivals in Nepal and celebrated by Hindus around the world. She noted that the Council had hosted a *Dashain* celebration in the Chambers the week before.

* * *

Shortly before the adjournment of these proceedings, the Speaker (Council Member Adams) acknowledged the young adults in the Chambers who were present in support of Int. No. 1077 (2024). This bill had been introduced at this meeting and dealt with the provision of luggage to foster care youth. In particular, the Speaker (Council Member Adams) recognized Fair Futures advocate Cheyenne Deopersaud in the balcony.

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Fariás) adjourned these proceedings to meet again for the Stated Meeting of Wednesday, October 23, 2024.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Note: For the transcript of these proceedings, please refer to the respective attachment section of items introduced or adopted at this Stated Meeting of Thursday, October 10, 2024 on the New York City Council website at <https://council.nyc.gov>.

