

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Thursday, April 14, 2022, 1:54 p.m.

(held in a hybrid meeting format)

The Majority Leader (Council Member Powers)

presiding as the Acting President Pro Tempore

Council Members

Adrienne E. Adams, *Speaker*

Shaun Abreu	Jennifer Gutiérrez	Keith Powers
Joann Ariola	Shahana K. Hanif	Lincoln Restler
Alexa Avíles	Kamillah Hanks	Kristin Richardson Jordan
Diana I. Ayala	Robert F. Holden	Kevin C. Riley
Charles Barron	Crystal Hudson	Carlina Rivera
Justin L. Brannan	Rita C. Joseph	Rafael Salamanca, Jr
Joseph C. Borelli	Ari Kagan	Pierina Ana Sanchez
Erik D. Bottcher	Shekar Krishnan	Lynn C. Shulman
Gale A. Brewer	Linda Lee	Althea V. Stevens
Selvena N. Brooks-Powers	Farah N. Louis	Sandra Ung
Tiffany Cabán	Christopher Marte	Marjorie Velázquez
David M. Carr	Julie Menin	Inna Vernikov
Carmen N. De La Rosa	Francisco P. Moya	Nantasha M. Williams
Eric Dinowitz	Mercedes Narcisse	Julie Won
Amanda Farías	Sandy Nurse	Kalman Yeger
Oswald Feliz	Chí A. Ossé	
James F. Gennaro	Vickie Paladino	

Medical Leave: Council Member Mealy.

The Majority Leader (Council Member Powers) assumed the chair as the Acting President Pro Tempore and Presiding Officer for these hybrid 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 Powers).

There were 50 Council Members marked present at this hybrid Stated Meeting held in the Council Chambers at City Hall, New York, N.Y.

INVOCATION

The Invocation was delivered by Imam Khalid Latif, Chaplain & Executive Director, Islamic Center at New York University, located at 238 Thompson Street, New York, N.Y. 10012.

Let us pray.

Almighty God, giver of life and guider of hearts,
 bless this gathering and all those who are in it.
 Assembled here today are men and women
 who have dedicated their lives to working in service of others.
 Increase each of us in all that is good
 and make us a continued source of benefit for your creation.
 Make us New Yorkers who value people over profit.
 As we find ourselves in the midst of the month of *Ramadan*,
 instill within each of us the ethic that the month builds itself upon.
 Make our pursuits, pursuits rooted in love,
 motivated by an unconditional compassion,
 and manifest in acts of mercy intended to achieve nothing
 other than a common good.
 Let us never be those who will hope
 of gaining some part of this world
 or a fear of losing some aspect of it,
 causes us to deny the rights of others.
 Help us to never fear the path of truth
 for the lack of people walking on it;
 and bless us to be leaders and to have leaders
 to follow who walk firmly upon it.
 Let our unity be not tied to uniformity of the external,
 our race, our ethnicity, our class,
 but instead, make us brothers and sisters of all backgrounds
 in our unity based on a uniformity of our values and hearts.
 Remove from our hearts any negative thoughts of others
 and help us to never partake in acts of injustice
 against people of any background.
 Let our anger be only at injustice,
 oppression and exploitation of people
 so that we will work for justice, equality and peace.
 Let our tears shed only for those who suffer
 from pain and rejection, starvation, and conflict
 so that we will reach out our hands
 to comfort them and change their pain into joy;
 and let our successes be many
 as we make a difference in this world
 by doing the things which others say cannot be done.
 A special prayer for our brothers and sisters
 in Sunset Park and for all of Brooklyn.
 Guide the footsteps of all those who are impacted

by the atrocious tragic act of violence
that happened in our city not long ago.
Deepen us in our trust, love, and care for them and each other
so that we might come together to help them at this time.
Send them only those who will be their helpers and supporters.
Protect them from any further affliction, anxiety, or anguish.
Grant them peace, relax their fears, and remove for them
any impediment that keeps them
from doing all that they are able to do.
Open the hearts [in] their chest to receive all of the love
that we are sending them on this day,
and envelope Brooklyn in your divine love always.
Watch over this city, and through us bring strength to your creation.
Help us to be the reason people have hope in this world
and never the reason that people might dread it.
Protect us always from hearts that are not humble,
tongues that are not wise, and eyes that have forgotten how to cry.
Forgive us for our shortcomings and guide and bless us all.
Amen.

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

ADOPTION OF MINUTES

Council Member Brewer moved that the Minutes of the Stated Meeting of March 10, 2022 be adopted as printed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

Preconsidered M-46

Communication from the Office of Management & Budget - Transfer City funds between various agencies in Fiscal Year 2022 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter. (MN-3)

March 15, 2022

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(b) of the New York City Charter, I request your approval to transfer City funds between various agencies in fiscal year 2022 to implement changes in the City's expense budget.

This modification (MN-3) will implement expense budget changes which were reflected in the City's February Financial Plan.

Appendix A details State, Federal and other funds impacted by these changes.

Your approval of modification MN-3 is respectfully requested.

Sincerely,

Jacques Jiha, Ph.D.
Director

(For text of the MN-3 and Appendix A numbers, please see the New York City Council website at <https://council.nyc.gov/> for the respective attachments section of [the M-46 & Res. No. 123 of 2022 files](#))

Referred to the Committee on Finance.

Preconsidered M-47

Communication from the Office of Management & Budget - Appropriation of new City revenues in Fiscal Year 2022, pursuant to Section 107(e) of the New York City Charter (MN-4).

March 15, 2022

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(e) of the New York City Charter, I seek your approval to appropriate new City revenues in fiscal year 2022 in the amount of \$1.94 billion.

This modification (MN-4) implements revenue budget changes reflected in the City's February Financial Plan. The \$1.94 billion of new revenues combined additional resources of \$400 million of Prior Year Payables and an adjustment to the General Reserve will be used to prepay \$2.77 billion of fiscal year 2023 expenses in fiscal year 2022.

Your approval of modification MN-4 is respectfully requested.

Sincerely,

Jacques Jiha, Ph.D.
Director

(For text of the MN-4 numbers, please see the New York City Council website at <https://council.nyc.gov/> for the respective attachments section of [the M-47 & Res. No. 124 of 2022 files](#))

Referred to the Committee on Finance.

M-48

Communication from the Equal Employment Practices Commission - Submitting the Equal Employment Practices Commission's 2021 Annual Report, pursuant to Chapter 36 Section 831 (d) of the New York City Charter.

(For text of the report, please see <https://www1.nyc.gov/site/eepc/reports/reportsar.page> ; or refer to the New York City Equal Employment Practices Commission at 253 Broadway, Suite 602, New York, N.Y. 10007)

Received, Ordered, Printed and Filed.

REPORTS OF THE STANDING COMMITTEES

Report of the Committee of Finance

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 Res. No. 107

Report of the Committee on Finance in favor of approving 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 April 14, 2022, 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 19, 2019, the Council adopted the expense budget for fiscal year 2020 with various programs and initiatives (the “Fiscal 2020 Expense Budget”). On June 30, 2020, the Council adopted the expense budget for fiscal year 2021 with various programs and initiatives (the “Fiscal 2021 Expense Budget”). On June 30, 2021, the Council adopted the expense budget for fiscal year 2022 with various programs and initiatives (the “Fiscal 2022 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 2022, Fiscal 2021 and Fiscal 2020 Expense Budgets, and amendments to the description for the Description/Scope of Services of certain organizations receiving funding in accordance with the Fiscal 2022 Expense Budget.

This Resolution, dated April 14, 2022, approves the new designation and the changes in the designation of certain organizations receiving local, youth, and aging discretionary funding and funding for certain initiatives in accordance with the Fiscal 2022 Expense Budget, approves the new designation and the change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2021 Expense Budget, approves the change in the designation of a certain organization receiving local discretionary funding in accordance with the Fiscal 2020 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local and youth discretionary funding and funding for a certain initiative in accordance with the Fiscal 2022 Expense Budget.

This Resolution sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2022 Expense Budget, as described in Chart 1; sets forth the new designation and the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2022 Expense Budget, as described in Chart 2; sets forth the new designation and the changes in the designation of certain organizations receiving aging discretionary funding pursuant to the Fiscal 2022 Expense Budget, as described in Chart 3; sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to certain initiatives pursuant to the Fiscal 2022 Expense Budget, as described in Charts 4-17; sets forth the new designation and the change in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2021 Expense Budget, as described in Chart 18; sets forth the change in the designation of a certain organization receiving funding pursuant local discretionary funding pursuant to the Fiscal 2020 Expense Budget, as described in Chart 19; amends the description for the Description/Scope of Services of certain organizations receiving

local and youth discretionary and funding pursuant to a certain initiative pursuant to the Fiscal 2022 Expense Budget, as described in Chart 20; and sets forth the organizations that will receive equipment, specifically an automated external defibrillator, funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2022, as described in Chart 21.

Specifically, Chart 1 sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2022 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 2 sets forth the new designation and the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2022 Expense Budget.

Chart 3 sets forth the new designation and the changes in the designation of certain organizations receiving aging discretionary funding pursuant to the Fiscal 2022 Expense Budget.

Chart 4 sets forth the new designation a of certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2022 Expense Budget. Such change will be effectuated upon a budget modification.

Chart 5 sets forth the change in the designation of a certain organization receiving funding pursuant to Boroughwide Needs Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 6 sets forth the new designation and 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 2022 Expense Budget. The new designation will be effectuated upon a budget modification.

Chart 7 sets forth the new designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 8 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2022 Expense Budget. Some of these designations will be effectuated upon a budget modification.

Chart 9 sets forth the new designation and the change in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 10 sets forth the new designation and the change in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2022 Expense Budget. The change in the designation will be effectuated upon a budget modification.

Chart 11 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 12 sets forth the new designation of a certain organization receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 13 sets forth the new designation and the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 14 sets forth the new designation and the change in the designation of certain organizations receiving funding pursuant to Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 15 sets forth the new designation and the change in the designation of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 16 sets forth the new designation and the change in the designation of certain organizations receiving funding pursuant to the Naturally Occurring Retirement Communities (NORCs) Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 17 sets forth the new designation and the changes in the designation of certain organization receiving funding pursuant to the Pandemic Support for Human Service Providers Initiative in accordance with the Fiscal 2022 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 18 sets forth the new designation and the change in the designation of certain organizations receiving Youth Discretionary Funding pursuant to the Fiscal 2021 Expense Budget.

Chart 19 sets forth the change in the designation of a certain organization receiving funding pursuant to the Adult Literacy Pilot Project in accordance with the Fiscal 2020 Expense Budget.

Chart 20 amends the description for the Description/Scope of Services of certain organizations receiving local and youth discretionary funding and funding pursuant a certain initiative in accordance with to the Fiscal 2022 Expense Budget.

Chart 21 sets forth the organizations that will receive equipment, specifically an automated external defibrillator, funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2022.

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 2022, Fiscal 2021 and Fiscal 2020 Expense Budgets. Such Resolution would take effect as of the date of adoption.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 107:)

Preconsidered Res. No. 107

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

By Council Member Brannan.

Whereas, On June 30, 2021, the Council of the City of New York (the “City Council”) adopted the expense budget for fiscal year 2022 with various programs and initiatives (the “Fiscal 2022 Expense Budget”); and

Whereas, On June 30, 2020, the City Council adopted the expense budget for fiscal year 2021 with various programs and initiatives (the “Fiscal 2021 Expense Budget”); and

Whereas, On June 19, 2019, the Council adopted the expense budget for fiscal year 2020 with various programs and initiatives (the “Fiscal 2020 Expense Budget”); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2022, Fiscal 2021 and Fiscal 2020 Expense Budgets by approving the new designation and/or the changes in the designation of certain organizations receiving local, youth and aging 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 2022 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant a certain initiative; now, therefore, be it

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2022 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2022 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving aging discretionary funding pursuant to the Fiscal 2022 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation a of certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to Boroughwide Needs Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation and 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 2022 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2022 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 2022 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation and the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 14 and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 15 and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Naturally Occurring Retirement Communities (NORCs) Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organization receiving funding pursuant to the Pandemic Support for Human Service Providers Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving Youth Discretionary Funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Adult Literacy Pilot Project in accordance with the Fiscal 2020 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the amendments of the Description/Scope of Services of certain organizations receiving local and youth discretionary and funding in accordance with a certain initiative pursuant to the Fiscal 2022 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the organizations that will receive equipment, specifically an automated external defibrillator, funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2022, as set forth in Chart 21.

(For text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 107 of 2022 file](https://council.nyc.gov) 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, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, , AMANDA FARIAS, KAMILAH HARRIS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSE, PIERINA ANA SANCHEZ, MARJORIE VELAZQUEZ; 16-0-0; *Maternity Leave*: Julie Won; Committee on Finance, April 14, 2022.

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 M-46

Report of the Committee on Finance in favor of approving a Communication from the Office of Management & Budget regarding the transfer of City funds between various agencies in Fiscal Year 2022 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter (MN-3).

The Committee on Finance, to which the annexed preconsidered communication was referred on April 14, 2022 and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

Introduction. At a meeting of the Committee on Finance of the City Council of the City of New York (the “City Council”) on April 14, 2022, the Committee on Finance considered a communication, dated March 15, 2022, from the Office of Management and Budget of the Mayor of The City of New York (the “Mayor”), of a proposed request, attached hereto as Exhibit “1” (the “modification” or “MN-3”), to modify units of appropriation and transfer City funds between various agencies in the amount of \$1,853,596,876 in the Fiscal 2022 expense budget as adopted by the Council on June 30, 2021.

Analysis. 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 30, 2021, the Council adopted the expense budget for Fiscal 2022 (the “Fiscal 2022 Expense Budget”). This Modification reallocates appropriations in the amount of \$1,853,596,876 that were reflected in the Fiscal 2022 Expense Budget to implement changes reflected in the February Financial Plan and to implement changes reflected in the February Financial Plan. The net effect of the modification is zero.

Procedure. If the Mayor wishes to transfer part or all of any unit of appropriation to another unit of appropriation from one agency to another; or when a transfer from one unit of appropriation to the another, and such transfer results in any unit of appropriation being increased or decreased by the greater of five percent or \$50,000, section 107(b) of the Charter requires that the Mayor must first notify the Council of the proposed action. Within 30 days after the first stated meeting of the Council following receipt of such notice, the Council may disapprove such proposed action. If the Council fails to approve or disapprove such proposed action within such 30-day period, the proposed action becomes effective and the Mayor has the authority to make such transfer.

Description of Above-captioned Resolution. In the above-captioned resolution, the Council would approve the Modification pursuant to Section 107(b) of the Charter. Such resolution would take effect as of the date of approval.

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

TO: Honorable Adrienne E. Adams
Speaker

Honorable Justin Brannan
Chair, Finance Committee

FROM: Tanisha S. Edwards, Esq.,
Chief Financial Officer and Deputy Chief of Staff to the Speaker
Eisha Wright, Deputy Director, Finance Division
Paul Scimone, Deputy Director, Finance Division
Dohini Sompura, Assistant Director, Finance Division
Noah Brick, Assistant Counsel, Finance Division

DATE: April 14, 2022

SUBJECT: Expense Budget Modification for Fiscal 2022 (MN-3)

INITIATION: By letter dated March 15, 2022, the Director of the Office of Management and Budget submitted to the Council, pursuant to section 107(b) of the New York City Charter, a request for approval to modify units of appropriation and transfer funds from various agencies in the amount of \$1,853,596,876 to implement changes in the City’s expense

budget.

BACKGROUND: MN-3 reallocates appropriations that were reflected in the Fiscal 2022 Adopted Budget to implement expense budget changes which were reflected in the City's February Financial Plan.

FISCAL IMPACT: MN-3 represents the reallocation of appropriations. The net effect of this modification is zero.

Expense Budget Modification (MN-3)

MN-3 modifies the current Fiscal 2022 budget. The changes presented in the Preliminary Financial Plan, as well as changed reflected in City Council transparency resolutions are included.

MN-3 moves \$1.85 billion in City tax-levy funds (CTL) within and among City agencies but leaves the overall level of City funds unchanged.

The Program to Eliminate the Gap (PEG) target of three percent across most agencies allowed for City funds to be redistributed to fund new needs. Significant PEGs include:

- \$108.6 million in savings from vacancy reductions across several City agencies, with an associated headcount reduction of 3,080 positions.
- \$113 million savings from accruals of projected salary expenses at the New York Police Department (NYPD).
- \$110 million in savings related to central staff vacancies, per session reduction, and a reduction in the central OTPS budget at the Department of Education (DOE). Of the \$110 million, \$100 million of the savings are achieved through personal services (PS) accruals acquired through a hiring freeze
- \$39.2 million in savings from School Safety Agent vacancies at the DOE.
- \$36.8 million in savings by eliminating a school allocation that is duplicative of Academic Recovery that is funded by federal stimulus funding.
- \$33 million in the Department of Homeless (DHS) services related to closing of all hotels housing families with children.
- \$31.2 million savings in the Department of Housing Preservation and Development from costs associated with NYCHA vacant unit readiness.

Notable New Needs funded with the reduction in CTL from the PEG program include:

- \$132 million for the adult shelter re-estimate at DHS.
- \$76 million uniformed overtime at NYPD.
- \$55 million uniformed overtime at the Fire Department.
- \$52 million for current year uniform overtime budget at the Department of Corrections (DOC).
- \$50 million for a uniform overtime adjustment at the Department of Sanitation.
- \$42 million for Early Voting expenses incurred in the November Citywide Election, and takes into account the Special Elections that have occurred so far in the current fiscal year at the Board of Elections.

MN-3 also reflects \$1.1 billion in new federal funding, with significant federal grants funding the following:

- \$500 million in American Rescue Plan (ARP) funds to NYPD.
- \$200 million in ARP funding at DOC to support 2,571 positions.
- \$179 million in Federal Emergency Management Agency (FEMA) grants for Vaccine Command Center at the Department of Health and Mental Hygiene.

- \$160 million to support COVID-19 testing for Department of Education Students and New York City employees through funded through the Department of Emergency Management (OEM).
- \$56 million will support funding for vaccine sites at the Vaccine Command Center at OEM.
- \$28.1 million in ARP and Coronavirus Response and Relief Supplemental Appropriations Act (CRSSA) in the Department of Transportation's budget for the Staten Island ferry.

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 123

RESOLUTION APPROVING THE MODIFICATION (MN-3) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE NEW YORK CITY CHARTER.

By Council Member Brannan.

Whereas, At a meeting of the Committee on Finance of the City Council of the City of New York (the "City Council") on April 14, 2022, the Committee on Finance considered a communication, dated March 15, 2022, from the Office of Management and Budget of the Mayor of The City of New York (the "Mayor"), of a proposed request, attached hereto as Exhibit 1 (the "Modification"), to modify units of appropriation and transfer city funds in the amount of \$1,853,596,876 in the Fiscal 2022 expense budget as adopted by the Council on June 30, 2021, pursuant to Section 107(b) of the Charter of the City of New York (the "Charter"); and

Whereas, pursuant to Section 107(b) of the Charter, the City Council has thirty (30) days after the first stated meeting of the City Council following such receipt within which to act upon the Modification;

NOW, THEREFORE, The Council of The City of New York hereby resolves as follows:

1. **Approval of Modification.** The City Council hereby approves, pursuant to Section 107(b) of the Charter, the actions proposed by the Mayor as set forth in the Modification.
2. **Effective Date.** This resolution shall take effect as of the date hereof.

(For text of the MN-3 and Appendix A numbers, please see the New York City Council website at <https://council.nyc.gov/> for the respective attachments section of [the M-46 & Res. No. 123 of 2022 files](#))

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, , AMANDA FARIAS, KAMILAH HARRIS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSE, PIERINA ANA SANCHEZ, MARJORIE VELAZQUEZ; 15-1-0; *Negative*: Charles Barron; Maternity Leave: Julie Won; Committee on Finance, April 14, 2022.

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 M-47

Report of the Committee on Finance in favor of approving a Communication from the Office of Management & Budget regarding the Appropriation of new City revenues in Fiscal Year 2022, pursuant to Section 107(e) of the New York City Charter (MN-4).

The Committee on Finance, to which the annexed preconsidered communication was referred on April 14, 2022 and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

Introduction. At the meeting of the Committee on Finance of the City Council on April 14, 2022, the Council considered a communication from the Office of Management and Budget of the Mayor, dated March 15, 2022, of a proposed request to modify, pursuant to Section 107(e) of the Charter of the City of New York, the Fiscal 2022 Expense Budget Plan, and the revenue estimate related thereto prepared by the Mayor as of March 15, 2022.

Analysis. The Council annually adopts the City's budget covering expenditures pursuant to Section 254 of the Charter. On June 30, 2021, the Council adopted the expense budget for fiscal year 2022 (the "Fiscal 2022 Expense Budget"). On December 15, 2021, the Council adopted MN-1, modifying the Fiscal 2022 Expense Budget, and MN-2, which appropriated new revenues. On March 15, 2022, the Mayor submitted to the Council MN-3, modifying the Fiscal 2022 Expense Budget. On March 15, 2022, the Mayor submitted to the Council a revenue estimate MN-4, related to the Fiscal 2022 Expense Budget.

Circumstances have changed since the Council last adopted the Fiscal 2022 Expense Budget.

Section 107(e) provides one mechanism for the Mayor and the Council to amend the Expense Budget and related revenue estimate to reflect changes in circumstances that occur after adoption of a budget. Section 107(e) permits the modification of the budget in order to create new units of appropriation, to appropriate new revenues from any source other than categorical federal, state and private funding, or to use previously unappropriated funds received from any source.

Discussion of Above-captioned Resolution. The above-captioned resolution would authorize the modifications to the Fiscal 2022 Expense Budget and related revenue estimate requested in the communication.

This modification (MN-4) seeks to increase revenues in the net amount of \$1.94 billion compared to the November 2021 Financial Plan. This represents an increase in City funds of approximately 2.8 percent.

MN-4 is the second revenue modification of Fiscal 2022 and it reflects changes since the November 2021 Financial Plan which are outlined in the February 2021 Financial Plan.

MN-4 recognizes \$1.94 billion in increased revenues, including \$1.6 billion in tax revenue, \$41.7 million in miscellaneous revenue, and \$294 million in unrestricted intergovernmental aid.

Tax revenues increased by \$1.6 billion since the November 2021 Financial Plan. The majority of the increase, \$428 million, came from personal income tax. Additional tax revenues included \$281 million in real property transfer and \$265 million in sales tax. Business taxes also came stronger than expected with \$215 million in unincorporated and \$189 million in general corporation.

Miscellaneous revenues increased by \$41.7 million since the November 2021 Financial Plan. This included \$28.4 million in fines and forfeitures, \$15.0 million in licenses, franchises, etc. and \$14.5 million water sewage charges. Offsetting these increases was \$22.3 million in reduced revenues from charges for services.

Unrestricted intergovernmental aid increased by \$294 million since the November 2021 Financial Plan.

This budget modification adds \$2.77 billion to the Budget Stabilization Account, which will prepay debt service for Fiscal 2022. This addition is funded by the \$1.94 million increase in revenues, \$400 million in Prior Year Payables, and a \$430 million reduction of the General Reserves.

The resolution would also direct the City Clerk to forward a certified copy thereof to the Mayor and the Comptroller so that the Mayor, the Comptroller and the City Clerk may certify the Fiscal 2022 Expense Budget as amended thereby as the budget for the remainder of the fiscal year. The above-captioned resolution would take effect as of the date adopted.

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

TO: Honorable Adrienne E. Adams
Speaker

Honorable Justin Brannan
Chair, Finance Committee

FROM: Tanisha S. Edwards, Esq.,
Chief Financial Officer and Deputy Chief of Staff to the Speaker
Raymond Majewski, Deputy Director/Chief Economist, Finance Division
Noah Brick, Assistant Counsel
Paul Sturm, Supervising Economist
Nashia Roman, Economist

DATE: April 14, 2022

SUBJECT: A Budget Modification (MN-4) for Fiscal 2022 that will appropriate \$1.94 billion in new revenues.

INITIATION: By letter dated March 15, 2022, the Director of the Office of Management and Budget submitted to the Council, pursuant to section 107(e) of the New York City Charter, a request to appropriate \$1.94 billion in new revenues. These new revenues with an additional \$400 million of Prior Year Payables and an adjustment of \$430 million to the General Reserve, will be used to increase the Budget Stabilization Account by \$2.77 billion.

BACKGROUND: This modification (MN-4) seeks to recognize \$1.94 billion in new revenues, implementing changes reflected since the November 2021 Financial Plan. These funds will add \$2.77 billion to the Budget Stabilization Account to prepay debt service for Fiscal 2023 expenses. There is also a downward adjustment of the Fiscal 2022 General Reserve.

FISCAL IMPACT: This modification represents a net increase in the Fiscal 2022 budget of \$1.94 billion.

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 124

RESOLUTION APPROVING A MODIFICATION (MN-4) PURSUANT TO SECTION 107(e) OF THE CHARTER OF THE CITY OF NEW YORK.

By Council Member Brannan.

Whereas, At a meeting of the Committee on Finance of the City Council of the City of New York (the “City Council”) on April 14, 2022, the Committee on Finance considered a communication, dated March 15, 2022, from the Office of Management and Budget of the Mayor of the City of New York (the “Mayor”), of a proposed request to recognize a net increase in revenue pursuant to Section 107(e) of the Charter of the City of New York (the “Charter”), attached hereto as Exhibit A (the "Request to Appropriate"); and

Whereas, Section 107(e) of the Charter requires the City Council and the Mayor to follow the procedures and required approvals pursuant to Sections 254, 255, and 256 of the Charter, without regard to the dates specified therein, in the case of the proposed appropriation of any new revenues and the creation of new units of appropriation; and

Whereas, Section 107(e) of the Charter requires that any request by the Mayor respecting an amendment of the budget that involves an increase in the budget shall be accompanied by a statement of the source of current revenues or other identifiable and currently available funds required for the payment of such additional amounts, attached hereto as Exhibit B (together with the Request to Appropriate, the "Revenue Modification");

NOW, THEREFORE, The Council of the City of New York hereby resolves as follows:

1. Approval of Modification. The City Council hereby approves the Revenue Modification pursuant to Section 107(e) of the Charter.

2. Further Actions. The City Council directs the City Clerk to forward a certified copy of this resolution to the Mayor and the Comptroller as soon as practicable so that the Mayor, the Comptroller and the City Clerk may certify the Fiscal 2022 Expense Budget as amended by this resolution as the budget for the remainder of the fiscal year.

3. Effective Date. This resolution shall take effect as of the date hereof.

(For text of the MN-4 numbers, please see the New York City Council website at <https://council.nyc.gov/> for the respective attachments section of [the M-47 & Res. No. 124 of 2022 files](#))

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, , AMANDA FARIAS, KAMILAH HARRIS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSE, PIERINA ANA SANCHEZ, MARJORIE VELAZQUEZ; 16-0-0; *Maternity Leave*: Julie Won; Committee on Finance, April 14, 2022.

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 Governmental Operations

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

Report for Int. No. 205-A

Report of the Committee on Governmental Operations in favor of approving and adopting, as amended, a Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to removing certain reporting requirements selected for waiver by the report and advisory board review commission, and to repeal subdivision c of section 4-207 of the administrative code of the city of New York, relating to reports on assessments of certain clean on-site power generation technologies, and subdivision b of section 19-180.1 of such code, relating to reports on safety audits of crash locations involving pedestrians.

The Committee on Governmental Operations, to which the annexed preconsidered as amended proposed local law was referred on April 14, 2022, respectfully

REPORTS:

I. INTRODUCTION

On April 5, 2022, the Committee on Governmental Operations, chaired by Council Member Sandra Ung, will hold a hearing on Preconsidered Int. 205-A sponsored by Council Member Ung, in relation to removing certain reporting requirements selected for waiver by the report and advisory board review commission, and to repeal subdivision c of section 4-207 of the administrative code of the city of New York, relating to reports on assessments of certain clean on-site power generation technologies, and subdivision b of section 19-180.1 of such code, relating to reports on safety audits of crash locations involving pedestrians. The Committee will also hear Preconsidered Res. 120-A also sponsored by Council Member Ung, disapproving the Report and Advisory Board Review Commission's determination to waive the 911 Operational Time Analysis Report required by and described in subdivisions b and c of section 14-149 of the Administrative Code of the City of New York, disapproving such Commission's determination to waive the Annual Youth Services Reports required by subdivision a of section 21-402 of the Administrative Code of the City of New York and approving the remaining four determinations of such Commission communicated to the City Council on December 30, 2021. Those invited to testify include representatives from the Administration and interested members of the public.

II. BACKGROUND

a. The Report and Advisory Board Review Commission

On November 2, 2010, the voters of the City approved a series of revisions to the New York City Charter, including the addition of section 1113, which established the Report and Advisory Board Review Commission (RABRC).¹ Under section 1113, the RABRC has the power and duty to review all requirements in the Charter, the Administrative Code, and the unconsolidated local laws of the City mandating: (i) the issuance of reports by city agencies, officers, or employees and (ii) the establishment of commissions, committees, boards, task forces or other similar bodies that are solely advisory in nature (hereinafter “advisory boards”).² In addition, the RABRC has the power—subject to the approval of the Council—to waive any such reporting or advisory board requirement.³ In the case of a reporting requirement, such a waiver causes the relevant report to cease to be required by law.⁴ In the case of an advisory board requirement, such a waiver causes the relevant advisory board to cease to exist under law.⁵

Once the RABRC has made a determination to waive a reporting or advisory board requirement, it must promptly file such determination with the Council.⁶ Within 120 days of the filing of such determination, the Council may approve or disapprove the determination by an affirmative vote of a majority of all the Council Members.⁷ If the Council fails to take any action within 120 days, the RABRC’s determination is deemed approved.⁸ Section 1113 provides that any disapproval by the Council shall be final unless the Mayor files a written veto of the Council’s action, which may be overridden by a two-thirds vote of all the Council Members.⁹

The RABRC consists of seven commissioners, three of which are Council appointees, and four of which are Mayoral appointees.¹⁰ The Commission is chaired by the Director of the Mayor’s Office of Operations, who is one of the seven Commissioners.¹¹

a. The RABRC’s 2021 Determinations

On December 10, 2021, the RABRC voted to waive the following six reporting requirements in the Administrative Code and Charter:

1. the assessment of city facilities regarding certain clean on-site power generation technologies required by section 4-207(c) of the Administrative Code;
2. the High Pedestrian Crash Location Report required by section 19-180.1(b) of the Administrative Code;
3. the New York City Sports Commission Report required by section 541(c) of the Charter;
4. the 911 Operational Time Analysis Report required by sections 14-149(b) and (c) of the Administrative Code;
5. the Annual Youth Services Report required by section 21-402(a) of the Administrative Code; and
6. the Community Services Block Grant Report required by section 21-402(b)(ii) of the Administrative Code.

¹ See Local Law 60 of 2010.

² See Charter § 1113(d)(1).

³ See Charter § 1113(d)(1).

⁴ See Charter § 1113(d)(3).

⁵ See *id.*

⁶ See Charter § 1113(d)(4).

⁷ See *id.*

⁸ See *id.*

⁹ See Charter § 1113(d)(4).

¹⁰ See Charter § 1113(b).

¹¹ See *id.*

The RABRC's determination letter, attached hereto as Exhibit 1,¹² includes a summary of each reporting requirement, along with the RABRC's official reasons for waiving each requirement. This letter was transmitted to the Council on December 30, 2021.¹³ Note that while four of the six reporting requirements (numbers 1, 2, 3, and 6 above) were waived by the unanimous vote of all seven RABRC Commissioners, two of the requirements (numbers 4 and 5 above) were waived by a vote of 4 in the affirmative, and 3 in the negative.¹⁴ In both cases, the three negative votes came from the three RABRC Commissioners who are Council appointees.

At today's hearing, the Committee will consider a resolution to approve the four waiver determinations that received the unanimous vote of all seven RABRC commissioners, and disapprove the other two determinations. The Committee will also consider legislation to remove language in the Administrative Code and Charter that would be nullified by the four waiver determinations approved in the resolution. The resolution and bill are summarized in greater detail immediately below.

II. LEGISLATIVE ANALYSIS

Preconsidered Int. 205-A

Preconsidered Int. 205-A (Ung) is a clean-up bill that would remove language from the Administrative Code and Charter that would be nullified upon the passage of Preconsidered Res. 120-A (Ung), which is described in greater detail below. Section 1 of the bill would delete language from section 541(c) of the Charter requiring the New York City Sports Commission to issue quarterly and annual reports. Section 2 of the bill would repeal section 4-207(c) of the Administrative Code, which currently requires the Department of Citywide Administrative Services to report on its assessments of city facilities regarding certain clean on-site power generation technologies. Section 3 of the bill would repeal section 19-180.1(b) of the Administrative Code, which currently requires the Department of Transportation to issue the High Pedestrian Crash Location Report. Section 4 of the bill would delete language from section 21-402(b)(ii) of the Administrative Code requiring the Department of Youth and Community Development to submit a copy of the Community Services Black Grants Report to the Council.

This bill would take effect immediately.

Preconsidered Res. 120-A

Preconsidered Res 120-A (Ung) would disapprove two of the six waiver determinations made by the RABRC in December 2021—namely, the determination to waive the 911 Operational Time Analysis Report required by sections 14-149(b) and (c) of the Administrative Code and the determination to waive the Annual Youth Services Report required by section 21-402(a) of the Administrative Code—and thereby prevent such waivers from going into effect. In addition, this resolution would allow the other four waiver determinations made by the RABRC in December 2021 to go into effect immediately. As a result, the following three reports would cease to be required by law: the assessment of city facilities regarding certain clean on-site power generation technologies required by section 4-207(c) of the Administrative Code; the High Pedestrian Crash Location Report required by section 19-180.1 of the Administrative Code; and the New York City Sports Commission Report required by section 541(c) of the Charter. In addition, the Department of Youth and Community Development would no longer be required to submit a copy of the Community Services Block Grant Report to the Council, as currently required by section 21-402(b)(ii) of the Administrative Code.

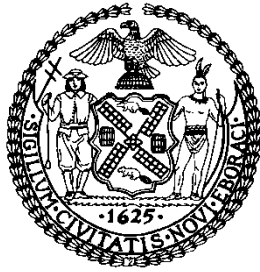
By passing this resolution, the Council would be exercising its authority under Section 1113 of the Charter to approve or disapprove each waiver determination made by the RABRC.

(The following is the text of the Fiscal Impact Statement for Int. No. 205-A:)

¹² Note that the letter has two of its own internal exhibits: Exhibit A (Vote Tally Sheet) and Exhibit B (Proposed Waiver Determination).

¹³ The letter was dated December 28, 2021, but not transmitted until two days later, on the 30th.

¹⁴ See Exhibit A of the determination letter (Vote Tally Sheet).



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

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

FISCAL IMPACT STATEMENT

PRECONSIDERED INT. NO. 205-A

COMMITTEE: Governmental Operations

TITLE: A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to removing certain reporting requirements selected for waiver by the report and advisory board review commission, and to repeal subdivision c of section 4-207 of the administrative code of the city of New York, relating to reports on assessments of certain clean on-site power generation technologies, and subdivision b of section 19-180.1 of such code, relating to reports on safety audits of crash locations involving pedestrians.

SPONSOR: Council Member Ung.

SUMMARY OF LEGISLATION: In December 2021, the Report and Advisory Board Review Commission (RABRC) voted to waive six reporting requirements in the Charter and the Administrative Code, for the stated purpose of improving government efficiency. These include:

1. the assessment of city facilities regarding certain clean on-site power generation technologies required by section 4-207 (c) of the Administrative Code;
2. the High Pedestrian Crash Location Report required by section 19-180 (b) of the Administrative Code;
3. the New York City Sports Commission Report required by section 541 (c) of the Charter;
4. the 911 Operational Time Analysis Report required by sections 14-149 (b) and (c) of the Administrative Code;
5. the Annual Youth Services Report required by section 21-402 (a) of the Administrative Code; and
6. the Community Services Block Grant Report required by section 21-402 (b) (ii) of the Administrative Code.

This bill would repeal four of the six reporting requirements selected for waiver by the RABRC. The bill would:

1. delete language from section 541 (c) of the Charter requiring the New York City Sports Commission to issue quarterly and annual reports;
2. repeal the reporting provided by the Department of Citywide Administrative Services (DCAS) of city facilities regarding certain clean on-site power generation technologies;
3. repeal section 19-180.1 (b) of the Administrative Code, which currently requires the Department of Transportation (DOT) to issue the High Pedestrian Crash Location Report; and
4. delete language requiring the Department of Youth and Community Development (DYCD) to submit a copy of the Community Services Block Grants Reports to the Council.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures resulting from the enactment of this legislation because the relevant agencies would use existing resources to accomplish its requirements.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCES OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Sebastian Palacio Bacchi, Principal Financial Analyst

ESTIMATE REVIEWED BY: Eisha Wright, Deputy Director
John Russell, Unit Head
Noah Brick, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as a Preconsidered Int. on April 5, 2022 and was referred to the Committee on Governmental Operations (Committee). The legislation was subsequently amended and the amended version, Preconsidered Int. No. 205- A, will be voted on by the Committee at a hearing on April 13, 2022. Upon a successful vote by the Committee, Preconsidered Int. No. 205-A will be submitted to the full council for a vote on April 14, 2022.

DATE PREPARED: April 12, 2022

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 205-A:)

Preconsidered Int. No. 205-A

By Council Member Ung.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to removing certain reporting requirements selected for waiver by the report and advisory board review commission, and to repeal subdivision c of section 4-207 of the administrative code of the city of New York, relating to reports on assessments of certain clean on-site power generation technologies, and subdivision b of section 19-180.1 of such code, relating to reports on safety audits of crash locations involving pedestrians

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 541 of the New York city charter, as added by local law number 61 for the year 1991, is amended to read as follows:

c. The commission shall:

- (1) make recommendations to insure the continuation and growth of a healthy environment for professional, amateur and scholastic sports activities in the city;
- (2) hold at least one meeting per month[:];
- (3) [issue a quarterly report to the mayor and the council detailing the commission's activities during the previous three month period;
- (4) issue an annual report to the mayor and the council at the start of each fiscal year detailing the commission's goals for the upcoming year;
- (5)] submit a proposed annual budget to the council no later than March thirty-first of each year;
- [(6)] (4) seek to promote the city as a positive and profitable base for professional sports teams wishing to relocate their organizations; and
- [(7)] (5) perform such other duties as may be necessary as determined by the commission.

§ 2. Subdivision c of section 4-207 of the administrative code of the city of New York is REPEALED.

§ 3. Subdivision b of section 19-180.1 of the administrative code of the city of New York is REPEALED and subdivisions c and d of such section are relettered subdivisions b and c, respectively.

§ 4. Subdivision b of section 21-402 of the administrative code of the city of New York, as added by local law number 81 for the year 1996, is amended to read as follows:

b. The commissioner shall submit to the city council copies of the following reports, and any revisions, updates or modifications to such reports, at the same time that each is submitted to the appropriate New York state agency or officer, or any successor thereto, elected official or other governmental body pursuant to any applicable statute, law, regulation or rule:

- i. the community services block grant management plan required to be submitted to the department of state; and
- ii. [the community services block grant program report required to be submitted to the governor and state legislature; and
- iii.] the comprehensive planning report required to be submitted to the New York state division for youth within the executive department.

§ 5. This local law takes effect immediately.

SANDRA UNG, *Chairperson*; GALE A. BREWER, SHAHANA K. HANIF, LINCOLN RESTLER, LYNN C. SCHULMAN; 5-0-0; Committee on Governmental Operations, April 13, 2022.

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

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

Report for Res. No. 120-A

Report of the Committee on Governmental Operations in favor of approving, as amended, a Resolution disapproving the Report and Advisory Board Review Commission's determination to waive the 911 Operational Time Analysis Report required by and described in subdivisions b and c of section 14-149 of the Administrative Code of the City of New York, disapproving such Commission's determination to waive the Annual Youth Services Reports required by subdivision a of section 21-402 of the Administrative Code of the City of New York and approving the remaining four determinations of such Commission communicated to the City Council on December 30, 2021.

The Committee on Governmental Operations, to which the annexed preconsidered as amended resolution was referred on April 14, 2022, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Governmental Operations for Int. No. 205-A printed in these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 120-A:)

Preconsidered Res. No. 120-A

Resolution disapproving the Report and Advisory Board Review Commission's determination to waive the 911 Operational Time Analysis Report required by and described in subdivisions b and c of section 14-149 of the Administrative Code of the City of New York, disapproving such Commission's determination to waive the Annual Youth Services Reports required by subdivision a of section 21-402 of the Administrative Code of the City of New York and approving the remaining four determinations of such Commission communicated to the City Council on December 30, 2021.

By Council Member Ung.

Whereas, On November 2, 2010, the voters of the City of New York approved a series of revisions to the New York City Charter, including the addition of section 1113, which established the Report and Advisory Board Review Commission (RABRC); and

Whereas, Pursuant to section 1113, the RABRC has the power and duty to review all requirements in the New York City Charter, the Administrative Code of the City of New York and the unconsolidated local laws of the City of New York mandating the issuance of reports by public agencies, officers or employees; and

Whereas, Under section 1113, the RABRC also has the power, subject to the approval of the City Council, to waive any such reporting requirement and thereby cause the relevant report to cease to be required by law; and

Whereas, Section 1113 provides that, following a determination by the RABRC to waive any reporting requirement, the City Council may approve or disapprove such determination by the affirmative vote of a majority of all the Council Members; and

Whereas, Section 1113 further provides that any such disapproval by the Council shall be final unless the Mayor files a written veto of the Council's action, which may be overridden by a two-thirds vote of all the Council Members; and

Whereas, On December 10, 2021, the RABRC made determinations to waive the following six reporting requirements: the report on the assessment of city facilities regarding certain clean on-site power generation technologies required by subdivision c of section 4-207 of the Administrative Code of the City of New York, the High Pedestrian Crash Location Report required by subdivision b of section 19-180.1 of the Administrative Code of the City of New York, the New York City Sports Commission Reports required by paragraphs 3 and 4 of subdivision c of section 541 of the New York City Charter, the 911 Operational Time Analysis Report required by and described in subdivisions b and c of section 14-149 of the Administrative Code of the City of New York, the Annual Youth Services Reports required by subdivision a of section 21-402 of the Administrative Code of the City of New York and the submission to the Council of a copy of the Community Services Block Grant Report required by paragraph ii of subdivision b of section 21-402 of the Administrative Code of the City of New York;

Whereas, On December 30, 2021, the RABRC communicated such determinations to the City Council by submitting a written statement of each determination along with the rationale therefor; now, therefore, be it

Resolved, That the Council of the City of New York disapproves the Report and Advisory Board Review Commission's determination to waive the 911 Operational Time Analysis Report required by and described in subdivisions b and c of section 14-149 of the Administrative Code of the City of New York, disapproves such Commission's determination to waive the Annual Youth Services Reports required by subdivision a of section 21-402 of the Administrative Code of the City of New York and approves the remaining four determinations of such Commission communicated to the City Council on December 30, 2021.

SANDRA UNG, *Chairperson*; GALE A. BREWER, SHAHANA K. HANIF, LINCOLN RESTLER, LYNN C. SCHULMAN; 5-0-0; Committee on Governmental Operations, April 13, 2022.

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

Report of the Committee on Land Use

Report for L.U. No. 20

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210386 ZMK (1034 – 1042 ATLANTIC AVENUE REZONING) submitted by EMP Capital Group pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, changing from an M1-1 District to an R7A District; changing from an M1-1 District to a C6-3A District; and establishing within the proposed R7A District a C2-4 District, for property located in the Borough of Brooklyn, Community District 8, Council District 35.

The Committee on Land Use, to which the annexed Land Use item was referred on February 24, 2022 (Minutes, page 263), respectfully

REPORTS:

SUBJECT

BROOKLYN CB-8 – THREE APPLICATIONS RELATED TO 1034-1042 ATLANTIC AVENUE REZONING

C 210386 ZMK (L.U. No. 20)

City Planning Commission decision approving an application submitted by EMP Capital Group, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c:

1. changing from an M1-1 District to an R7A District property bounded by a line midway between Atlantic Avenue and Pacific Street, Classon Avenue, Pacific Street, and a line 315 feet northwesterly of Classon Avenue;

2. changing from an M1-1 District to a C6-3A District property bounded by the northeasterly boundary line of the Long Island Rail Road right-of-way (Atlantic Division), Classon Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 315 feet northwesterly of Classon Avenue; and
3. establishing within the proposed R7A District a C2-4 District bounded by a line midway between Atlantic Avenue and Pacific Street, Classon Avenue, Pacific Street, and a line 315 feet northwesterly of Classon Avenue;

as shown on a diagram (for illustrative purposes only) dated September 20, 2021, and subject to the conditions of CEQR Declaration E-637.

N 210387 ZRK (L.U. No. 21)

City Planning Commission decision approving an application submitted by EMP Capital Group, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article III Chapter 5 for the purpose of amending street wall location regulations and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

C 210379 ZSK (L.U. No. 22)

City Planning Commission decision approving an application submitted by EMP Capital Group, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to reduce the required number of accessory off-street parking spaces to 20 for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development on property located at 1034 -1042 Atlantic Avenue (Block 1125, Lots 29 and 33) in R7A/C2-4 and C6-3A Districts.

INTENT

To approve the amendment to rezone the project area from an M1-1 zoning district to C6-3A and R7A/C2-4 zoning districts; amend the zoning text to designate a Mandatory Inclusionary Housing (MIH) area and amend street wall regulations; and grant an approval of the special permit pursuant to Zoning Resolution (ZR) Section 74-533 to reduce required residential off-street parking to facilitate the construction of a 17-story mixed use development containing 210 dwelling units, 52 to 63 of which would be permanently affordable, along with commercial and community facility space, at 1034-1042 Atlantic Avenue in the Crown Heights neighborhood of Brooklyn, Community District 8.

PUBLIC HEARING

DATE: March 8, 2022

Witnesses in Favor: Six

Witnesses Against: Twelve

SUBCOMMITTEE RECOMMENDATION**DATE:** April 12, 2022

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on L.U. No. 22; and approve with modifications the decisions of the City Planning Commission on L.U. Nos. 20 and 21.

In Favor:

Riley
Moya
Louis
Abreu
Bottcher
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** April 12, 2022

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Rivera
Louis
Riley
Brooks-Powers
Bottcher
Hanks
Kagan
Krishnan
Sanchez
Borelli

Against:

None

Abstain:

None

RAFAEL SALAMANCA, Chairperson; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent:* Darlene Mealy; Committee on Land Use, April 12, 2022 (Remote Hearing). *Other Council Members Attending: Council Member Barron.*

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. 21

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 210387 ZRK (1034 – 1042 ATLANTIC AVENUE REZONING) submitted by EMP Capital Group pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article III Chapter 5 for the purpose of amending street wall location regulations and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, for property located in the Borough of Brooklyn, Community District 8, Council District 35.

The Committee on Land Use, to which the annexed Land Use item was referred on February 24, 2022 (Minutes, page 263), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 20 printed in these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Chairperson; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; *Absent:* Darlene Mealy; 12-0-0; Committee on Land Use April 12, 2022 (Remote Hearing). *Other Council Members Attending:* Council Member Barron.

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. 22

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210379 ZSK (1034 – 1042 ATLANTIC AVENUE REZONING) submitted by EMP Capital Group pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to reduce the required number of accessory off-street parking spaces to 20 for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development on property located in R7A/C2-4 and C6-3A Districts at 1034 -1042 Atlantic Avenue (Block 1125, Lots 29 and 33), Borough of Brooklyn, Community District 8, Council District 35.

The Committee on Land Use, to which the annexed Land Use item was referred on February 24, 2022 (Minutes, page 264), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 20 printed in these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Chairperson; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent:* Darlene Mealy; Committee on Land Use, April 12, 2022 (Remote Hearing). *Other Council Members Attending:* Council Member Barron.

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. 23

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210335 ZMK (870 - 888 ATLANTIC AVENUE REZONING) submitted by Y & T Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, by changing from an existing M1-1 District to a C6-3A District on property located in the Borough of Brooklyn, Community District 8, Council District 35.

The Committee on Land Use, to which the annexed Land Use item was referred on February 24, 2022 (Minutes, page 264), respectfully

REPORTS:

SUBJECT

BROOKLYN CB-8 – THREE APPLICATIONS RELATED TO 870-888 ATLANTIC AVENUE REZONING

C 210335 ZMK (L.U. No. 23)

City Planning Commission decision approving an application submitted by Y & T Development, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, by changing from an M1-1 District to a C6-3A District property bounded by the northeasterly boundary line of the Long Island Rail Road right-of-way (Atlantic Division), a line 200 feet northwesterly of Underhill Avenue, a line midway between Atlantic Avenue and Pacific Street, and a line 200 feet southeasterly of Vanderbilt Avenue, Borough of Brooklyn, Community District 8, as shown on a diagram (for illustrative purposes only) dated September 20, 2021, and subject to the conditions of CEQR Declaration E-642.

N 210336 ZRK (L.U. No. 24)

City Planning Commission decision approving an application submitted by Y & T Development, 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 Article III Chapter 5 for the purpose of amending street wall location regulations and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

C 210260 ZSK (L.U. No. 25)

City Planning Commission decision approving an application submitted by Y & T Development, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to reduce the required accessory off-street parking spaces to 40 for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development on property located at 870-888 Atlantic Avenue (Block 1122, Lots 21 and 26) in a C6-3A District.

INTENT

To approve the amendment to rezone the project area from an M1-1 zoning district to a C6-3A zoning district; amend the zoning text to designate a Mandatory Inclusionary Housing (MIH) area and amend street wall regulations; and grant an approval of the special permit pursuant to ZR Section 74-533 to reduce residential off-street parking to facilitate the construction of a 17-story mixed use development containing 228 dwelling units, 69 of which would be permanently affordable, along with commercial and community facility space, at 870-888 Atlantic Avenue in the Prospect Heights neighborhood of Brooklyn, Community District 8.

PUBLIC HEARING

DATE: March 8, 2022

Witnesses in Favor: Twelve

Witnesses Against: Eleven____

SUBCOMMITTEE RECOMMENDATION

DATE: April 12, 2022

The Subcommittee recommends that the Land Use Committee approve with modifications the decisions of the City Planning Commission on L.U. No. 24; and approve the decision of the City Planning Commission on L.U. Nos. 23 and 25.

In Favor:

Riley
Moya
Louis
Abreu
Bottcher
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** April 12, 2022

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Rivera
Louis
Riley
Brooks-Powers
Bottcher
Hanks
Kagan
Krishnan
Sanchez
Borelli

Against:

None

Abstain:

None

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent*: Darlene Mealy; Committee on Land Use, April 12, 2022 (Remote Hearing). *Other Council Members Attending: Council Member Barron.*

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. 24

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 210336 ZRK (870 - 888 ATLANTIC AVENUE REZONING) submitted by Y & T Development 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 Article III Chapter 5 for the purpose of amending street wall location regulations and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, on property located in the Borough of Brooklyn, Community District 8, Council District 35.

The Committee on Land Use, to which the annexed Land Use item was referred on February 24, 2022 (Minutes, page 264), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 23 printed in these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Chairperson; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent:* Darlene Mealy; Committee on Land Use, April 12, 2022 (Remote Hearing). *Other Council Members Attending:* Council Member Barron.

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. 25

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210260 ZSK (870 - 888 ATLANTIC AVENUE REZONING) submitted by Y & T Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to reduce the number of required accessory off-street parking spaces for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development, on property in a C6-3A located at Block 1122, Lots 21 & 26, Borough of Brooklyn, Community District 8, Council District 35.

The Committee on Land Use, to which the annexed Land Use item was referred on February 24, 2022 (Minutes, page 264), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 23 printed in these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., Chairperson; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent:* Darlene Mealy; Committee on Land Use, April 12, 2022 (Remote Hearing). *Other Council Members Attending:* Council Member Barron.

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. 29

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210031 ZMK (Sutter Avenue Rezoning) submitted by Almonte Lincoln, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 17c and 18a, changing from an R5 District to an R6A District and establishing within the proposed R6A District a C2-4 District, Borough of Brooklyn, Community District 5, Council District 42.

The Committee on Land Use, to which the annexed Land Use item was referred on March 10, 2022 (Minutes, page 369), respectfully

REPORTS:

SUBJECT

**BROOKLYN CB-5 – TWO APPLICATIONS RELATED TO SUTTER AVENUE
REZONING**

C 210031 ZMK (Pre. L.U. No. 29)

City Planning Commission decision approving an application submitted by Almonte Lincoln, LLC, application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 17c and 18a:

1. changing from an R5 District to an R6A District property bounded by a line 90 feet northerly of Sutter Avenue, Lincoln Avenue, Sutter Avenue, and Autumn Avenue; and
2. establishing within the proposed R6A District a C2-4 District bounded by a line 90 feet northerly of Sutter Avenue, Lincoln Avenue, Sutter Avenue, and Autumn Avenue;

as shown on a diagram (for illustrative purposes only) dated October 4, 2021, and subject to the conditions of CEQR Declaration E-633.

N 210032 ZRK (Pre. L.U. No. 30)

City Planning Commission decision approving an application submitted by Almonte Lincoln, 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 R5 zoning district to an R6A/C2-4 zoning district and amend the zoning text to designate a Mandatory Inclusionary Housing (MIH) area with Options 1 and 2 to facilitate the construction of a new five-story mixed-use building containing 28 dwelling units, eight of which would be permanently affordable, as well as approximately 7,400 square feet of commercial floor area on the ground floor, located at 1377 Sutter Avenue (Block 4254, Lots 39 and 41) in the East New York neighborhood of Brooklyn, Community District 5.

PUBLIC HEARING

DATE: March 8, 2022

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION**DATE:** April 12, 2022

The Subcommittee recommends that the Land Use Committee approve with modifications the decisions of the City Planning Commission on L.U. Nos. 29 and 30.

In Favor:

Riley
Moya
Louis
Abreu
Bottcher
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** April 12, 2022

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Rivera
Louis
Riley
Brooks-Powers
Bottcher
Hanks
Kagan
Krishnan
Sanchez
Borelli

Against:

None

Abstain:

None

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent*: Darlene Mealy; Committee on Land Use, April 12, 2022 (Remote Hearing). *Other Council Members Attending: Council Member Barron.*

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. 30

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 210032 ZRK (Sutter Avenue Rezoning) submitted by Almonte Lincoln, 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, for property located in the Borough of Brooklyn, Community District 5, Council District 42.

The Committee on Land Use, to which the annexed Land Use item was referred on March 10, 2022 (Minutes, page 369), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 29 printed in these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent*: Darlene Mealy; Committee on Land Use, April 12, 2022 (Remote Hearing). *Other Council Members Attending: Council Member Barron.*

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. 32

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 220111 ZMK (3285 Fulton Street Rezoning) submitted by MHANY Management, Inc. and Cypress Hills Local Development Corporation, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17c, eliminating from within an existing R5 District a C2-3 District, changing from an R5 District to an R7A District, establishing within the proposed R7A District a C2-4 District, and establishing a Special Enhanced Commercial District (EC-6), Borough of Brooklyn, Community District 5, Council District 37.

The Committee on Land Use, to which the annexed Land Use item was referred on March 24, 2022 (Minutes, page 488), respectfully

REPORTS:**SUBJECT**

**BROOKLYN CB-5 – TWO APPLICATIONS RELATED TO 3285 FULTON STREET
REZONING**

C 220111 ZMK (Pre. L.U. No. 32)

City Planning Commission decision approving an application submitted by MHANY Management, Inc. and Cypress Hills Local Development Corporation, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 17c:

1. eliminating from within an existing R5 District a C2-3 District bounded by a line 150 feet northerly of Fulton Street, Pine Street, Fulton Street, and Euclid Avenue - Father John Kreg Place;
2. changing from an R5 District to an R7A District property bounded by a line 100 feet northerly of Fulton Street, Pine Street, Fulton Street, and Euclid Avenue - Father John Kreg Place;
3. establishing within the proposed R7A District a C2-4 District bounded by a line 100 feet northerly of Fulton Street, Pine Street, Fulton Street, and Euclid Avenue - Father John Kreg Place; and
4. establishing a Special Enhanced Commercial District (EC-6) bounded by a line 100 feet northerly of Fulton Street, Pine Street, Fulton Street, and Euclid Avenue – Father John Kreg Place

as shown on a diagram (for illustrative purposes only) dated November 1, 2021, and subject to the conditions of CEQR Declaration E-654.

N 220112 ZRK (Pre. L.U. No. 33)

City Planning Commission decision approving an application submitted by MHANY Management, Inc. and Cypress Hills Local Development Corporation, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XIII, Chapter 2 (Special Enhanced Commercial District), and 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 R5/C2-3 zoning district to a R7A/C2-4 and R5 zoning districts; and amend the zoning text to extend a Special Enhanced Commercial District and to designate a Mandatory Inclusionary Housing (MIH) area to facilitate the development of a new seven-story 19,700-square-foot mixed-use building containing 27 affordable independent residences for seniors (AIRS) units and approximately 4,800 square feet of community facility floor area located at 3285 Fulton Street in the East New York neighborhood of Brooklyn, Community District 5.

PUBLIC HEARING

DATE: March 21, 2022

Witnesses in Favor: Four

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION**DATE:** April 12, 2022

The Subcommittee recommends that the Land Use Committee approve with modifications the decision of the City Planning Commission on Pre. L.U. Nos. 32 and 33.

In Favor:

Riley
Moya
Louis
Abreu
Bottcher
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** April 12, 2022

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Rivera
Louis
Riley
Brooks-Powers
Bottcher
Hanks
Kagan
Krishnan
Sanchez
Borelli

Against:

None

Abstain:

None

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent*: Darlene Mealy; Committee on Land Use, April 12, 2022 (Remote Hearing). *Other Council Members Attending: Council Member Barron.*

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. 33

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 220112 ZRK (3285 Fulton Street Rezoning) submitted by MHANY Management, Inc. and Cypress Hills Local Development Corporation, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XIII, Chapter 2 (Special Enhanced Commercial District), and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 5, Council District 37.

The Committee on Land Use, to which the annexed Land Use item was referred on March 24, 2022 (Minutes, page 488), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 32 printed in these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent*: Darlene Mealy; Committee on Land Use, April 12, 2022 (Remote Hearing). *Other Council Members Attending: Council Member Barron.*

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

GENERAL ORDERS CALENDAR

Report for L.U. No. 26 & Res. No. 125

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210161 ZMQ (98-81 QUEENS BOULEVARD REZONING) submitted by Trylon LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14a, eliminating from within an existing R7-1 District a C1-2 District, changing from an R7-1 District to an R8X District, and establishing within the proposed R8X District a C2-4 District, for property located in the Borough of Queens, Community District 6, Council District 29.

The Committee on Land Use, to which the annexed Land Use item was referred on February 24, 2022 (Minutes, page 265) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on March 24, 2022 (Minutes, page 406), respectfully

REPORTS:

SUBJECT

QUEENS CB-6 – TWO APPLICATIONS RELATED TO 98-81 QUEENS BOULEVARD REZONING

C 210161 ZMQ (L.U. No. 26)

City Planning Commission decision approving an application submitted by Trylon, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14a:

1. eliminating from within an existing R7-1 District a C1-2 District bounded by 66th Avenue, 99th Street, 66th Road and Queens Boulevard;
2. changing from an R7-1 District to an R8X District property bounded by 66th Avenue, 99th Street, 66th Road and Queens Boulevard; and
3. establishing within the proposed R8X District a C2-4 District bounded by 66th Avenue, 99th Street, 66th Road and Queens Boulevard;

as shown on a diagram (for illustrative purposes only) dated October 4, 2021, and subject to the conditions of CEQR Declaration E-634.

N 210162 ZRQ (L.U. No. 27)

City Planning Commission decision approving an application submitted by Trylon, 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 to change from an R7-1/C1-2 zoning district to an R8X/C2-4 zoning district and amend the zoning text to establish a Mandatory Inclusionary Housing (MIH) area utilizing Option 1 to facilitate the development of a new 15-story mixed-use building with 158 dwelling units at 98-81 Queens Boulevard in the Rego Park neighborhood of Queens, Community District 6.

PUBLIC HEARING

DATE: March 3, 2022

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: March 21, 2022

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on L.U. No. 26 and approve with modifications the decision of the City Planning Commission on L.U. No. 27.

In Favor:

Riley
Moya
Louis
Abreu
Bottcher
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: March 21, 2022

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Rivera
Louis

Against:

None

Abstain:

None

Riley
Brooks-Powers
Bottcher
Hanks
Kagan
Krishnan
Sanchez
Borelli

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

Res. No. 125

Resolution approving the decision of the City Planning Commission on ULURP No. C 210161 ZMQ, a Zoning Map amendment (L.U. No. 26).

By Council Members Salamanca and Riley.

WHEREAS, Trylon, 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. 14a, eliminating from within an existing R7-1 District a C1-2 District, changing from an R7-1 District to an R8X District, and establishing within the proposed R8X District a C2-4 District, which in conjunction with the related action would facilitate the development of a new 15-story mixed-use building with 158 dwelling units at 98-81 Queens Boulevard in the Rego Park neighborhood of Queens, Community District 6 (ULURP No. C 210161 ZMQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on February 18, 2022 its decision dated February 16, 2022 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 210162 ZRQ (L.U. No. 27), a zoning text amendment to establish 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 March 3, 2022;

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 October 4th, 2021 (CEQR No. 20DCP160Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to air quality and noise impacts (E-634) (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-634) 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 210161 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. 14a:

1. eliminating from within an existing R7-1 District a C1-2 District bounded by 66th Avenue, 99th Street, 66th Road and Queens Boulevard;
2. changing from an R7-1 District to an R8X District property bounded by 66th Avenue, 99th Street, 66th Road and Queens Boulevard; and
3. establishing within the proposed R8X District a C2-4 District bounded by 66th Avenue, 99th Street, 66th Road and Queens Boulevard;

as shown on a diagram (for illustrative purposes only) dated October 4, 2021, and subject to the CEQR Declaration E-634, Borough of Queens, Community District 6.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent*: Darlene Mealy; Committee on Land Use, March 21, 2022 (Remote Hearing). *Other Council Members Attending: Council Members Schulman and De La Rosa.*

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. 27 & Res. No. 126

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210162 ZRQ (98-81 QUEENS BOULEVARD REZONING) submitted by Trylon LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area on property located in Borough of Queens, Community District 6, Council District 29.

The Committee on Land Use, to which the annexed Land Use item was referred on February 24, 2022 (Minutes, page 265) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on March 24, 2022 (Minutes, page 408) , respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 26 printed in these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 126

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 210162 ZRQ, for an amendment of the text of the Zoning Resolution (L.U. No. 27).

By Council Members Salamanca and Riley.

WHEREAS, Trylon 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 15-story mixed-use building with 158 dwelling units at 98-81 Queens Boulevard in the Rego Park neighborhood of Queens, Community District 6 (ULURP No. N 210162 ZRQ) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on February 18, 2022, its decision dated February 16, 2022 (the “Decision”), on the Application;

WHEREAS, the Application is related to application C 210161 ZMQ (L.U. No. 26), a zoning map amendment to change an R7-1/C1-2 zoning district to an R8X/C2-4 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 March 3, 2022;

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 October 4th, 2021 (CEQR No. 20DCP160Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to air quality and noise impacts (E-634) (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-634) 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 210162 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 struck out~~ is old, deleted by the City Council;

Matter double-underlined is new, added 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

* * *

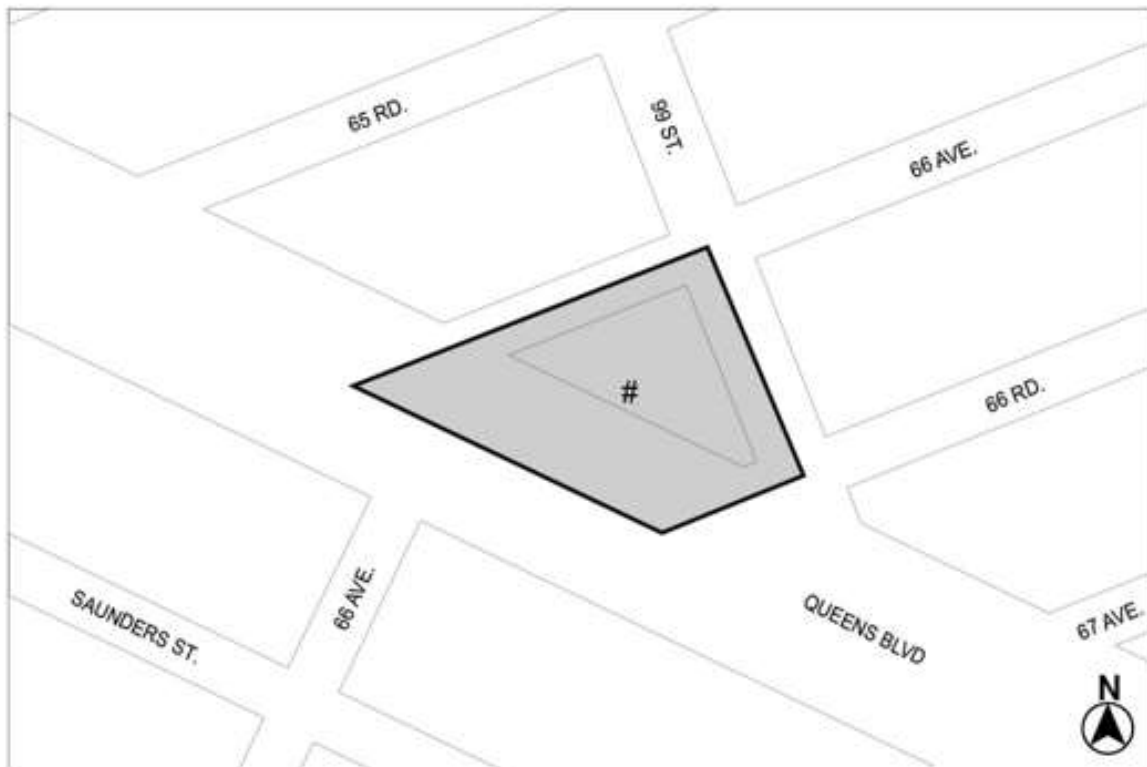
QUEENS

* * *

Queens Community District 6

* * *

Map 4 – [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 6, Queens

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 12-0-0; *Absent*: Darlene Mealy; Committee on Land Use, March 21, 2022 (Remote Hearing). *Other Council Members Attending: Council Members Schulman and De La Rosa.*

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 Order Calendar)

- | | |
|------------------------------------|---|
| (1) M-46 & Res 123 - | Transfer City funds between various agencies in Fiscal Year 2022 (MN-3). |
| (2) M-47 & Res 124 - | Appropriation of new City revenues in Fiscal Year 2022 (MN-4). |
| (3) Int 205-A - | Report and Advisory Board Review Commission reporting requirements. |
| (4) Res 107 - | Organizations to receive funding in the Expense Budget (Transparency Resolution). |
| (5) Res 120-A - | Report and Advisory Board Review Commission reporting requirements. |
| (6) L.U. 26 & Res 125 - | App. C 210161 ZMQ (98-81 QUEENS BOULEVARD REZONING) Borough of Queens, Community District 6, Council District 29. |
| (7) L.U. 27 & Res 126 - | App. C 210162 ZRQ (98-81 QUEENS BOULEVARD REZONING) Borough of Queens, Community District 6, Council District 29. |

The Majority Leader and Acting President Pro Tempore (Council Member Powers) 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, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Shulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) 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 **Preconsidered M-46 & Res. No. 123 (MN-3)**:

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

Negative – Barron - **1**.

The following was the vote recorded for **Preconsidered Res. No. 120-A**:

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Shulman, Stevens, Ung, Velázquez, Williams, Won, Yeger, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **45**.

Negative – Ariola, Carr, Paladino, Vernikov, and the Minority Leader (Council Member Borelli) - **5**.

The following was the vote recorded for **LU. No. 26 & Res. No. 125 and L.U. No. 27 & Res. No. 126**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Riley, Rivera, Salamanca, Sanchez, Shulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **48**.

Negative – Barron - **1**.

Abstention – Richardson Jordan - **1**.

*The following Introduction was sent to the Mayor for his consideration and approval:
Preconsidered Int. No. 205-A.*

INTRODUCTION AND READING OF BILLS

Int. No. 139

By Council Members Abreu, Ayala, Cabán, Stevens, Won, Williams, Sanchez, Velázquez, Riley, Schulman, Menin, Gennaro, Restler, Dinowitz, Narcisse, Krishnan, Gutiérrez, Marte, Ung, Ossé, Rivera, Hudson, Brooks-Powers, Hanif, Salamanca, Joseph, Nurse, Farías, De La Rosa, Avilés, Brannan, Holden, Powers, Hanks, Moya, Lee and Borelli.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the administration for children's services to report on the impact of the deaths of parents and guardians from COVID-19 on children and the repeal of such requirement upon the expiration thereof

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 21-922 to read as follows:

§ 21-922 *COVID-19 deaths of parents, guardians; impact on children; report. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

COVID-19. The term "COVID-19" means the disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

Death from COVID-19. The term "death from COVID-19" means a death of a parent or guardian who had contracted or likely contracted COVID-19.

Young adult. The term "young adult" means a person who is 18 to 26 years of age.

b. Reporting required. Within 60 days of the effective date of the local law that added this section, and quarterly thereafter, ACS shall submit to the mayor and speaker of the council and post on its website a report regarding the impact of the deaths of parents and guardians from COVID-19 on children in New York City. The first such report shall provide quarterly data for the period of January 1, 2020 to April 30, 2022. The subsequent quarterly reports shall provide data for each quarter beginning May 1, 2022. The reports shall include, but not be limited to, the following information:

1. For each child placed into foster care due to a death from COVID-19, such child's race, ethnicity, primary language, income and community district of residence;

2. For each household receiving services from ACS in which young adults are the legal guardians of their younger siblings due to a death from COVID-19, the head of household's race, ethnicity, primary language, income and community district of residence;

3. The unique needs of such children and households and the plan of ACS, if any, to address such needs; and

4. Any additional information that ACS deems germane to such report.

c. The report required by subdivision b of this section shall include a data dictionary.

d. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law.

§ 2. This local law takes effect immediately and expires and is deemed repealed 10 years after it becomes law.

Referred to the Committee on General Welfare.

Res. No. 105

Resolution calling on the New York State legislature to pass and the Governor to sign A.1866/S.1603, in relation to enacting the NYCHA Utility Accountability Act.

By Council Members Avilés, Won, Stevens, Farías, Krishnan, Cabán, Schulman, Hanif, De La Rosa, Brooks-Powers, Velázquez, Barron, Richardson Jordan, Hudson, Rivera, Bottcher and Williams.

Whereas, The New York City Housing Authority (NYCHA) serves 358,675 residents who reside in 285 developments within the public housing program; and

Whereas, For the past decade, there have been numerous articles that have reported on the frequent service interruptions to heat and hot water, and to gas services at NYCHA developments; and

Whereas, On January 2019, federal and city officials agreed to the appointment of a federal monitor to help address the history of maintenance issues that have created health and safety hazards at NYCHA; and

Whereas, The federal monitor has been charged with approving action plans that require NYCHA to meet certain benchmarks to promptly resolve utility outages; and

Whereas, However, according to media reports, tenants are still struggling with outages stemming from damages that occurred during Superstorm Sandy back in 2012, as well as, reoccurring utility outages throughout the NYCHA portfolio; and

Whereas, Tenants pay rent to NYCHA with a reasonable expectation for habitability and the provision of basic utility services, and NYCHA should be accountable to tenants when it fails to make repairs or perform the necessary maintenance to prevent utility outages; and

Whereas, A.1866, sponsored by Assembly Member Khaleel Anderson in the New York State Assembly and companion bill S.1603, sponsored by State Senator Michael Gianaris in the New York State Senate, would require NYCHA to give a prorated rent reduction to tenants who suffer interruptions to their utility services; and

Whereas, NYCHA has a legal and moral obligation to keep the utility systems functioning properly, the passage of A.1866/S.1603 would hold NYCHA accountable when it fails to deliver on its commitments; 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 A.1866/S.1603, in relation to enacting the NYCHA Utility Accountability Act.

Referred to the Committee on Public Housing.

Int. No. 140

By Council Members Ayala, Cabán, Stevens, Nurse and Abreu.

A Local Law to amend the New York city charter, in relation to establishing an office of Puerto Rico-New York City affairs

Be it enacted by the Council as follows:

Section 1. Chapter 1 of the New York city charter is amended by adding a new section 20-n to read as follows:

§ 20-n. Office of Puerto Rico-New York City affairs. a. The mayor shall establish an office of Puerto Rico-New York City affairs, which may be known as PRNYC. Such office may be established within any office of the mayor or within any department the head of which is appointed by the mayor. The office shall be headed by a director of Puerto Rico-New York City affairs, who shall be appointed by the mayor.

b. The director of Puerto Rico-New York City affairs shall have the power and the duty to provide services to former residents of Puerto Rico and descendants of residents of Puerto Rico. Such services shall include:

1. Addressing the needs of persons displaced from Puerto Rico;

- 2. Assistance in completing applications to obtain vital documents from Puerto Rico, including birth, marriage and death certificates;
 - 3. Assistance in understanding and completing applications for governmental programs that may be available to offer assistance to such individuals;
 - 4. Referrals to non-governmental organizations that may be able to offer additional assistance; and
 - 5. Any other services the director deems necessary to provide.
- c. The director of Puerto Rico-New York City affairs shall make reasonable efforts to work with the government of Puerto Rico to provide the services required pursuant to subdivision b.
- § 2. This local law takes effect 120 days after it becomes law.

Referred to the Committee on Governmental Operations.

Int. No. 141

By Council Members Ayala and Won.

A Local Law to amend the New York city building code, in relation to power-operated and power-assisted doors

Be it enacted by the Council as follows:

Section 1. Section BC 1109 of the New York city building code is amended by adding a new section 1109.18 to read as follows:

1109.18 Power-operated doors. *At least one door at an accessible entrance and egress to any Assembly Group A, Business Group B, Education Group E, Institutional Group I-1, I-2 or I-3, Mercantile Group M, Residential Group R-1 or Group R-2 occupancy shall be a power-operated or power-assisted and low-energy door that complies with Section 1010.1.4.2.*

§ 2. Section 1111.2 of the New York city building code is amended by adding a new item 6 to read as follows:

6. *At each entrance or egress to a building required to have a power-operated or power-assisted and low-energy door in accordance with Section 1109.18, the nearest such power-operated door.*

§ 3. This local law takes effect January 1, 2023.

Referred to the Committee on Housing and Buildings.

Int. No. 142

By Council Members Ayala and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to make crime statistics at each New York city housing authority operated housing development available through the department's website, as well as making other crime information regarding such housing developments available to the city council

Be it enacted by the Council as follows:

Section 1. Paragraph four of subdivision a of section 14-150 of the administrative code of the city of New York is amended to read as follows:

4. A crime status report. Such report shall include the total number of crime complaints (categorized by class of crime, indicating whether the crime is a misdemeanor or felony) for each patrol precinct, including a subset of housing bureau and transit bureau complaints within each precinct *as well as a subset of complaints for each housing development operated by the New York city housing authority*; arrests (categorized by class of crime, indicating whether the arrest is for a misdemeanor or felony) for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division; summons activity (categorized by type of summons, indicating whether the summons is a parking violation, moving violation, environmental control board notice of violation, or criminal summons) for each patrol precinct, housing police service area and transit district; domestic violence radio runs for each patrol precinct; average response time for critical and serious crimes in progress for each patrol precinct; overtime statistics for each patrol borough and operational bureau performing an enforcement function within the police department, including, but not limited to, each patrol precinct, housing police service area, transit district and patrol borough street crime unit, as well as the narcotics division, fugitive enforcement division and the special operations division, including its subdivisions, but shall not include internal investigative commands and shall not include undercover officers assigned to any command. Such report shall also include the total number of complaints of all sex offenses as defined in article 130 of the New York state penal law, in total and disaggregated by the following offenses: rape as defined in sections 130.25, 130.30, and 130.35; criminal sexual act as defined in sections 130.40, 130.45, and 130.50; misdemeanor sex offenses as defined in sections 130.20, 130.52, 130.55, and 130.60; sexual abuse as defined in sections 130.65, 130.65-a, 130.66, 130.67, and 130.70; course of sexual conduct against a child as defined in sections 130.75 and 130.80; and predatory sexual assault as defined in sections 130.95 and 130.96. Such report shall also include the total number of major felony crime complaints for properties under the jurisdiction of the department of parks and recreation, pursuant to the following timetable:

1. Beginning January first, two thousand fourteen, the thirty largest parks, as determined by acreage;
2. Beginning June first, two thousand fourteen, the one hundred largest parks, as determined by acreage;
3. Beginning January first, two thousand fifteen, the two hundred largest parks, as determined by acreage;
4. Beginning January first, two thousand sixteen, the three hundred largest parks, as determined by acreage;
5. Beginning January first, two thousand seventeen, all parks one acre or greater in size; and
6. Beginning January first, two thousand eighteen, all public pools, basketball courts, recreation centers, and playgrounds that are not located within parks one acre or greater in size.

The department shall conspicuously post all quarterly reports of major felony crime complaints for properties under the jurisdiction of the department of parks and recreation online via the department's website within five business days of the department's submission of such report to the council.

§2. Chapter one of title 14 of the administrative code of the city of New York is amended to add a new section 14-193, to read as follows:

§14-193. Crime data by housing development posted to the department's website. The department shall make available to the public, through its website, crime data for each housing development operated by the New York city housing authority. Crime data, as used in this section, refers to the crime data that the police department places on its website for each precinct and patrol borough.

§3. This local law takes effect 90 days after it becomes law.

Referred to the Committee on Public Housing.

Int. No. 143

By Council Members Barron, Cabán, Hanif, Won, Joseph, Stevens, Avilés, Farías, Louis, Richardson Jordan, Nurse, Menin, Ossé, Riley, Krishnan, Gutiérrez, Brewer, Ayala, Feliz, Rivera, Hudson, Narcisse, Dinowitz, Schulman, De La Rosa, Williams and Marte.

A Local Law to amend the administrative code of the city of New York, in relation to remediating lead water hazards in schools

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 9 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-925 to read as follows:

§ 17-925 Remediation of lead in water used for drinking or cooking at covered schools.

a. As used in this section, the term “covered school” means the rooms, areas and other spaces regulated by article 43 of the New York city health code.

b. All water supplied for drinking or cooking purposes in a covered school shall have lead levels below a water lead action level established by rule of the department.

c. The operator of a covered school or the owner of the premises where such school is located shall:

1. Except as provided in subdivision d of this section, at least once in each year, cause a sample of water from each fixture in such school that supplies water for drinking or cooking purposes to be analyzed for lead by a laboratory certified to perform such analysis by the United States environmental protection agency, or a state agency of appropriate jurisdiction, and provide, in a form and manner established by the department, a copy of the results of such analysis to the parent or guardian of each child that attends such school and to the department; or

2. (i) Install, and thereafter maintain and replace in accordance with manufacturer specifications, water filtration or treatment systems that will reduce lead concentrations in water supplied for drinking or cooking purposes at such school and that have been certified by NSF International, or another certifying body designated by rule of the department, to reduce lead concentrations in water in accordance with NSF/ANSI standard 53 or 58, as in effect on the effective date of the local law that added this section, or such other standard as the department may adopt by rule or (ii) otherwise provide occupants of such school with an adequate supply of safe, water for drinking and cooking purposes in accordance with rules promulgated by the department, provided that if electing to comply with this paragraph, such owner or operator shall at least once in each year, in a time and manner established by the department, provide the department with a certification describing the manner of such compliance and provide a copy of such certification to the parent or guardian of each child that attends such school.

d. 1. For a covered school located in a building erected before June 19, 1988, the operator of such school, or the owner of such building, may only elect to comply with paragraph 1 of subdivision c of this section for such school if the department has authorized such election for such school based upon submission of an application, in a form and manner established by the department, showing that (i) a person performed tests, using a lead test kit recognized by the United States environmental protection agency pursuant to section 745.88 of title 40 of the code of federal regulations, of the pipes, pipe fittings, joints, valves, faucets and fixture fittings utilized to supply water for drinking or cooking purposes in such school to determine the lead content thereof, (ii) such person determined that such tests yielded negative responses for lead, (iii) such person is a certified renovator, as such term is defined in section 745.83 of title 40 of the code of federal regulations, as in effect on the effective date of the local law that added this section, or is otherwise approved to perform such tests by the department, the department of buildings or another agency designated by the mayor, (iv) such application includes a copy of the results of such tests certified by such person and (v) a copy of such application was provided to the parent or guardian of each child attending such school.

2. The department may reduce the frequency of sampling for a covered school under paragraph 1 of subdivision c of this section from once in each year to once in every three years upon submission of an application, in a form established by such department, showing that for each of the immediately preceding three

years, the results of sampling in accordance with such paragraph have indicated that lead levels in such samples were below the water lead action level established under subdivision b of this section.

e. If a test that is required by federal, state or local law or rule, or an order issued by a court or a federal, state or local agency having appropriate jurisdiction, indicates that water supplied for drinking or cooking at a covered school has a lead level at or above the water lead action level established under subdivision b of this section, the operator of such school or the owner of the premises where such school is located shall:

1. Notify the department and the parent or guardian of each child that attends such school in a time and manner established by the department; and

2. Comply with paragraph 1 of subdivision c of this section, except that an operator of such covered school, or an owner of the premises where such a school is located, who installs a water filtration or treatment system pursuant to such paragraph need not thereafter replace such system in accordance with such paragraph if such operator or owner submits to the department, in a time and manner established by the department, a certification showing that (i) a sample of water was obtained from each fixture in such school that supplies water for drinking or cooking purposes, (ii) each such sample was obtained after the installation of such system but did not include water that passed through such system, (iii) each such sample was analyzed for lead by a laboratory certified to perform such analysis by the United States environmental protection agency, or a state agency having appropriate jurisdiction, (iv) such analysis indicated that the lead level for each such sample is below the water lead action levels established under section 17-912 of the code, provided that such certification shall include a copy of the results of such analysis as provided by such laboratory, and (v) a copy of such certification was provided to a parent or guardian of each child attending such school.

f. Conditions prohibited by this section shall be remediated in the manner set forth under subdivision d of section 17-922.

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

Referred to the Committee on Health.

Int. No. 144

By Council Members Barron, Richardson Jordan and Ossé.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to creating an elected civilian review board and repealing the civilian complaint review board and independent police investigation and audit board.

Withdrawn at the request of Council Member Barron.

Res. No. 106

Resolution calling on the Mayor of New York City and all private employers in New York City to re-hire all employees fired due to non-compliance with COVID-19 vaccination mandates.

By Council Members Borelli, Louis, Ariola, Paladino, Carr, Yeger, Holden, Vernikov, Gennaro and Kagan.

Whereas, On October 20, 2021, then-Mayor Bill de Blasio announced a novel coronavirus (COVID-19) vaccination mandate for all City employees, supported by an Order of the Commissioner of the Department of Health and Mental Hygiene (DOHMH) to detail and formalize the requirement; and

Whereas, The Order required that all City employees provide proof to the agency or office for which they worked that they had either been fully vaccinated against COVID-19 or that they were vaccinated with the first dose of a two-dose COVID-19 vaccination; and

Whereas, Failure by some City employees to comply with this Order resulted in those employees being placed on unpaid leave until they provided proof of vaccination to their supervisor; and

Whereas, On February 11, 2022, the City terminated a total of about 1,430 City employees, of which a large number were employees of the City's Department of Education, due to non-compliance with the COVID-19 vaccination Order; and

Whereas, In addition to the COVID-19 vaccination mandate for City employees, in August 2021, then-Mayor de Blasio signed Emergency Executive Order 225 (entitled "Key to NYC"), which required workers and patrons 12 years of age or older of indoor entertainment, recreation, dining and fitness centers in New York City to present proof of at least one dose of a COVID-19 vaccination, placing the responsibility for implementation on private businesses that fall under the pre-described categories; and

Whereas, On December 6, 2021, then-Mayor de Blasio announced a COVID-19 vaccination mandate for private-sector workers that applied to roughly 184,000 businesses in New York City, which would take effect on December 27, 2021, and was formalized by an Order of the Commissioner of DOHMH; and

Whereas, As of March 7, 2022, New York City has discontinued the "Key to NYC" vaccination mandate, and as of March 24, 2022, Mayor Eric Adams signed Executive Order 62 which states that it exempts New York City-based professional athletes and performers from the private-sector vaccination mandate; and

Whereas, Although certain exemptions have been made, thousands of private-sector businesses and employees, and City employees are still subject to the COVID-19 vaccination Orders that remain in effect, and many workers in both the private and public sector have lost their jobs due to non-compliance with such mandates; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Mayor of New York City and all private employers in New York City to re-hire all employees fired due to non-compliance with COVID-19 vaccination mandates.

Referred to the Committee on Civil Service and Labor.

Int. No. 145

By Council Members Brannan, Yeger, Hanif, Nurse and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of sanitation to remove fallen tree limbs, branches and vegetation that obstruct streets and sidewalks as a result of inclement weather

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-144 to read as follows:

§ 16-144 Removal of fallen tree limbs, branches and vegetation after inclement weather. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Inclement weather. The term "inclement weather" includes but is not limited to rain, sleet, ice, snow, wind, and extreme heat and cold.

Tree. The term "tree" has the same meaning as in section 18-103.

Vegetation. The term "vegetation" has the same meaning as in section 18-103.

b. The department shall assist the department of parks and recreation in removing fallen tree limbs, branches and vegetation that obstruct sidewalks, streets and parking spaces within 72 hours of discovery after inclement weather, such as through the department of sanitation discovering the fallen tree limbs, branches and vegetation or through a 311 call, although such assistance shall not take precedence over the department of sanitation's core duties.

c. The department is not responsible for removing downed trees or vegetation, or any portion thereof, if such removal requires specialized equipment such as cutting tools, ropes or cranes.

d. This section does not interfere with the commissioner of parks and recreation's jurisdiction or responsibilities over trees and vegetation pursuant to section 18-104.

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 146

By Council Members Brannan, Cabán, Won, Restler, Nurse and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to requiring certain retail food stores to post notices on the food donation web portal concerning the availability of excess food, and arranging for the transportation and retrieval of such food

Be it enacted by the Council as follows:

Section 1. Section 16-497 of Chapter 4-G of title 16 of the administrative code of the city of New York, as added by local law number 176 for the year 2017, is amended to read as follows:

§ 16-497 Food donation web portal. *a. Definitions. For the purposes of this chapter, the following terms have the following meanings:*

Excess food. The term "excess food" means food that (i) meets all quality and labeling standards imposed by federal, state, and local laws and regulations even though the food may not be readily marketable due to appearance, age, freshness, grade, size, surplus, or other conditions; (ii) is not required to meet the needs of a retail food store; and (iii) would otherwise be discarded.

Retail food store. The term "retail food store" means any establishment in the city where food and food products offered to the consumer are intended for off-premises consumption, but excludes convenience stores, pharmacies, greenmarkets or farmers' markets and food service establishments.

b. [Within eighteen months after the effective date of the local law that added this section, t]The department or another agency or office designated by the mayor, shall, in conjunction with the department of information technology and telecommunications, create or modify and maintain a web portal that will allow prospective food donors and recipients, including but not limited to restaurants, grocery stores, produce markets, dining facilities and food rescue organizations, to post [notifications] notices concerning the availability of food, including food that would otherwise go to waste, and to arrange for the transportation or retrieval of such food. Such portal shall, at a minimum, allow (i) a prospective food donor to describe the type and amount of food available, including any information necessary to keep the food safe for human consumption, such as refrigeration requirements, as well as other information necessary to facilitate its donation, (ii) a prospective food recipient to specify the type and amount of food donations it will accept and the areas of the city from which it will accept donations and to receive prompt notification concerning the availability of food satisfying such specifications, and (iii) a prospective food donor and a prospective food recipient to communicate directly through a messaging system within such portal.

c. Each retail food store that has a floor area of at least 15,000 square feet, or that is part of a chain of three or more retail food stores that have a combined floor area of at least 15,000 square feet and that operate under common ownership and control, with excess food available, shall, at least once a month:

- 1. Post a notice on such portal offering such excess food for donation;*
- 2. Arrange for the retrieval of such excess food by its recipient; and*
- 3. If requested by the recipient, with reasonable effort arrange for the transportation of such excess food.*

d. Retail food stores that would otherwise be subject to the requirements of subdivision c of this section shall be exempt from such requirements if they have, and are in compliance with, written agreements with not-for-profit organizations for the donation of food at least once per month.

e. The commissioner shall enforce the requirements of subdivision c of this section. A retail food store that would otherwise be subject to the requirements of subdivision c of this section that fails to comply with such

subdivision shall be subject to a penalty of no more than \$10,000 for each month during which such retail food store failed to post a required notice. The commissioner shall investigate any retail food store that has not posted notices offering excess food for at least six months out of the previous 12 months.

f. No later than December 1 of each year, the commissioner or another agency or office designated by the mayor, shall:

1. conduct a review of all notices concerning available, excess food posted to the food web portal within the past year;

2. assess, in its discretion, to what extent such notices would meet the estimated demand for food from city residents likely to suffer from hunger in the next year; and

3. submit a report detailing the results of such review and assessment to the mayor and the speaker of the council.

g. The commissioner or another agency or office designated by the mayor shall promulgate rules to implement the requirements of this section.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of sanitation or another agency or office designated by the mayor shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 147

By Council Members Brannan, Yeger, Won and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that traffic study determinations be issued no later than 60 days from the date a traffic control device is requested by a city council member or community board

Be it enacted by the Council as follows:

Section 1. Section 19-185 of the administrative code of the city of New York, as added by local law number 14 for the year 2011, is amended to read as follows:

§ 19-185 Traffic study determinations. *The department shall issue a traffic study determination within 60 days of the date a council member or community board submits a request for a traffic control device regulated by the manual on uniform traffic control devices.* The department shall include with any determination denying [a]such request [by a community board or council member for a traffic control device regulated by the manual on uniform traffic control devices,] a summary of the traffic control device warrants, along with the date and time that the department performed its traffic analysis and the time period of any crash data considered by the department for such warrants. Such denial shall also include the following language: “A summary of the studies and reports that led to this determination will be provided upon request.” Upon such request by the community board or council member after receiving the denial the department shall provide a summary of the traffic studies and/or reports performed by the department.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 148

By Council Members Brannan, Louis, Ayala, Cabán, Stevens, Hanif, Won, Restler, Hudson, Nurse and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to expanding protections for victims of domestic violence to include economic abuse

Be it enacted by the Council as follows:

Section 1. The definition of “victim of domestic violence” in section 8-102 of the administrative code of the city of New York, as added by local law 63 of 2018, is amended to read as follows:

Victim of domestic violence. The term "victim of domestic violence" means:

[a] 1. A person who has been subjected to acts or threats of violence, not including acts of self-defense, committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim, by a person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, or by a person who is or has continually or at regular intervals lived in the same household as the victim.

2. A person who has been subjected to acts or threats of economic abuse, committed by a current or former spouse of the victim, a person with whom the victim shares a child in common, a person who is cohabiting with or has cohabited with the victim, a person who is or has been in a continuing social relationship of a romantic or intimate nature with the victim, or a person who is or has continually or at regular intervals lived in the same household as the victim. As used in this definition the term “economic abuse” means behavior that is coercive, deceptive or unreasonably controls or restrains a person’s ability to acquire, use or maintain economic resources to which they are entitled, including coercion, fraud or manipulation to:

(a) Restrict a person’s access to money, assets, credit or financial information;

(b) Unfairly use a person’s personal economic resources, including money, assets and credit, for one’s own advantage; or

(c) Exert undue influence over a person’s financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty.

§ 2. This local law takes effect immediately.

Referred to the Committee on Civil and Human Rights.

Int. No. 149

By Council Members Brannan, Cabán, Nurse and Abreu (by request of the Queens Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to increasing transparency around manhole fires and explosions

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 15 of the administrative code of the City of New York is amended by adding a new section 15-141 to read as follows:

§ 15-141 Reporting on manhole fires and explosions. No later than October 1 of each year, the department shall submit a report to the council on the number of manhole fire and manhole explosion complaints responded to by the department, disaggregated by council district.

§ 2. This local law takes effect immediately.

Referred to the Committee on Fire and Emergency Management.

Int. No. 150

By Council Members Brannan, Cabán, Stevens, Dinowitz, Restler and Nurse (by request of the Queens Borough President).

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

Be it enacted by the Council as follows:

Section 1. Exception 18 of section 28-101.4.3 of the administrative code of the city of New York, as amended by local law number 126 for the year 2021, is amended to read as follows:

18. Parking garages and open parking lots. [Where an alteration of a parking garage or an open parking lot includes an increase in the size of the electric service such alteration shall include provisions for the installation of electric vehicle charging stations in accordance] Parking garages and open parking lots shall comply with section 406.4.10 or 406.9.8 of the New York city building code, as applicable.

§2. Section 28-315.3 of the administrative code of the city of New York is amended by adding a new section 28-315.3.3 to read as follows:

§ 28-315.3.3 Electric vehicle supply equipment (EVSE). Open parking lots and parking garages with 10 or more parking spaces shall be capable of supporting and equipped with EVSE by the dates set forth in sections 28-315.3.3.1 through 28-315.3.3.3 and owners of such parking lots and parking garages shall report compliance with such sections by the dates indicated.

Exceptions:

1. The commissioner may grant an adjustment to or waiver of any of the provisions of this section with respect to an open parking lot or parking garage where:

1.1 the building is subject to financial hardship and the owner is complying with the requirements of this section to the maximum extent practicable and has availed itself of all available city, state, federal, private and utility incentive programs related to EVSE for which it reasonably could participate; or

1.2 the project costs exceed the baseline costs for EVSE installation in the program identified in the Public Service Commission order that authorized the PowerReady program administered by Con Edison, any successor program or a subsequent baseline cost for EVSE installation as determined by rule by the department, and the owner is complying with the requirements of this section to the maximum extent practicable and has availed itself of all available city, state, federal, private and utility incentive programs related to EVSE for which it reasonably could participate.

2. The commissioner may waive compliance with this section for municipal open parking lots or parking garages within the jurisdiction of the department of transportation where the commissioner of transportation determines compliance with this section is not feasible for operational or budgetary reasons.

3. The commissioner may grant an adjustment to, or waiver of, this section for a building owned by a limited-profit housing company organized pursuant to article 2 of the private housing finance law, provided that documentation from such building's supervising agency certifying to such infeasibility has been provided to the department. Such building will need to comply only to the extent determined to be feasible as documented by the building's supervising agency.

4. The commissioner may waive compliance with this section for occupancy group E facilities within the jurisdiction of the department of education where the department of education or the New York city school construction authority determines compliance with this section is not feasible for operational or budgetary reasons.

§ 28-315.3.3.1 No less than 10 percent of parking spaces in existing open parking lots and parking garages with 10 or more parking spaces shall be equipped with EVSE in accordance with section 406.4.10 or 406.9.8 of the New York city building code, as applicable, by January 1, 2030. A report of compliance with this section shall be submitted to the department within 60 days after final inspection of such installation in a form and manner specified by the department.

Exceptions:

1. Existing open parking lots and parking garages of buildings where 50 percent or more of the dwelling units are subject to a regulatory agreement with a federal, state, or local governmental entity or instrumentality for the creation or preservation of affordable housing shall be equipped with such EVSE by January 1, 2035. A report of such compliance and evidence of such regulatory agreement shall be provided to the department within 60 days after final inspection in a form and manner specified by the department.

2. Existing open parking lots and parking garages for buildings in which not less than 50 percent of the dwelling units are for households earning up to 60 percent of the area median income as determined by the United States department of housing and urban development shall be equipped with such EVSE by January 1, 2035. A report of such compliance, and evidence of such earnings and income status, shall be provided to the department within 60 days after final inspection in a form and manner specified by the department.

§ 28-315.3.3.2 No less than 20 percent of parking spaces in existing open parking lots and parking garages with more than 10 parking spaces shall be equipped with EVSE in accordance with section 406.4.10 or 406.9.8 of the New York city building code, as applicable, by January 1, 2035 and a report of such compliance shall be submitted to the the department within 60 days after final inspection of such installation in a form and manner specified by the department.

§ 28-315.3.3.3 Existing open parking lots and parking garages with more than 10 parking spaces shall be capable of supporting EVSE in accordance with section 406.4.10 or 406.9.8 of the New York city building code, as applicable, for at least 40 percent of the parking spaces in such open parking lots and parking garages by January 1, 2030. A report of such compliance shall be provided to the department within 60 days after final inspection in a form and manner specified by the department.

§3. The definitions in section 202 of the New York city building code are amended by adding the following definitions in alphabetical order to read as follows:

ELECTRIC VEHICLE COUPLER. A mating electric vehicle inlet and electric vehicle connector set.

ELECTRIC VEHICLE INLET. The device on the electric vehicle into which the electric vehicle connector is inserted for power transfer and information exchange. This device is part of the electric vehicle coupler. For the purposes of this code, the electric vehicle inlet is considered to be part of the electric vehicle and not part of the electric vehicle supply equipment.

ELECTRIC VEHICLE LOAD MANAGEMENT SYSTEM. An electronic system designed to allocate charging capacity among electric vehicle supply equipment.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE). The conductors, including the ungrounded, grounded and equipment grounding conductors, and the electric vehicle connectors, attachment plugs and

all other fittings, devices, power outlets or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

FINANCIAL HARDSHIP (OF A BUILDING). The term “financial hardship (of a building)” means a building that for the combined two years prior to the application for an adjustment pursuant to sections 406.4.10(2) and 406.9.8(2) of the New York city building code:

1. Had arrears of property taxes or water or wastewater charges that resulted in the property’s inclusion on the department of finance’s annual New York city tax lien sale list;

2. Had been exempt from real property taxes pursuant to sections 420-a, 420-b, 446 or 462 of the real property tax law and applicable local law and the owner had negative revenue less expenses as certified to the department by a certified public accountant, or by affidavit under penalties of perjury; or

3. Had outstanding balances under the department of housing preservation and development’s emergency repair program that resulted in the property’s inclusion on the department of finance’s annual New York city tax lien sale list.

§4. Sections 406.4.10, 406.9.1, and 406.9.8 of the New York city building code, as renumbered and amended by local law number 126 for the year 2021, are amended to read as follows:

406.4.10 Electric vehicle [charging stations] supply equipment (EVSE). Parking garages shall be capable of supporting [electrical vehicle charging stations] and shall be equipped with EVSE in accordance with this section. [Electrical]

406.4.10.1 Electrical raceway. In new parking garages electrical raceway to the electrical supply panel serving the parking garage shall be capable of providing a minimum of [3.1 kw] 208 volts and a 40-ampere circuit capable of providing 32 amperes of electrical capacity to [at least 20 percent] EVSE for at least 60 percent of the parking spaces of the garage. [The electrical room supplying the garage must have the physical space for an electrical supply panel sufficient to provide 3.1 kW of electrical capacity to at least 20 percent of the parking spaces of the garage. Such] Where an alteration of an existing parking garage includes an increase in the size of the electric service or additional parking spaces, electrical raceway to the electrical supply panel serving such existing parking garage shall be capable of providing a minimum of 208 volts and a 40-ampere circuit capable of providing 32 amperes of electrical capacity to an EVSE for at least 40 percent of the parking spaces of the garage. The raceway and all components and work appurtenant thereto shall be in accordance with the *New York City Electrical Code*, and a ventilation system shall be provided for three-phase charging in accordance with the *New York City Electrical Code* and the *New York City Mechanical Code*.

406.4.10.2 Electrical room. In a new parking garage the electrical room supplying the parking garage must have the electrical capacity and physical space for an electrical supply panel sufficient to provide 208 volts and a 40-ampere circuit capable of providing 32 amperes of electrical capacity to an EVSE for at least 60 percent of the parking spaces of the garage. Where an alteration to an existing parking garage includes an increase in the electric service or additional parking spaces, the electrical room supplying the garage must have the electrical capacity and physical space for an electrical supply panel sufficient to provide 208 volts and a 40-ampere circuit capable of providing 32 amperes of electrical capacity to an EVSE for at least 40 percent of the parking spaces of the garage. Existing parking garages that cannot supply the required capacity to 40 percent of spaces based on electrical service availability shall provide capacity to the extent feasible without requiring new electrical service or an electrical service upgrade. This amount of electrical capacity may be coupled with an electric vehicle load management system to distribute power to a greater percentage of spaces at lower amperage as EVSE penetration increases above 40 percent of parking spaces.

406.4.10.3 Installation of EVSE. EVSE shall be installed in accordance with Items 1 through 6 below.

1. No fewer than 20 percent of all parking spaces in a new parking garage shall be equipped with EVSE capable of providing a minimum supply of 208 volts and 32 amperes to an electric vehicle. Where an alteration to an existing parking garage includes an increase in the electric service or additional parking spaces, no fewer than 10 percent of all parking spaces in such parking garage shall be equipped with EVSE capable of providing a minimum supply of 208 volts and 32 amperes to an electric vehicle.

2. Where an EVSE is provided to parking spaces that are deeded or leased to residential or commercial occupants, parking spaces shall be located at least 100 feet (30 480 mm) from a supporting electrical supply panel.

3. The electrical supply panel shall have electrical capacity to support the total garage supply allocated to EVSE or 208 volts and a 40-ampere circuit capable of providing 32 amperes to an EVSE per parking space supported by that panel, whichever is lower, and physical breaker space to support all parking spaces supported by that panel.

4. Each installed EVSE shall be located within 150 feet (45 720 mm) of a standpipe hose connection calculated along the clear path.

5. At least one shut off switch shall be provided in a remote location to de-energize all EVSE. The switches and their locations must be clearly marked. An indicator light shall be provided and visible at each charging station to indicate if the station is energized.

6. For garages within the 1 percent annual chance floodplain, as defined by the “Preliminary Flood Insurance Rate Maps 2015” layer on the Department of City Planning’s Flood Hazard Mapper, or any subsequent flood insurance rate map issued by such department, all electrical equipment must be installed above building design flood elevation as defined in Section G201.2 of Appendix G.

Exceptions: 1. [The provisions of this section shall not apply to parking garages for buildings of occupancy group M (Mercantile).

2.] The commissioner may waive compliance with this section if the commissioner determines that the parking garage is a temporary facility that will be in service no longer than [3] three years.

[3]2. The provisions of this section shall not apply to parking garages for new buildings in which not less than [fifty] 50 percent of the residential units are for households earning up to [sixty] 80 percent of the area median income as determined by the United States [Department of Housing and Urban Development] department of housing and urban development where the application for construction document approval for the building is filed prior to January 1, 2035 and evidence of earnings and income status is provided in a form and manner specified by the department.

3. For new parking garages in or accessory to buildings in which the owner can demonstrate that 50 percent or more of the dwelling units in such buildings are subject to a regulatory agreement, restrictive declaration, or similar instrument with a federal, state, or local governmental entity or instrumentality for the creation or preservation of affordable housing, no fewer than 10 percent of all parking spaces in new parking garages shall be equipped with EVSE, and for applications submitted to the department on or after January 01, 2030 no fewer than 20 percent of all parking spaces shall be equipped with EVSE.

4. The commissioner may waive compliance with this section for occupancy group E facilities within the jurisdiction of the department of education where the department of education or the New York city

school construction authority determines compliance with this section is not feasible for operational or budgetary reasons.

406.9.1 Definitions. The following [term] terms are defined in chapter 2.

ELECTRIC VEHICLE CONNECTOR.

ELECTRIC VEHICLE COUPLER.

ELECTRIC VEHICLE INLET.

ELECTRIC VEHICLE LOAD MANAGEMENT SYSTEM.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE).

FINANCIAL HARDSHIP (OF A BUILDING).

OPEN PARKING LOT.

406.9.8 Electric vehicle [charging stations] supply equipment (EVSE). Open parking lots shall be capable of supporting and shall be equipped with [electric vehicle charging stations] EVSE in accordance with [this section. A minimum of 20 percent] Sections 406.9.8.1 through 406.9.8.3.

406.9.8.1 Electrical raceway. In a new open parking lot at least 60 percent of the parking spaces [in an open parking lot] shall be equipped with electrical raceway capable of providing a minimum supply of [11.5 kVA] 208 volts and a 40-ampere circuit capable of providing 32 amperes to an EVSE from an electrical supply panel. The raceway shall be no smaller than 1 inch (25.4 mm). Where the alteration of an existing open parking lot includes an increase in the electric service or additional parking spaces, a minimum of 40 percent of the parking spaces in the open parking lot shall be equipped with electrical raceway capable of providing a minimum supply of 208 volts and a 40-ampere circuit capable of providing 32 amperes to an EVSE from an electrical supply panel. The raceway shall be no smaller than 1 inch (25.4 mm). Such raceway and all components and work appurtenant thereto shall be in accordance with the *New York City Electrical Code*.

406.9.8.2 Electrical supply panel. [The] In a new open parking lot the electrical supply panel serving such parking spaces must [have at least 3.1 kW of available capacity for each stall connected to it with raceway. Such raceway and all components and work appurtenant thereto shall be in accordance with the *New York City Electrical Code*.] be capable of providing a minimum supply of 208 volts and 32 amperes to EVSE for at least 60 percent of the parking spaces in the open parking lot. Where the alteration of an existing open parking lot includes an increase in the electric service or additional parking spaces, the electrical supply panel serving such parking spaces must be capable of providing a minimum supply of 208 volts and 32 amperes to EVSE for 40 percent of the parking spaces in the open parking lot. Existing open parking lots that cannot supply capacity to 40 percent of spaces based on electrical service availability shall provide capacity to the extent feasible without requiring new electrical service or an electrical service upgrade. This amount of electrical capacity may be coupled with an electric vehicle load management system to distribute power to a greater percentage of spaces at lower amperage as EVSE penetration increases above 40 percent of parking spaces.

406.9.8.3 Installation of EVSE. EVSE shall be provided in accordance with items 1 through 5.

1. No fewer than 20 percent of all parking spaces in a new open parking lot shall be equipped with EVSE capable of providing a minimum supply of 208 volts and 32 amperes to an electric vehicle. Where an alteration of an existing open parking lot includes an increase in the electric service or additional

parking spaces, no fewer than 10 percent of all parking spaces in such open parking lot shall be equipped with EVSE capable of providing a minimum supply of 208 volts and 32 amperes to an electric vehicle.

2. For new open parking lots with at least 50 parking spaces, a minimum of one location in the open parking lot shall be equipped with electrical raceway capable of providing a minimum supply of 208 volts and a 300-ampere circuit to EVSE from an electrical supply panel to support future installation of fast charging EVSE.

3. Where parking spaces are deeded to residential or commercial occupants, no parking space shall be located more than 100 feet from a supporting electrical supply panel.

4. Each panel shall have electrical capacity to support the total parking lot supply allocated to EVSE or 208 volts and a 40-ampere circuit capable of providing 32 amperes to an EVSE per parking space supported by that panel, whichever is lower, and physical breaker space to support all parking spaces supported by that panel.

5. All EVSE within the areas of special flood hazard in accordance with New York City Building Code Appendix G should be designed in accordance with the New York city *Climate Resiliency Design Guidelines* as set forth in section 3-131 of the *Administrative Code*. All electrical equipment must be installed above building design flood elevation as defined in Section G201.2 of Appendix G.

Exceptions:

1. [The provisions of this section shall not apply to open parking lots for buildings of occupancy group M (Mercantile).

2.] The commissioner may waive compliance with this section if the commissioner determines that the open parking lot is a temporary facility that will be in service no longer than 3 years.

[3] 2. The provisions of this section shall not apply to new open parking lots for buildings in which not less than [fifty] 50 percent of the residential units are for households earning up to [sixty] 80 percent of the area median income as determined by the United States [Department of Housing and Urban Development] department of housing and urban development where the application for construction document approval is filed prior to January 1, 2035 and evidence of earnings and income status is provided in a form and manner specified by the department.

3. The provisions of this section shall not apply to open parking lots projected to be in the 2080s tidal floodplain, as depicted by the “High Tide 2080s” layer on the department of city planning’s Flood Hazard Mapper.

4. For new open parking lots in or accessory to buildings in which the owner can demonstrate that 50 percent or more of the dwelling units in such building are subject to a regulatory agreement, restrictive declaration, or similar instrument with a federal, state, or local governmental entity or instrumentality for the creation or preservation of affordable housing, no fewer than 10 percent of all parking spaces in new open parking lots shall be equipped with EVSE, and for applications submitted to the department on or after January 1, 2030 no fewer than 20 percent of all parking spaces shall be equipped with EVSE.

5. The commissioner may waive compliance with this section for occupancy group E facilities within the jurisdiction of the department of education where the department of education or the New York city school construction authority determines compliance with this section is not feasible for operational or budgetary reasons.

§ 5. No later than March 31, 2023 and no later than March 31 of every year thereafter, the Department of Buildings shall submit a report to the mayor and the speaker of the council on compliance with this local law. Such report shall include, but not be limited to, data on the number of parking facilities complying with this local law, along with the number of EVSE installed for the preceding calendar year.

§ 6. This local law takes effect on the same date as local law number 126 for the year 2021 takes effect and shall apply to applications for construction document approval filed on and after such effective date, except that with respect to buildings subject to a regulatory agreement, restrictive declaration, or similar instrument with a federal, state, or local governmental entity or instrumentality for the creation of affordable housing, it shall apply to applications for construction document approval filed eighteen months after such effective date, and except that prior to such effective date the department of buildings shall promulgate rules necessary to implement this local law.

Referred to the Committee on Housing and Buildings.

Int. No. 151

By Council Member Brannan, the Public Advocate (Mr. Williams) and Council Members Cabán, Stevens, Dinowitz, Hudson and Nurse.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to establishing an office of climate resiliency

Be it enacted by the Council as follows:

Section 1. The New York city charter is amended by adding a new section 20-n to read as follows:

§ 20-n. Office of climate resiliency. a. The mayor shall establish an office of climate resiliency. Such office may be established in the executive office of the mayor and may be established as a separate office or within any other office of the mayor or within any department the head of which is appointed by the mayor. Such office shall be headed by a director of climate resiliency, who shall be appointed by the mayor or by the head of such department.

b. Powers and duties. The director shall have the power and the duty to:

1. develop and coordinate the implementation of policies, programs and actions to address and meet the climate resiliency and adaptation goals, needs and policies of the city, including but not limited to the climate resiliency of critical infrastructure, neighborhoods, the built environment, natural resources and coastal protection; the climate resiliency of city agencies, businesses, institutions and the public; and advancing climate science to support climate resiliency;

2. support city agencies in preparing for climate change;

3. take actions to increase public awareness and education regarding climate resiliency and resilient practices; and

4. other powers and duties as the mayor may assign.

§ 2. Subdivision b of section 20 of chapter one of the New York city charter, as amended by local law number 80 for the year 2020, is amended to read as follows:

b. Powers and duties. The director shall have the power and the duty to:

1. develop and coordinate the implementation of policies, programs and actions to meet the long-term needs of the city, with respect to its infrastructure, environment and overall sustainability citywide, including but not limited to the categories of housing, open space, brownfields, transportation, water quality and infrastructure, air quality, and energy; [, and climate change; the resiliency of critical infrastructure, the built

environment, coastal protection and communities;] and regarding city agencies, businesses, institutions and the public;

2. develop measurable sustainability indicators, which shall be used to assess the city's progress in achieving sustainability citywide; *and*

3. take actions to increase public awareness and education regarding sustainability and sustainable practices[; and

4. appoint a deputy director who shall be responsible for matters relating to resiliency of critical infrastructure, the built environment, coastal protection and communities and who shall report to the director].

§ 3. Paragraph 2 of subdivision e of section 20 of chapter one of the New York city charter, as amended by local law number 80 for the year 2020, is amended to read as follows:

2. No later than April twenty-second, two thousand eleven, and no later than every four years thereafter, the director shall develop and submit to the mayor and the speaker of the city council an updated long-term sustainability plan, setting forth goals associated with each category established pursuant to paragraph one of subdivision b of this section and any additional categories established by the director, and a list of policies, programs and actions that the city will seek to implement or undertake to achieve each goal by no later than twenty years from the date each such updated long-term sustainability plan is submitted. [No later than two thousand fifteen, and no later than every four years thereafter, the plan shall also include a list of policies, programs and actions that the city will seek to implement or undertake to achieve each goal relating to the resiliency of critical infrastructure, the built environment, coastal protection and communities.] Such updated plan shall take into account the population projections required pursuant to subdivision d of this section. An updated plan shall include, for each four-year period beginning on the date an updated plan is submitted to the mayor and the speaker of the city council, implementation milestones for each policy, program and action contained in such plan. An updated plan shall report on the status of the milestones contained in the immediately preceding updated plan. Where any categories, goals, policies, programs or actions have been revised in, added to or deleted from an updated plan, or where any milestone has been revised in or deleted from an updated plan, the plan shall include the reason for such addition, revision or deletion. The director shall seek public input regarding an updated plan and its implementation before developing and submitting such plan pursuant to this paragraph. The director shall coordinate the implementation of an updated long-term sustainability plan.

§ 4. Subdivisions c and d of section 3-122 of the administrative code of the city of New York, as added by local law 42 for the year 2012, are amended to read as follows:

c. 1. The panel shall meet at least twice a year for the purpose of (i) reviewing the most recent scientific data related to climate change and its potential impacts on the city's communities, vulnerable populations, public health, natural systems, critical infrastructure, buildings and economy; and (ii) advising the office of [long-term planning and sustainability] *climate resiliency* and the New York city climate change adaptation task force established pursuant to section 3-123 of this subchapter.

2. The panel shall make recommendations regarding (i) the near-, intermediate and long-term quantitative and qualitative climate change projections for the city of New York within one year of the release of an assessment report by the intergovernmental panel on climate change, but not less than once every three years; and (ii) a framework for stakeholders to incorporate climate change projections into their planning processes.

d. The panel shall advise the office of [long-term planning and sustainability] *climate resiliency* on the development of a community- or borough-level communications strategy intended to ensure that the public is informed about the findings of the panel, including the creation of a summary of the climate change projections for dissemination to city residents.

§ 5. Section 3-123 of the administrative code of the city of New York, as amended by local law 72 for the year 2015, is amended to read as follows:

§ 3-123 New York city climate change adaptation task force. a. There shall be a New York city climate change adaptation task force consisting of city, state and federal agencies and private organizations and entities responsible for developing, maintaining, operating or overseeing the city's public health, natural systems, critical infrastructure, including telecommunications, buildings and economy. The task force shall be chaired by the office of [long-term planning and sustainability] *climate resiliency*, and shall include, but need not be limited to, representatives from the department of buildings, the department of design and construction, department of city planning, the department of environmental protection, the department of information technology and telecommunications, the department of parks and recreation, the department of sanitation, the department of

transportation, the economic development corporation, the office of emergency management, the office of management and budget, the department for the aging and the department of health and mental hygiene. Public members shall include, but need not be limited to, representatives from organizations in the health care, telecommunications, energy and transportation fields, who shall be appointed by, and serve at the pleasure of, the mayor without compensation from the city. The mayor shall invite the appropriate federal, state and local agencies and authorities to participate.

b. 1. The task force shall meet at least twice a year for the purposes of reviewing the climate change projections as recommended by the New York city panel on climate change pursuant to section 3-122 of this subchapter; evaluating the potential impacts to public health and the delivery of public health services to the city's communities and vulnerable populations and how such delivery may be affected by climate change; evaluating the potential impacts to the city's natural systems, critical infrastructure, including telecommunications, and buildings and how services provided by such systems, infrastructure, including telecommunications, and buildings may be affected by climate change; identifying the rules, policies and regulations governing public health, natural systems, critical infrastructure, including telecommunications, buildings and economy that may be affected by climate change; and formulating and updating coordinated strategies to address the potential impact of climate change on the city's communities, vulnerable populations, public health, natural systems, critical infrastructure, including telecommunications, buildings and economy.

2. Within one year of the development of recommended climate change projections pursuant to section 3-122 of this subchapter, the task force shall create an inventory of potential risks due to climate change to the city's communities, vulnerable populations, public health, natural systems, critical infrastructure, including telecommunications, buildings and economy; develop adaptation strategies to address such risks that may include design guidelines for new infrastructure, and short and long-term resiliency recommendations for existing public and private telecommunications infrastructure, including an evaluation of wireless infrastructure; and identify issues for further study. A report with recommendations shall be issued based on this information and submitted to the mayor and the city council and shall be made available to the public.

3. The task force shall conduct outreach to telecommunication service providers, including all telecommunication service providers with a franchise agreement with the city, and request their cooperation in obtaining information relevant to the task force's requirements under subdivision two of this section. The report will include a description of the efforts undertaken to obtain the cooperation of infrastructure providers and the results of such efforts, including specifically whether any such providers refused to cooperate.

c. The office of [long-term planning and sustainability] *climate resiliency* shall develop a community- or borough-level communications strategy intended to ensure that the public is informed about the findings of the task force, including the creation of a summary of the report for dissemination to city residents. In developing such communications strategy, the director shall consult with non-governmental and community-based organizations.

§ 6. Subdivision a of section 3-131 of the administrative code of the city of New York, as added by local law 41 for the year 2021, is amended by amending the term “office” to read as follows:

Office. The term “office” means the office of [long-term planning and sustainability] *climate resiliency*.

§ 7. Subdivisions a and b of section 3-132 of the administrative code of the city of New York, as added by local law 41 for the year 2021, are amended to read as follows:

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

Agency. The term “agency” shall have the same definition as such term is defined in section 1150 of the charter.

Covered project. The term “covered project” means a capital project of an agency with an estimated construction cost of no less than \$10,000,000, provided that the office may by rule set such construction cost at a lower amount, that consists of:

1. New construction as defined in section G201.2 of chapter G2 of appendix G of the New York city building code of a building or structure;

2. Substantial improvement as defined in section G201.2 of chapter G2 of appendix G of the New York city building code of an existing building or structure; or

3. Construction of new or improvement of existing infrastructure including but not limited to sewers and other utilities, streets, landscape and transportation facilities with a minimum threshold construction value to be determined by rule or by meeting other specifications or qualifications to be set forth in such rules by the director

of [long-term planning and sustainability] *climate resiliency*, provided that such term shall not include a public betterment consisting solely of a street that does not involve subsurface utility work, drainage or roadway grading, fencing, or combination thereof.

Such term shall include capital projects of the New York city housing authority and the New York city school construction authority provided that each such entity, in consultation and coordination with the office, may establish a distinct scoring metric for its respective capital projects to address climate hazards in accordance with subdivision c.

Office. The term “office” means the office of [long-term planning and sustainability] *climate resiliency*.

b. The director of [long-term planning and sustainability] *climate resiliency*, in consultation with the New York city panel on climate change, the commissioner of design and construction, the commissioner of environmental protection, the commissioner of citywide administrative services, the commissioner of transportation, the commissioner of emergency management, the commissioner of buildings, the commissioner of parks and recreation, the commissioner of housing preservation and development, the commissioner of health and mental hygiene, the fire commissioner, the director of management and budget, the director of city planning, the head of any other office or agency as appropriate, the president of the New York city economic development corporation, environmental justice organizations with expertise in climate resiliency, and members of the public with expertise in climate resiliency, climate design, the built environment, engineering, and environmental justice issues shall develop a resiliency score metric. For the purposes of calculating such resiliency score, the office shall by rule establish a system of points or metrics, considering potential performance of resiliency features, and develop a methodology for applying such scoring to covered projects, provided such methodology shall include one or more minimum thresholds of resiliency that covered projects shall meet, to be informed by and include features detailed in the climate resiliency design guidelines pursuant to section 3-131, and which may also include but need not be limited to features such as:

1. Elevation to reduce the risk of flooding over the anticipated useful life;
2. Flood-proofing of structures or equipment;
3. Site elevation or responsible site considerations;
4. Heat mitigation;
5. Efficient energy resilience, including energy storage with or without use of on-site renewable energy generation;
6. On-site storm water capture and management;
7. Integration with naturally resilient shoreline features;
8. Salt or flood tolerant landscaping;
9. Green infrastructure;
10. Pervious pavement;
11. Resilient building materials;
12. Living walls or structures; and
13. Integration with and preservation of naturally occurring vegetation and habitat.

§ 8. Subdivision a of section 24-808 of the administrative code of the city of New York, as added by local law number 122 for the year 2021, is amended to read as follows:

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

Climate hazard. The term “climate hazard” means a physical process or event related to the climate that can harm human health, livelihoods, property or natural resources, including but not limited to:

1. an extreme storm, such as a hurricane, nor’easter, or blizzard;
2. sea level rise;
3. tidal flooding;
4. extreme heat;
5. extreme precipitation;
6. extreme wind;
7. a wild fire; or
8. a flooding surge event that may be associated with a storm.

Director. The term “director” means the director of [long-term planning and sustainability] *climate resiliency*.

Environmental justice area. The term “environmental justice area” has the same meaning as such term is defined in section 3-1001.

Non-structural risk reduction approach. The term “non-structural risk reduction approach” means a program, policy, process or incentive to safeguard communities from climate hazards or to remove a structure from a location at risk of a climate hazard, including wetlands preservation, creation and restoration, densification in areas that are not prone to flooding, or other similar concepts.

Office. The term “office” means the office of [long term planning and sustainability] *climate resiliency*.

Resiliency and adaptation measure. The term “resiliency and adaptation measure” means a measure to enable a community or structure to withstand or avoid a climate hazard, including but not limited to a rip rap, groin, breakwater, levee, floodwall, marsh, wetland, erosion control method, natural resource beach nourishment and restoration, floodproofing, weatherization, cooling measures, rain garden, drainage improvement, water detention structure, permeable pavement, tree planting, reflective roof, shade structure, building retrofits, or green roof.

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

Referred to the Committee on Resiliency and Waterfronts.

Preconsidered Res. No. 107

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

By Council Member Brannan.

Whereas, On June 30, 2021, the Council of the City of New York (the “City Council”) adopted the expense budget for fiscal year 2022 with various programs and initiatives (the “Fiscal 2022 Expense Budget”); and

Whereas, On June 30, 2020, the City Council adopted the expense budget for fiscal year 2021 with various programs and initiatives (the “Fiscal 2021 Expense Budget”); and

Whereas, On June 19, 2019, the Council adopted the expense budget for fiscal year 2020 with various programs and initiatives (the “Fiscal 2020 Expense Budget”); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2022, Fiscal 2021 and Fiscal 2020 Expense Budgets by approving the new designation and/or the changes in the designation of certain organizations receiving local, youth and aging 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 2022 Expense Budget by approving new Description/Scope of Services for certain organizations receiving local and youth discretionary funding and funding pursuant a certain initiative; now, therefore, be it

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2022 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2022 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving aging discretionary funding pursuant to the Fiscal 2022 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation a of certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to Boroughwide Needs Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation and 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 2022 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2022 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 2022 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation and the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 14 and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 15 and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Naturally Occurring Retirement Communities (NORCs) Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organization receiving funding pursuant to the Pandemic Support for Human Service Providers Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving Youth Discretionary Funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Adult Literacy Pilot Project in accordance with the Fiscal 2020 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the amendments of the Description/Scope of Services of certain organizations receiving local and youth discretionary and funding in accordance with a certain initiative pursuant to the Fiscal 2022 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the organizations that will receive equipment, specifically an automated external defibrillator, funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2022, as set forth in Chart 21.

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. 107 of 2022 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov>).

Int. No. 152

By Council Members Brewer, Marte, Fariás, Avilés, Brooks-Powers, Ayala, Dinowitz, Won, Gutiérrez, Hudson and Nurse (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to establishing minimum neighborhood service standards and requiring environmental mitigation reports on certain large-scale developments

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-120 to read as follows:

§ 25-120 *Environmental mitigation report. a. Definitions. For the purposes of this section the following terms have the following meanings:*

1. *Covered agencies. The term “covered agencies” means the department of education, department of environmental protection, department of parks and recreation, department of sanitation, department of transportation, fire department and police department.*

2. *Covered development. The term “covered development” means any project resulting in the construction of a building or structure used for commercial, residential or mixed use occupancy where an environmental impact statement is required by law for an application subject to review pursuant to section 197-c of the New York city charter.*

b. The department of city planning shall work with each covered agency and submit a report to each council member, the borough president and each community board for the districts and borough in which a covered development is located within sixty days of issuance of a notice of completion of a draft environmental impact statement on the covered development. In preparing such report, each covered agency shall review the draft environmental impact statement and any other relevant information and provide to the mayor’s office of environmental coordination and the department of city planning an assessment of:

1. *The current level of services (including infrastructure used to provide such services) in the impacted area identified by the environmental impact statement relating to the covered development; and*

2. *A detailed description of each covered agency’s plans to address the differential between such current service levels and the minimum neighborhood services set forth for the respective covered agencies in subdivisions d through j of this section.*

c. Each covered agency shall, within 180 days of the effective date of this section, establish minimum neighborhood service standards as set forth in subdivisions d through j of this section, which shall be reevaluated no less often than every two years thereafter and revised as appropriate. These minimum neighborhood service standards shall serve as a standard for measuring the impact of a covered development on neighborhood services.

d. The department of transportation shall establish minimum neighborhood service standards which shall include, but not be limited to, the acceptable average distance to the closest public transportation from a city resident’s home to a bus stop or subway station, and the acceptable frequency of each such mode of transportation during peak and off-peak hours, and an acceptable flow of vehicular and pedestrian traffic based on an examination of vehicular and pedestrian traffic patterns in order to identify and alleviate vehicular and pedestrian congestion and access to alternative transportation methods, such as, but not limited to, authorized bicycle lanes. The department of transportation shall periodically review and, as necessary, revise such minimum neighborhood service standards.

e. The department of sanitation shall establish minimum neighborhood service standards for the frequency of the collection of solid waste and designated recyclable materials and street cleaning. The department of sanitation shall periodically review and, as necessary, revise such minimum neighborhood service standards.

f. The department of environmental protection shall establish minimum neighborhood service standards for air quality, ambient noise levels, the provision of potable water and wastewater treatment. The department of environmental protection shall periodically review and, as necessary, revise such minimum neighborhood service standards.

g. The department of education shall establish minimum service standards which shall include, but not be limited to, the number of school seats needed for elementary level, middle school level, and high school level students, respectively, in order to serve the current and expected future school populations. The department of education shall periodically review and, as necessary, revise such minimum neighborhood service standards.

h. The department of parks and recreation shall establish neighborhood service standards for access to parks and open space. Such neighborhood service standards shall include, but not be limited to, the acceptable distance an individual should reside from a park or other open space and the minimum amount of parkland appropriate for a given residential and commercial population. The department shall periodically review and, as necessary, revise such minimum neighborhood service standards.

i. The police department shall establish minimum neighborhood service standards for protection of New York city residents. Such neighborhood service standards shall include, but not be limited to, the appropriate response times for different categories of complaints or requests for assistance received by the police department, and precinct staffing levels and patrol schedules. The police department shall periodically review and, as necessary, revise such minimum neighborhood service standards.

j. The fire department shall establish minimum neighborhood service standards for fire protection, including, but not limited to, the response time necessary to achieve adequate protection against fire and other emergency response conditions within the jurisdiction of the fire department. The fire department shall periodically review and, as necessary, revise such minimum neighborhood service standards.

k. No later than February 28 of each year, the department of city planning shall submit to the city council a report describing for each project approved by the department of city planning any adverse environmental impacts of each such project that were identified in any environmental impact statement prepared in conjunction with such project, what measures are required to be taken to mitigate those impacts, when each such mitigation measure is required to be initiated and the duration of each such mitigation measure. Such report shall include for each such project for the first five years for which each mitigation measure is required to be implemented, what actions have been and will be undertaken with respect to each such mitigation measure.

§ 2. This local law takes effect immediately.

Referred to the Committee on Governmental Operations.

Res. No. 108

Resolution calling on the Metropolitan Transportation Authority to expand and make permanent the Atlantic Ticket pilot in order to include Far Rockaway, and other stations along the LIRR corridor, in the fare affordability program.

By Council Members Brooks-Powers, Cabán, Yeger, Stevens, Hanif, Bottcher, Krishnan, Narcisse, Farías, Velázquez, Holden, Schulman, Richardson Jordan, Won, Barron, Ossé, Riley, Restler, Gutiérrez, Rivera and Nurse

Whereas, In 2018, The Metropolitan Transportation Authority (MTA) began the Atlantic Ticket pilot program that allowed riders from Southeast Queens and Brooklyn to buy discounted tickets for travel at select stations of the Long Island Rail Road (LIRR); and

Whereas, Riders who purchase the discounted Atlantic Ticket can travel to and from the following ten LIRR stations: Jamaica, Hollis, Queens Village, Locust Manor, St. Albans, Laurelton, Rosedale, Atlantic Terminal, Nostrand Avenue, and East New York; and

Whereas, Currently, The Atlantic Ticket offers riders the option of buying either a one-way ticket good for travel on LIRR between any of the eligible stations at a cost of \$5 or a weekly ticket, that also includes a 7-Day Unlimited Ride MetroCard for subway and local bus rides, at a cost of \$60; and

Whereas, The COVID-19 pandemic has had a deleterious effect on the region's public transit system with ridership down across the board, including on the LIRR which lost 76 percent of its regular riders during the height of pandemic; and

Whereas, According to recent data published by the MTA, the LIRR had a total estimated ridership of 158,200 on February 28, 2022, a number that represents 54 percent of the 2019 monthly average for weekday, Saturday and Sunday travel figures; and

Whereas, Some Transit advocates have called on the MTA to expand the existing Atlantic Ticket pilot to every commuter rail station in the city as a way to increase mass transit ridership, provide faster commutes for the residents living near the commuter rail lines, and generate additional revenue for the agency; and

Whereas, According to a 2018 report from the New York State Comptroller's Office, 90 percent of the residents living in the Rockaways worked outside of the area and had the longest commute times in the city with an average length of 52 minutes; and

Whereas, The Atlantic Ticket pilot has allowed some residents of Southeast Queens and Brooklyn who would normally not ride the LIRR to experience faster commutes on the commuter rail line; and

Whereas, A report recently published by the Permanent Citizens Advisory Committee to the MTA indicates that since the implementation of the Atlantic Ticket in June 2018 through June 2021, more than two million tickets have been sold, generating nearly \$16 million in revenue for the LIRR; now, therefore, be it

Resolved, That the Council of the City of New York, calls on the Metropolitan Transportation Authority to expand and make permanent the Atlantic Ticket pilot in order to include Far Rockaway, and other stations along the LIRR corridor, in the fare affordability program.

Referred to the Committee on Transportation and Infrastructure.

Res. No. 109

Resolution supporting the continued exploration and feasibility evaluation of the proposed Interborough Express.

By Council Members Brooks-Powers, Cabán, Hanif, Bottcher, Krishnan, Narcisse, Farías, Velázquez, Holden, Schulman, Gennaro, Richardson Jordan, Won, Stevens, Barron, Ossé, Riley, Restler, Gutiérrez, Kagan, Rivera and Nurse.

Whereas, Access to close, affordable and effective transportation can have important impacts on a person's health, social and economic statuses; and

Whereas, Despite New York City's reputation for having a robust public transit system, there are still many 'transit desert' areas in the city that lack adequate transportation options, as well as a lack of efficient direct routes between the outer boroughs; and

Whereas, One transit proposal that is currently being considered by the New York State Metropolitan Transportation Authority (MTA) to connect underserved transit areas of Brooklyn and Queens is the Interborough Express (IBX); and

Whereas, The proposed IBX project would be built along the 14-mile freight line that runs from Bay Ridge, Brooklyn to Jackson Heights, Queens; and

Whereas, Once completed, the IBX would create a new transit option for approximately 900,000 residents living in the neighborhoods along the route plus an additional 260,000 people who work in the two boroughs; and

Whereas, The proposed IBX project would cut down on travel times between the two boroughs, reduce congestion, and expand economic opportunities for the people who live and work in the surrounding neighborhoods; and

Whereas, The current plan has the IBX connecting to 17 subway lines and to the MTA's Long Island Rail Road; and

Whereas, In January 2022, the MTA released the IBX Feasibility Study and Alternatives Analysis, which evaluated several modes of transportation along the planned corridor. The study identified three potential alternative transit methods for the IBX: Conventional Rail; Light Rail Transit; or Bus Rapid Transit; and

Whereas, Each alternative would follow the 14-mile corridor with the Conventional Rail and Light Rail Transit trains running every five minutes during peak frequency while the Bus Rapid Transit would run every 2.5 minutes; and

Whereas, With the Feasibility Study and Alternatives Analysis complete, the next step for the project would be for the MTA to conduct the environmental review process to evaluate the feasibility of the three potential alternatives for the IBX and to seek input from community members, elected officials and other stakeholders; and

Whereas, During her 2022 State of the State address, Governor Kathy Hochul indicated her intention to move forward with the expansion of the IBX and directed the MTA to begin its environmental review process; now, therefore, be it

Resolved, That the Council of the City of New York, supports the continued exploration and feasibility evaluation of the proposed Interborough Express.

Referred to the Committee on Transportation and Infrastructure.

Res. No. 110

Resolution calling on the Metropolitan Transportation Authority ("MTA") to adjust schedules for distant subway terminal lines to include more peak-direction rush hour trains for commuters to travel to central economic hubs.

By Council Members Brooks-Powers, Cabán, Hanif, Bottcher, Krishnan, Narcisse, Farías, Velázquez, Holden, Schulman, Richardson Jordan, Won, Stevens, Barron, Ossé, Riley, Restler, Gutiérrez, Kagan and Nurse.

Whereas, The MTA is North America's largest transportation network serving a population of 15.3 million people and providing around 2.6 billion trips per year to areas surrounding New York City through Long Island, southeastern New York State, and Connecticut; and

Whereas, One of the largest operating agencies under the MTA is MTA New York City Transit (NYCT), which manages, maintains, and runs subway and bus service in New York City; and

Whereas, As of March 29, 2022, the total estimated daily subway ridership, including the Staten Island Railway, was 3,285,813 people, which was 56.9% of a comparable pre-pandemic day, according to the MTA; and

Whereas, As the novel coronavirus (COVID-19) pandemic dramatically impacted ridership on all MTA systems, it had a large impact on subway ridership, further exacerbating issues regarding access to fast and effective transit options for many in New York City, particularly those in outer boroughs, at end-of-line subway terminals, and those living in transit deserts—a geographical area with very limited access to public transit; and

Whereas, According to an analysis by Dollaride, a company focused on improving access and equity within New York City's transportation system, there are close to an estimated 600,000 New York City residents who live in transit deserts; and

Whereas, Areas such as Southeast Queens, Southeast Brooklyn, sections of the Bronx, and Staten Island have long been disconnected from New York City's Manhattan-centric subway system, and account for more affordable housing than areas with effective, close subway access, according to City and State; and

Whereas, During the peak rush hours, which is between 6 a.m. and 10 a.m. or between 4 p.m. and 8 p.m., the MTA runs more trains more frequently to accommodate the increase in ridership, however, if trains are

delayed or taken out of service, there can be noticeable service gaps for New Yorkers who live at end-of-line subway terminals or in transit deserts; and

Whereas, In more recent times, service gaps have become more severe due to the COVID-19 pandemic and a related hiring freeze that left the MTA with staffing shortages in 2021, where about three percent of the MTA NYCT's nearly 22,800 positions in subway and bus operations remained unfilled in May 2021, according to The New York Times; and

Whereas, In June 2021, 10,829 train trips were cancelled due to a lack of crew members, with the A line being hardest hit by the staffing shortages, with 945 canceled trips, followed by the 1 line, with 857 canceled trips, and the N/W line, with 768 canceled trips, according to The City; and

Whereas, According to Riders Alliance, as of July 2021, complaints over longer commutes and subway waits have increased significantly among riders; and

Whereas, This is of particular concern for those living near end-of-line subway terminals, outer boroughs and transit deserts; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Metropolitan Transportation Authority ("MTA") to adjust schedules for distant subway terminal lines to include more peak-direction rush hour trains for commuters to travel to central economic hubs.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 153

By Council Members Cabán, Hanif, Louis, Ayala, Ung the Public Advocate (Mr. Williams), Stevens, Won, Restler, Krishnan, Abreu, Marte, Hudson and Nurse.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a domestic violence survivor housing stability program

Be it enacted by the Council as follows:

Section 1. Subchapter 8 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-185 to read as follows:

§ 3-185 *Domestic violence survivor housing stability program. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Community-based organization. The term "community-based organization" means a community-based organization that works with survivors of domestic violence who are English language learners, homeless, immigrants, individuals with a criminal history, individuals with disabilities, the LGBTQ community or communities of color.

Covered individual. The term "covered individual" means an income-eligible survivor of domestic violence who is a resident of the city of New York, irrespective of such person's consumer credit history, criminal history or immigration status.

Designated organizations. The term "designated organizations" means at least five community-based organizations designated by the office to participate in the program established pursuant to this section.

Domestic violence-related service. The term "domestic violence-related service" means a service that will help a survivor of domestic violence maintain housing, including, but not limited to, counseling, health services, housing services and legal services.

Income-eligible. The term "income-eligible" means an individual whose annual gross household income is not in excess of 300 percent of the federal poverty guidelines, as updated periodically in the federal register by the United States department of health and human services pursuant to subsection (2) of section 9902 of title 42 of the United States code.

Legal services. The term “legal services” means brief legal assistance or full legal representation that relates to the domestic violence or housing instability that the program participant experiences.

Low-barrier grant. The term “low-barrier grant” means a grant of financial assistance, free from as many requirements as possible that might deter or exclude a recipient.

Relevant expense. The term “relevant expense” means any expense the office determines the low-barrier grant issued pursuant to this section may be used towards to help such individual maintain housing including, but not limited to, the costs of a safety plan, housing costs, legal services costs, medical bills, mobile phone costs, moving costs and transportation costs.

Survivor of domestic violence. The term “survivor of domestic violence” means any individual who has experienced domestic violence, pursuant to documentation from an agency, a community-based organization or an order of a court of competent jurisdiction.

b. Program established. 1. Subject to appropriation, within 150 days of the effective date of the local law that added this section, the office, in consultation with the department of social services and the designated organizations, shall establish a program to provide covered individuals with a low-barrier grant and domestic violence-related services to help such individuals maintain housing.

2. The office, in consultation with the designated organizations, shall administer such program and coordinate the following:

(a) The application for such program, which shall be facilitated by the designated organizations and made available on a website designated by the office;

(b) The process for the disbursement of the low-barrier grant to program participants; and

(c) The provision of domestic violence-related services to program participants.

3. The office, in consultation with the mayor’s office of information privacy, shall take steps to protect the privacy of covered individuals and to ensure the information that such individuals provide to access information about, apply for and participate in such program is secure and confidential.

4. The office shall promulgate such rules as may be necessary to carry out the purposes of this section.

c. Outreach. Prior to the establishment of the program as required by subdivision b of this section, and continuing thereafter, the office, the department of social services and the designated organizations shall conduct culturally appropriate outreach to spread awareness of such program. Such outreach shall include, but need not be limited to, written materials, which shall be made available to survivors of domestic violence in the designated citywide languages as defined in section 23-1101 and in Braille.

d. Report. No later than 180 days after the office establishes the program required by subdivision b of this section, and annually thereafter, the office, in consultation with the department of social services and the designated organizations, shall issue a report on such program, which the office shall submit to the mayor and the speaker of the council and post on the office website. The information in such report shall be anonymized and include, but need not be limited to, the following:

1. The first report shall include, but not be limited to, the following:

(a) For each program applicant, the individual’s age group, community district, disability status, ethnicity, gender, household size, housing status, income, primary language, race and sexuality;

(b) For each program participant, the individual’s age group, community district, disability status, ethnicity, gender, household size, housing status, income, primary language and sexuality;

(c) The amount of every low-barrier grant provided to such participants;

(d) The amount of time that it took each participant to receive and use such grant;

(e) A description of the types of relevant expenses that such participants used such grant for and how such grant helped them maintain housing;

(f) A description of the domestic violence-related services that such participants were connected to and how such services helped them maintain housing;

(g) A description of any changes in the housing status of such participants; and

(h) A description of any challenges the office had implementing such program and any efforts the office took to address such challenges; and

2. The annual report shall include, but not be limited to, the following:

(a) The information in the initial report, updated for such annual report;

(b) A description of any barriers that prevented survivors of domestic violence from qualifying for and participating in the program and any efforts the office took to address them;

- (c) *A description of how such program does or does not help the program participants to maintain housing;*
- (d) *Any recommendations on how to improve such program; and*
- (e) *Such program's budget.*

§ 2. This local law takes effect immediately, except that the director of the office to end domestic and gender-based violence shall take such measures as are necessary for the implementation of this local law, including the promulgation of any rules, before such date.

Referred to the Committee on Women and Gender Equity.

Int. No. 154

By Council Members Cabán, Riley, Louis, Ayala, Ung, the Public Advocate (Mr. Williams), Stevens, Hanif, Won, Restler, Krishnan, Abreu, Marte, Hudson and Nurse.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the office to end domestic and gender-based violence to create an online services portal and guide

Be it enacted by the Council as follows:

Section 1. Subchapter 8 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-185 to read as follows:

§ 3-185 *Online services portal and guide. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Designated citywide languages. The term “designated citywide languages” means the top six limited English proficiency languages spoken by the population of New York city as determined by the department of city planning and the office of the language services coordinator, based on United States census data; and the top four limited English proficiency languages spoken by the population served or likely to be served by the agencies of the city of New York as determined by the office of the language services coordinator, based on language access data collected by the department of education, excluding the languages designated based on United States census data.

Relevant organization. The term “relevant organization” means an organization that provides services to a survivor, which include, but are not limited to, child, education, employment, health, housing, immigration, income, legal and transportation services.

Survivor. The term “survivor” means an individual who has experienced or reported domestic, gender-based or intimate partner violence.

b. 1. Within 180 days of the effective date of the local law that added this section, the office, in consultation with relevant agencies and relevant organizations, shall create and maintain on the office's website a publicly accessible online portal of culturally appropriate services for survivors provided by all relevant agencies and relevant organizations in the city. The online portal shall organize such services by service category, which shall include, but not be limited to, child, education, employment, health, housing, immigration, income, legal and transportation services. Information about the services within each such service category shall include, but not be limited to, the following:

(a) The name, address, contact information and website of the relevant agency or relevant organization that provides such service;

(b) The specific population of survivors, if any, that such agency or organization serves;

(c) The languages in which such service is provided by such agency or organization;

(d) Whether such agency or organization provides such service in-person or remotely;

(e) Whether such agency or organization and such service is accessible to persons with disabilities, including, but not limited to, providing services in American Sign Language and complying with part 36 of title 28 of the code of federal regulations implementing the Americans with disabilities act of 1990;

(f) How survivors may access such service from such agency or organization;

(g) Any eligibility requirements of such service, including, but not limited to, citizenship status; and

(h) Any additional information that the office deems relevant.

2. The office, in consultation with the mayor's office of information privacy, shall ensure the online portal as required by paragraph 1 of this subdivision is secure to protect the privacy of survivors who access and utilize such portal to obtain information about and apply for services.

c. Within 180 days of the effective date of the local law that added this section, the office, in consultation with relevant agencies and relevant organizations, shall create and publish on its website a culturally appropriate guide written in plain English of services listed on the portal as required by paragraph 1 of subdivision b of this section, organized by service category. The office, in consultation with relevant agencies, including but not limited to, the mayor's office for people with disabilities, shall translate such guide in the designated citywide languages and in Braille, and distribute it to survivors, relevant agencies and relevant organizations. The office shall publish on its website, and in any hard copy of such guide, information about how such organizations may update the office about any changes in such services.

d. Beginning 180 days after the effective date of the local law that added this section, and continuing thereafter, the office, in consultation with relevant agencies and relevant organizations, shall conduct culturally appropriate outreach to survivors on the online portal as required by paragraph 1 of subdivision b of this section and the written guide as required by subdivision c of this section in the designated citywide languages and in Braille.

§ 2. This local law takes effect immediately.

Referred to the Committee on Women and Gender Equity.

Res. No. 111

Resolution calling on New York State to pass legislation that would provide domestic violence survivors and their families with job-protected, paid leave, similar to that of New York State's Paid Family Leave law, to be used for any activities relating to their actual or perceived status as a domestic violence survivor or family member of a domestic violence survivor.

By Council Member Cabán, the Public Advocate (Mr. Williams) and Council Members Stevens, Hanif, Won, Restler, Krishnan, Abreu, Hudson and Nurse.

Whereas, In 2018, the New York State (NYS) Office for the Prevention of Domestic Violence reported that domestic violence and sexual violence hotlines throughout NYS received 341,909 calls, including 81,062 from New York City (NYC), with approximately 5,244 hospital inpatient discharges and Emergency Department visits statewide identified as domestic violence-related events, an 84% increase as compared to similar data in 2017; and

Whereas, From 2010 to 2018, in NYC there were 558 domestic violence homicide incidents, with 55 occurring in 2018, according to the NYC Domestic Violence Fatality Review Committee; and

Whereas, Although domestic violence is highly prevalent in society, as evidenced by NYS and NYC statistics, many domestic violence survivors and their families are not provided with adequate paid time off to tend to their complex situations, often seeing their employment being drastically impacted; and

Whereas, For example, the Institute for Women's Policy Research's 2018 survey on the impact of intimate partner violence (IPV) indicates that 83% of respondents reported that their abusive partners disrupted their ability to work, with those respondents reporting that: 70% were not able to have a job when they wanted or needed one; 53% lost a job because of abuse; 49% missed one or more days of work and 18% missed out on a promotion or raise; and

Whereas, In addition, data from the National Violence Against Women Survey published by the Centers for Disease Control estimated that women victims of IPV lose a total of nearly eight million days of paid work annually as a result of IPV; and

Whereas, In 2016, NYS Governor Andrew Cuomo signed into law Paid Family Leave (PFL), with its official launch in 2018, providing eligible employees paid time off to: bond with a newly born, adopted or fostered child; care for a family member with a serious health condition; or assist loved ones when a spouse, domestic partner, child or parent is deployed abroad on active military service, while also including job protection, continued health insurance and protection from discrimination or retaliation; and

Whereas, NYS' PFL is funded by employee payroll deductions and offers its benefits through a four-year phase-in period, with phase one (2018) providing employees with eight weeks of PFL at 50% of their average weekly wage (AWW), capped at up to 50% of the Statewide Average Weekly Wage (SAWW), and phase four (2021), with employees receiving 12 weeks of PFL at 67% of their AWW, capped at up to 67% of SAWW; and

Whereas, In an effort to help domestic violence survivors and their families, NYC passed the Earned Safe and Sick Time Act in 2017, requiring employers to provide employees who are victims of family offense matters, sexual offenses, stalking and human trafficking, and their family members, with up to 40 hours per calendar year of paid leave or unpaid leave, depending on employer size, to take time off to restore their physical, psychological and economic health or that of a family member; and

Whereas, Although NYC's law is beneficial, domestic violence survivors and their families may require a longer leave period and the assurance of paid leave, similar to the benefits provided by NYS' PFL; and

Whereas, Because NYS' PFL is funded by employee deductions, employers do not bear the cost of providing these benefits to their employees; and

Whereas, Providing domestic violence survivors and their families with job-protected, paid leave, similar to that of NYS' PFL, would ensure that domestic violence survivors and their families properly heal from the abuse they have endured and receive the financial support, job-protection and protection from discrimination or retaliation that they require to deal with their complex situations, while also ensuring that the cost of such benefit does not fall on employers; now, therefore, be it

Resolved, That the Council of the City of New York calls on New York State to pass legislation that would provide domestic violence survivors and their families with job-protected, paid leave, similar to that of New York State's Paid Family Leave law, to be used for any activities relating to their actual or perceived status as a domestic violence survivor or family member of a domestic violence survivor.

Referred to the Committee on Women and Gender Equity.

Preconsidered Int. No. 155

By Council Members Carr, Borelli, Ariola, Holden and Dinowitz.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of buildings to waive filing fees for permits to alter family dwellings to conform to the New York city fire code

Be it enacted by the Council as follows:

Section 1. Article 112 of chapter 1 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-112.13 to read as follows:

§ 28-112.13 Waiver of permit filing fees to alter and conform a one-, two- or three-family dwelling to the city fire code. *To promote public safety, the commissioner shall waive the filing fee, which would otherwise be required to be paid to the department by this code or the rules of the department, in connection with a permit for work that an applicant self-certifies is to alter and conform a one-, two- or three-family dwelling to the city fire code. The department, with relevant agencies, shall conduct outreach on the waiver in the designated citywide languages, as defined in section 23-1101.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings (preconsidered but laid over by the Committee on Housing and Buildings).

Preconsidered Int. No. 156

By Council Members Carr, Borelli, Ariola, Holden, Dinowitz and Nurse.

A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to requiring carbon monoxide detecting devices in the basements of certain dwellings

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 27-2045 of the administrative code of the city of New York is amended by adding a new definition of “basement common area” in alphabetical order to read as follows:

Basement common area. The term “basement common area” means an area in the basement of a class A or class B multiple dwelling that is not within a dwelling unit and that is available for common use by all occupants, including owners or tenants, or a group of occupants and their invitees, except that such term does not include areas regularly used by occupants for access to and egress from any dwelling unit within such multiple dwelling.

§ 2. Subparagraph (b) of paragraph 1 of subdivision b of section 27-2045 of the administrative code of the city of New York, as added by local law number 157 for the year 2016, is amended to read as follows:

(b) Provide and install one or more approved and operational carbon monoxide detecting devices in each dwelling unit *and in any basement common area*, in accordance with section 908.7 of the New York city building code or sections 27-981.1, 27-981.2 and 27-981.3 of the 1968 building code, as applicable, or, in the alternative for class B multiple dwellings, provide and install a line-operated zoned carbon monoxide detecting system with central annunciation and central office tie-in for all public corridors and public spaces, pursuant to rules promulgated by the commissioner of buildings or by the commissioner in consultation with the department of buildings and the fire department;

§ 3. Article 315 of chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-315.2.5 to read as follows:

§ 28-315.2.5 Carbon monoxide alarms for occupancy group R-2 basements. *Areas in the basement of a multiple dwelling classified in occupancy group R-2, that are not within a dwelling unit and that are available for common use by all occupants, including owners or tenants, or a group of occupants and their invitees, except those areas regularly used by occupants for access to and egress from any dwelling unit within such multiple dwelling, shall be equipped with approved and operational carbon monoxide detecting devices on or before December 1, 2022, in accordance with section 908.7 of the New York city building code.*

§ 4. Section 908.7 of the New York city building code is amended by adding a new section 908.7.1.1.4 to read as follows:

908.7.1.1.4 Required locations in basements. *For a building within occupancy group R-2 where carbon monoxide alarms or detectors are required under section 908.7.1.1, carbon monoxide alarms or detectors shall be located in all basement common areas, as such term is defined in subdivision a of section 27-2045 of the Administrative Code.*

§ 5. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings (preconsidered but laid over by the Committee on Housing and Buildings).

Int. No. 157

By Council Members Dinowitz, Cabán and Stevens.

A Local Law to amend the administrative code of the city of New York, in relation to requiring annual reports on employment turnover of school safety agents and other school safety personnel

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 14-152.1 to read as follows:

§ 14-152.1 Reporting on employment turnover of school safety agents. a. Report required.

1. Not later than March 31, 2023, and quarterly thereafter, the commissioner shall submit to the mayor and the speaker of the council and post on its website a report on employment turnover of school safety agents during the preceding quarter. At a minimum, the report shall include the following information regarding the employment of school safety agents, disaggregated by school district:

(a) For any school safety agent who began employment during the relevant reporting period, the date that such employment began;

(b) Whether any school safety agent's employment was involuntarily terminated, and if so, the reason for the termination;

(c) Whether any school safety agent was transferred, and if so, (i) the reason for the transfer; and (ii) the number of times such school safety agent has been transferred, as applicable;

(d) Whether any school safety agent resigned, and if so, the reason for resignation where such information is available; and

(e) The average length of employment of the school safety agents employed in the school district.

2. Any information required to be included in the report under paragraph 1 of this subdivision that is not ascertainable shall be indicated as such in the report.

3. The report required under paragraph 1 of this subdivision shall not include any individually identifiable information with respect to a school or a school safety agent.

b. Agents employed by the department of education. In any case in which a school safety agent is an employee of the department of education, the reporting requirement under subdivision a of this section shall not apply with respect to the commissioner, but shall apply instead with respect to the chancellor of the city school district of the city of New York.

§ 2. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 29 to read as follows:

**CHAPTER 29
SCHOOL SAFETY**

§ 21-1000 Reporting on employment turnover of school safety personnel. a. On June 30, 2023, and annually thereafter, the department shall submit to the mayor and the speaker of the council and post on its website a report on employment turnover of school safety personnel during the preceding year. At a minimum, the report shall include the following information regarding the employment of school safety personnel, disaggregated by school district:

1. For any school safety personnel who began employment during the calendar year, the date that such employment began;

2. Whether any school safety personnel's employment was involuntarily terminated, and if so, the reason for the termination;

3. Whether any school safety agent was transferred, and if so, (i) the reason for the transfer; and (ii) the number of times such school safety agent has been transferred, as applicable;

4. Whether any school safety personnel resigned, and if so, the reason for resignation where such information is available; and

5. *The average length of employment of the school safety personnel employed in the school district.*
- b. *Any information required to be included in the report under subdivision a of this section that is not ascertainable shall be indicated as such in the report.*
- c. *The report required under subdivision a of this section shall not include any individually identifiable information with respect to a school or school safety personnel.*
- § 3. This local law takes effect immediately.

Referred to the Committee on Education.

Int. No. 158

By Council Members Hanif, Krishnan, Rivera, Powers, Cabán, Won, Restler, Hudson, Nurse and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to creating a private right of action related to civil immigration detainers

Be it enacted by the Council as follows:

Section 1. Subdivision e of section 9-131 of the administrative code of the city of New York, as amended by local law number 228 for the year 2017, is amended to read as follows:

e. [No private] *Private* right of action. [Nothing contained in this section or in the administration or application hereof shall be construed as creating any private right of action on the part of any persons or entity against the city of New York or the department, or any official or employee thereof.] *Any person detained in violation of this section, or their direct relative, may bring an action in any court of competent jurisdiction for a claim of unlawful detention in violation of this section, for any damages, including punitive damages, and for declaratory and injunctive relief and such other remedies as may be appropriate. The court, in issuing any final order in any section brought pursuant to this section, may award costs of litigation, to the prevailing party whenever the court determines such an award is appropriate. This section does not limit or abrogate any claim or cause of action such person has under common law or by other law or rule.*

§2. Subdivision e of section 14-154 of the administrative code of the city of New York, as amended by local law number 228 for the year 2017, is amended to read as follows:

e. [No private] *Private* right of action. [Nothing contained in this section or in the administration or application hereof shall be construed as creating any private right of action on the part of any persons or entity against the city of New York or the department, or any official or employee thereof.] *Any person detained in violation of this section, or their direct relative, may bring an action in any court of competent jurisdiction for a claim of unlawful detention in violation of this section, for any damages, including punitive damages, and for declaratory and injunctive relief and such other remedies as may be appropriate. The court, in issuing any final order in any section brought pursuant to this section, may award costs of litigation, to the prevailing party whenever the court determines such an award is appropriate. This section does not limit or abrogate any claim or cause of action such person has under common law or by other law or rule.*

§3. Subdivision e of section 9-205 of the administrative code of the city of New York, as amended by local law number 228 for the year 2017, is amended to read as follows:

e. [No private] *Private* right of action. [Nothing contained in this section or in the administration or application hereof shall be construed as creating any private right of action on the part of any persons or entity against the city of New York or the department, or any official or employee thereof.] *Any person detained in violation of this section, or their direct relative, may bring an action in any court of competent jurisdiction for a claim of unlawful detention in violation of this section, for any damages, including punitive damages, and for declaratory and injunctive relief and such other remedies as may be appropriate. The court, in issuing any final order in any section brought pursuant to this section, may award costs of litigation, to the prevailing party whenever the court determines such an award is appropriate. This section does not limit or abrogate any claim or cause of action such person has under common law or by other law or rule.*

§4. This local law takes effect 60 days after it becomes law.

Referred to the Committee on Immigration.

Res. No. 112

Resolution calling on the New York State Legislature to pass, and the Governor to sign, the New York for All Act (A.2328-A / S.3076-A), which would prohibit and regulate the discovery and disclosure of immigration status by New York state and local government entities.

By Council Member Hanif, the Public Advocate (Mr. Williams) and Council Members Narcisse, Krishnan, Cabán, Restler, Nurse, Dinowitz, Avilés, De La Rosa, Ossé and Sanchez.

Whereas, Immigrants make up almost a quarter of New York state's population and account for 37 percent of New York City's population; and

Whereas, Immigrant New Yorkers are valuable members of our communities, contributing over \$61 billion in federal and state taxes in 2019; and

Whereas, Immigrants in New York City make up more than 50 percent of all individuals working on COVID-19 frontlines since the very first outbreak in 2020; and

Whereas, In recent years, New York State has made strides to be more inclusive to its foreign born residents, passing laws that extended driver's license eligibility to residents, regardless of immigration status, provided tuition assistance for undocumented New Yorkers, and investing in deportation defense programs such as the Liberty Defense Fund, mirroring similar programs in New York City; and

Whereas, State and municipal policies throughout New York that require and retain immigration status information can, however, unnecessarily expose immigrant New Yorkers to federal immigration enforcement; and

Whereas, Entanglement between federal immigration enforcement and local and state entities erodes trust between immigrant communities and local authorities, which can decrease willingness to report crimes witnessed, cooperate in investigations and access critical government services; and

Whereas, Research from the Center for American Progress published in 2017 showed that counties that restrict local interactions with ICE had lower crimes rates while experiencing higher median household incomes, lower unemployment and lower poverty rates; and

Whereas, A 2020 comparative study from the Stanford University Department of Political Science found that counties that disentangled local authorities from federal immigration enforcement; experienced decreased deportations without increases in crime and

Whereas, In 2021, New York State Assemblymember Karines Reyes and Senator Julia Salazar introduced the New York for All Act (A.2328-A / S.3076-A), which prohibits the discovery and disclosure of immigration status by state entities, including law enforcement; and

Whereas, The Act additionally directs municipalities throughout the state to prohibit the discovery and disclosure of such information; and

Whereas, The Act requires reporting to the State Attorney General's office, to be made publicly available, of every communication between federal immigration enforcement and state and local government entities; and

Whereas, The Act would require ICE to present a judicial warrant in order to access non-public areas of government property and require local jails to inform detained individuals of their rights related to ICE, including the right to decline an interview with ICE and to seek counsel; and

Whereas, In 2014 and 2017, New York City Council passed two packages of legislation that restricted the discovery and disclosure of immigration status information and the coordination with federal immigration enforcement, in an effort to end unchecked entanglement between federal immigration enforcement and local law enforcement; and

Whereas, Immigrant New Yorkers necessarily interact with State agencies and state law enforcement as residents of New York City, and deserve to be treated with dignity and respect; and

Whereas, Immigrant New Yorkers should not be held to different standards depending on the city or state agency with which they interact, regardless of immigration status; and

Whereas, Passage of the New York for All Act would distinguish New York State, joining ranks with other such states as California and Washington, in protecting all immigrant residents; 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, the New York for All Act (A.2328-A / S.3076-A), which would prohibit and regulate the discovery and disclosure of immigration status by New York state and local government entities.

Referred to the Committee on Immigration.

Int. No. 159

By Council Members Holden, Marte, Won and Nurse.

A Local Law in relation to a study and report on the ownership and maintenance of utility poles

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: City. The term “city” means the city of New York.

Utility pole. The term “utility pole” means a column or pole that is used to support overhead electrical, telephone or cable wires.

b. Study and report. The mayor shall designate an office or agency to study the ownership and maintenance of utility poles. No later than 6 months after the effective date of this local law, such office or agency shall submit to the council a report detailing its recommendations on increasing transparency regarding the ownership of utility poles in the city and improving maintenance of such poles. Such report shall, at a minimum:

1. Identify the locations of all utility poles in the city and the owner of each utility pole;
2. Provide methods to the public for contacting owners of utility poles in order to report problems with their utility poles; and
3. Recommend actions by the city to improve maintenance of utility poles, including inspection and identification of poorly maintained utility poles, communicating best practices to the owners of utility poles and reporting on when maintenance is performed on each utility pole.

§ 2. This local law takes effect immediately.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 160

By Council Member Holden.

A Local Law to amend the administrative code of the city of New York, in relation to the noise standard for commercial establishments

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 24-218 of the administrative code of the city of New York, as amended by local law 72 for the year 2016, is amended to read as follows:

(b) [Unreasonable] *For music originating from an interior space in connection with the operation of any commercial establishment or enterprise, unreasonable noise shall be defined as a sound that exceeds the prohibited noise levels set forth in this subdivision; and for all other sources of noise, unreasonable noise shall include but shall not be limited to sound, attributable to any device, that exceeds the [following] prohibited noise levels set forth in this subdivision:*

(1) Sound, other than impulsive sound, attributable to the source, measured at a level of 7 dB(A) or more above the ambient sound level at or after 10:00 p.m. and before 7:00 a.m., as measured at any point within a receiving property or as measured at a distance of 15 feet or more from the source on a public right-of-way.

(2) Sound, other than impulsive sound, attributable to the source, measured at a level of 10 dB(A) or more above the ambient sound level at or after 7:00 a.m. and before 10:00 p.m., as measured at any point within a receiving property or as measured at a distance of 15 feet or more from the source on a public right-of-way.

(3) Impulsive sound, attributable to the source, measured at a level of 15 dB(A) or more above the ambient sound level, as measured at any point within a receiving property or as measured at a distance of 15 feet or more from the source on a public right-of-way. Impulsive sound levels shall be measured in the A-weighting network with the sound level meter set to fast response. The ambient sound level shall be taken in the A-weighting network with the sound level meter set to slow response.

§ 2. Section 24-244 of the administrative code of the city of New York is amended by adding a new subdivision c to read as follows:

(c) This section shall not apply to music originating from an interior space in connection with the operation of any commercial establishment or enterprise.

§ 3. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 161

By Council Members Holden and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to increasing penalties for excessive noise from speakers and motor vehicles

Be it enacted by the Council as follows:

Section 1. Section 24-233 of the administrative code of the city of New York is amended by adding a new subdivision (d) to read as follows:

(d) A motor vehicle shall be towed and retained by the police department for a second or any subsequent violation of this section, and shall be released to the motor vehicle owner upon payment of the associated civil penalty set forth in section 24-257.

§ 2. Subchapter 6 of chapter 2 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-233.1 to read as follows:

§ 24-233.1 Affixing audio output devices to motor vehicles prohibited. (a) Definitions. As used in this section, the term "audio output device" means any device that can receive and process an audio signal for the purpose of playing sound.

(b) Prohibition. No motor vehicle owner shall affix an audio output device to the exterior of the motor vehicle or permit an audio output device to be affixed to the exterior of the motor vehicle.

(c) Enforcement. (1) Notice of violation. A motor vehicle owner shall be issued a notice of violation pursuant to section 24-259 for violations of this section.

(2) Hearing. A motor vehicle owner may contest allegations of violations contained in a notice of violation issued pursuant to this section and request a hearing in a written response to such notice. Such written response shall be in a form prescribed by the board and shall be served upon the department and filed with the board within 5 days of receipt of a notice of violation. The department shall hold a hearing for a motor vehicle owner to contest allegations of violations contained in a notice of violation within 10 days after a request for a hearing has been made.

(3) Penalties. A motor vehicle owner who violates any provision of this section shall be liable for a civil penalty of not more than \$225 and not less than \$100 for a first violation, not more than \$400 and not less than \$150 for a second violation, and not more than \$575 and not less than \$200 for a third and any subsequent violation. A motor vehicle shall be towed and retained by the police department for a second or any subsequent violation of this section, and shall be released to the motor vehicle owner upon payment of the associated civil penalty set forth in section 24-257.

§ 3. The rows beginning 24-233(a), 24-233(b)(1) and 24-233(b)(2) of table 1 of paragraph 5 of subdivision b of section 24-257 of the administrative code of the city of New York, as amended by local law number 80 for the year 2020, are amended and a new row 24-233.1 is added to read as follows:

24-233(a)	[175] 225	[50] 100	[350] 400	[100] 150	[525] 575	[150] 200
24-233(b)(1)	[175] 225	[50] 100	[350] 400	[100] 150	[525] 575	[150] 200
24-233(b)(2)	[350] 400	[100] 150	[700] 750	[200] 250	[1,050] 1,100	[300] 350
24-233.1	225	100	400	150	575	200

§ 4. This local law takes effect 30 days after it becomes law.

Referred to the Committee on Environmental Protection.

Int. No. 162

By Council Members Holden and Nurse.

A Local Law to amend the administrative code of the city of New York, in relation to response and preparedness measures for highly transmissible diseases

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-104.1 to read as follows:

§ 17-104.1 *Highly transmissible diseases; response and preparedness. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Highly transmissible disease. The term “highly transmissible disease” means a disease for which no vaccine is available that can be transmitted through aerosols or respiratory droplets.

Public health organization. The term “public health organization” means any governmental or non-governmental organization or authority that works to monitor threats to public health, including the department, the department of health of the state of New York, the federal department of health and human services, the federal centers for disease control and prevention, and the world health organization.

b. Preparedness protocols. Each agency shall develop and publish on its website a highly transmissible disease emergency preparedness protocol. Such protocol shall set forth measures that the agency may take during an outbreak of a highly transmissible disease. Each protocol shall be tailored to the developing agency’s particular functions and shall include guidance for interactions between the agency and the public.

c. Public briefings; agency updates. If any public health organization announces or otherwise provides notice that a highly transmissible disease that poses a serious threat to public health is being transmitted anywhere in the world, the commissioner shall provide daily public briefings and daily updates to all agencies regarding the department’s monitoring of and response to such highly transmissible disease. The commissioner shall continue to provide these daily briefings and updates until the commissioner determines that there is no longer any substantial risk of transmission within the city. Such determination shall be made in consultation with any relevant rules, guidelines or recommendations issued by any public health organization regarding such highly transmissible disease.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 163

By Council Member Holden.

A Local Law to amend the administrative code of the city of New York, in relation to requiring photographic documentation evidencing certain violations enforced by the department of housing preservation and development

Be it enacted by the Council as follows:

Section 1. Article 1 of subchapter 4 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2091.1 to read as follows:

§ 27-2091.1 *Photographic Evidence of Violations.* a. All notices of violation issued by the department for a violation, which as determined by the commissioner by rule is viewable and capable of being captured by photograph, shall contain a photograph of the underlying condition resulting in the violation.

b. The official record of any subsequent inspection of violations subject to the requirement established in subdivision a of this section and for which a violator was granted an opportunity to cure, must include a photograph confirming that such violation has been cured.

c. The department shall publish on its website a list of violations subject to the requirements of subdivision a of this section.

§ 2. This local law shall take effect 120 days after its enactment.

Referred to the Committee on Housing and Buildings.

Int. No. 164

By Council Members Holden and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to increasing certain penalties for excessive noise from a personal audio device on or inside a motor vehicle

Be it enacted by the Council as follows:

Section 1. Table I of paragraph 5 of subdivision b of section 24-257 of the administrative code of the city of New York, as amended by local law number 80 for the year 2021, is amended to read as follows:

Violations related to section and subdivision						
	First Violation		Second Violation*		Third and Subsequent Violations*	
	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum
24-216(d)	2,625	650	5,250	1,300	7,875	1,950
24-218(a)	150	75	250	150	500	350
24-218(a-1)	350	350	700	700	1050	1,050
24-218 (e)	1,000	350	2,000	700	3,000	1,050
24-218.1	50	50	50	50	50	50
24-220	1,400	440	2,800	880	4,200	1,320
24-222	3,500	875	7,000	1,750	10,500	2,625

24-223	3,500	875	7,000	1,750	10,500	2,625
24-224	3,500	875	7,000	1,750	10,500	2,625
24-225	1,400	440	2,800	880	4,200	1,320
24-226	1,400	440	2,800	880	4,200	1,320
24-227	220	220	440	440	660	660
24-228	1,400	440	2,800	880	4,200	1,320
24-229	1,400	440	2,800	880	4,200	1,320
24-230	1,400	440	2,800	880	4,200	1,320
24-231(a)	2,000	2,000	4,000	4,000	6,000	6,000
24-231(d)	560	560	1,120	1,120	1,680	1,680
24-232	440	440	880	880	1,320	1,320
24-233(a)	175	50	350	100	525	150
24-233(b)(1)	175	50	350	100	525	150
24-233(b)(2)	[350] 700	[100] 200	[700] 1,400	[200] 400	[1,050] 2,100	[300] 600
24-234	175	50	350	100	525	150
24-235	175	50	350	100	525	150
24-236(a)	525	150	1,050	300	1,575	450
24-236(b)(c)(d)	1,440	440	2,800	880	4,200	1,320
24-237(a)	1,000	150	2,000	300	3,000	450
24-237(b)	875	220	1,750	440	2,625	660
24-237(c)	875	220	1,750	440	2,625	660
24-237(d)	350	350	700	700	1,050	1,050
24-238(a)	220	220	440	440	660	660
24-238(b)	875	220	1,750	440	2,625	660
24-239(b)	350	100	700	200	1,050	300
24-241	1,400	440	2,800	880	4,200	1,320
24-242	220	220	440	440	660	660
24-244(a)	1,750	440	3,500	880	5,250	1,320
24-244(b)	440	440	880	880	1,320	1,320
24-245	2,625	660	5,250	1,320	7,875	1,980
All remaining sections and subdivisions	875	220	1,750	440	2,625	660

* By the same respondent of the same provision of law, order, rule or regulation and, if the respondent is the owner, agent, lessee or other person in control of the premises with respect to which the violation occurred, at the same premises (all violations committed within two years).

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 165

By Council Members Holden and Won.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of sanitation to report on sidewalk obstruction enforcement

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-118.2 to read as follows:

§ 16-118.2 Report on sidewalk obstruction enforcement. a. No later than September 1, 2022, and every three months thereafter, the department shall submit to the speaker of the council and to the mayor a report of its enforcement actions pursuant to subdivision 2 of section 16-118, disaggregated by council district and community district:

b. The report shall include at minimum:

1. The total number of complaints of violations of subdivision 2 of section 16-118 received within the quarter;

2. The nature of each such complaint, including but not limited to the placement of sandwich or A-frame signs; and

3. The disposition of each such complaint.

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 166

By Council Members Holden and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to a database and map of media and entertainment production activities

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-205-a, to read as follows:

§22-205-a Database and interactive map, displaying media production activities with permits. No later than October 1, 2023, the commissioner of the mayor's office of media and entertainment, or any other entity designated by the mayor to issue film and television production permits pursuant to paragraph r of subdivision 1 of section 1301 of the New York city charter, shall develop and maintain a searchable electronic database and interactive map displaying the locations of current media and entertainment production activities for which such a permit is required, including those issued pursuant to section 22-205 of this chapter for movie-making, telecasting and photography activities. The commissioner shall update such database and map within three days following the issuance of any such new permit, permit renewal, or changes to the locations of such media and entertainment activities in any such permit or permit renewal. Such database and map shall be posted on the mayor's office of media and entertainment's website, shall have the ability to produce reports by query, and shall include, but not be limited to, the following information:

1. Address, borough, block and lot number;

2. Permit applicant and contact information; and

3. Whether such permit includes a request for the removal of on-street parking, parking privileges or other street closure.

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

Referred to the Committee on Technology.

Int. No. 167

By Council Members Holden and Won.

A Local Law to amend the administrative code of the city of New York, in relation to the number of steps to submit service requests or complaints on the 311 website and mobile application

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

§ 23-308 *Service requests or complaints. Any website or mobile device application used by the 311 customer service center for the intake of service requests or complaints from the public shall allow the direct submission of such request or complaint by a member of the public with no more than four steps to input such request or complaint.*

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

Referred to the Committee on Technology.

Int. No. 168

By Council Member Holden.

A Local Law to amend the administrative code of the city of New York, in relation to reports of illegal towing to 311

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

§ 23-308 *Complaints related to tow trucks. The department of information technology and telecommunications shall implement on its 311 citizen service center website, telephone and mobile device platforms the capability to file a complaint reporting a tow truck company that tows an immobilized vehicle in violation of paragraph 2 of subdivision b of section 20-518. Such option shall allow the complainant to include a photograph or video when submitting a complaint through such 311 website and mobile device platforms.*

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

Referred to the Committee on Technology.

Int. No. 169

By Council Members Holden, Stevens and Won.

A Local Law to amend the New York city charter, in relation to posting information about community board members online

Be it enacted by the Council as follows:

Section 1. Chapter 48 of the New York city charter is amended by adding a new section 1077 to read as follows:

§ 1077. Community board data. The department of information technology and telecommunications, or such other agency or office as the mayor may designate, shall develop and maintain a portal on the city's website that provides information about the members of community boards. Such portal shall be available to the public at no charge and without any registration requirement. The information on such portal shall be updated as frequently as practicable, but in no case less often than once every two months. Such portal shall include, but not be limited to, the following information, which shall be in a machine readable and externally searchable format:

- a. the name of each community board member;*
- b. the neighborhood, as designated by the department of city planning, within which each such member resides;*
- c. the employer and occupation of each such member, if any;*
- d. the attendance record of each such member at full board meetings and meetings of committees to which they are assigned;*
- e. the council member who recommended each such member, if any, and the name of the borough president who appointed each such member;*
- f. the original appointment date for each such member;*
- g. the committees upon which each such member sits and the committees for which each such member acts as chairperson;*
- h. the number of members serving on each community board who currently reside in each neighborhood, as designated by the department of city planning, served by each such board;*
- i. the number of vacancies on each community board;*
- j. the average length of time members have served on a community board; and*
- k. demographics information for (1) each community board in the aggregate, (2) each borough in the aggregate and (3) all community boards in the city in the aggregate, which demographics information shall include race, gender, religion, sexual orientation, income, age, employment status, disability status, level of education, language spoken at home, marital status, veteran status, and status as an automobile owner or lessor, as determined by an optional survey of community board members.*

§ 2. This local law takes effect 180 days after it becomes law; provided, however, that the department of information technology and telecommunications, or such other office or agency as the mayor may designate to carry out this local law, shall take such actions prior to such time as are necessary for timely implementation of this local law.

Referred to the Committee on Technology.

Int. No. 170

By Council Members Holden and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to suspending bus lane enforcement on legal holidays

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 19-175.8 to read as follows:

§ 19-175.8 Bus lane enforcement on legal holidays. a. Definitions. For purposes of this section, the following terms have the following meanings:

Bus lane restrictions. The term “bus lane restrictions” means restrictions on the use of designated traffic lanes by vehicles other than buses imposed by the department pursuant to section 1111-c of the vehicle and traffic law.

Designated bus lane. The term “designated bus lane” means a lane dedicated for the exclusive use of buses with the exceptions allowed under 4-08(a)(3) and 4-12(m) of title 34 of the rules of the city of New York.

Legal holidays. The term “legal holidays” refers to holidays that are listed in subdivision a of section 19-163.

Photo device. The term “photo device” means a device that is capable of operating independently of an enforcement officer and produces one or more images of each vehicle at the time it is in violation of bus lane restrictions.

b. Notwithstanding any other provision of law, photo device enforcement of bus lane restrictions in designated bus lanes is suspended on legal holidays.

§ 3. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 171

By Council Members Holden, Rivera and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to a 14-day notification requirement for movie-making, telecasting and photography permit applications when special parking requests are required

Be it enacted by the Council as follows:

Section 1. Section 22-205 of the administrative code of the city of New York is amended to read as follows:

§ 22-205 Permits for movie-making, telecasting and photography [in public places]; violations; penalties. a. The [executive director of the office for economic development] *commissioner of small business services or any other person or entity designated by the mayor to issue permits pursuant to paragraph r of subdivision 1 of section 1301 of the charter* shall not issue to any applicant any permit for any activity subject to the provisions of [subdivision thirteen of section thirteen hundred of the charter] *that section*, unless and until:

(1) all other permits, approvals and sanctions required by any other provision of law for the conduct of such activities by the applicant have been obtained by the [executive director] *commissioner or mayor’s designee*, in the name and in behalf of the applicant, from the agency or agencies having jurisdiction; [and]

(2) all fees required to be paid by, or imposed pursuant to, any provision of law for the issuance of such other permits, approvals and sanctions have been paid by the applicant[.]; *and*

(3) *for any activity for which on-street parking would be requested or required to be removed, the applicant has filed an application no less than 14 days prior to the date of the requested activity, provided that such requirement may be waived by the commissioner or mayor’s designee upon a showing of special or unusual circumstances.*

b. It shall be unlawful for any person to conduct, without a permit from [such executive director] *the commissioner or mayor’s designee*, any activity with respect to which [such executive director] *the commissioner or mayor’s designee* is authorized to issue a permit under the provisions of the charter referred to in subdivision a of this section. Any violation of the provisions of this subdivision b shall be punishable by a fine of not more than five hundred dollars or by imprisonment for not more than ninety days, or both.

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

Referred to the Committee on Technology.

Res. No. 113

Resolution calling on the New York City Economic Development Corporation to expand NYC Ferry service to LaGuardia Airport.

By Council Members Holden, Farías and Won.

Whereas, Millions of passengers use LaGuardia Airport each year, and LaGuardia Airport is among the busiest airports in the United States; and

Whereas, LaGuardia Airport is not currently accessible through the Metropolitan Transportation Authority subway service; and

Whereas, LaGuardia Airport is the only major airport under the purview of the Port Authority of New York and New Jersey that is not accessible by train; and

Whereas, Traffic congestion on the roads and highways leading to LaGuardia Airport is sometimes so severe that the Transportation Security Administration has advised passengers to allow themselves at least two hours in order to travel to the airport; and

Whereas, LaGuardia Airport employs over 9,000 people, according to data collected by Baruch College, City University of New York; and

Whereas, The Port Authority of New York and New Jersey has presented a proposal regarding a ferry route that connects Manhattan to LaGuardia Airport;

Whereas, The Queens Borough Board has supported the addition of the Marine Air Terminal ferry terminal and expanded ferry service to LaGuardia Airport; and

Whereas, Renovations of LaGuardia Airport are scheduled to be completed in 2022; and

Whereas, The New York City Economic Development Corporation, in a 2013 study of citywide ferry service, projected that a ferry to LaGuardia Airport Marine Air Terminal could have a potential daily ridership of over 800 people; and

Whereas, Expanded NYC Ferry service to LaGuardia Airport would provide an alternative, affordable mode of transportation for the tens of thousands of people who use LaGuardia Airport on a daily basis; and

Whereas, Such expanded service would provide an alternative means of access that could help ease congestion on the roads near LaGuardia Airport; and

Whereas, NYC Ferry service is provided by Hornblower Cruises & Events through a contract managed by the New York City Economic Development Corporation; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York City Economic Development Corporation to expand NYC Ferry service to LaGuardia Airport.

Referred to the Committee on Economic Development.

Res. No. 114

Resolution calling on the State legislature to increase the cap on commercial overnight fines for cities.

By Council Member Holden.

Whereas, As one of the most densely populated cities in the Country, New York City is in a constant struggle to balance the sometimes competing needs of residents and businesses; and

Whereas, This is especially true when allocating street spaces for parking; and

Whereas, One approach has been to set time and place restrictions on where commercial vehicles can idle or park; and

Whereas, Generally speaking, commercial vehicles are prohibited from parking on a street for more than three hours; and

Whereas, It is also illegal for commercial vehicles to park overnight on residential streets between 9pm and 5am; and

Whereas, The fines for violating these parking rules are determined by the City; and

Whereas, However, under the State Vehicle and Traffic Law, the maximum amount the City can set for such violations is capped; and

Whereas, This can mean that the fines do not act as an effective deterrent and may simply be absorbed as the cost of doing business; and

Whereas, In fact, in 2021 there were almost 27,000 complaints made through 311 about illegal overnight parking of commercial vehicles, according to NYC OpenData; and

Whereas, Local police precincts will sometimes conduct sweeps where specialized tow trucks are brought in to remove large commercial trucks; and

Whereas, However, there are only six of these tow trucks to serve the whole City and finding space for the violating vehicles is difficult; and

Whereas, The New York State Legislature is considering some measures to address this ongoing problem; and

Whereas, S.3259, which was introduced in January of 2021 by Senator Leroy Comrie, seeks to increase the fines for overnight parking on New York City residential streets of tractor-trailer combinations, tractors, truck trailers and semi-trailers on residential streets in the city of New York; and

Whereas, S.3259 would increase the fine for an initial violation from \$250 to \$400 and a subsequent violation, within a six month period, would be charged at \$800, up from \$500; and

Whereas, S.3258, which was introduced in January of 2021 by Senator Comrie, also seeks to deter illegal parking; and

Whereas, Under this bill, a person responsible for a trailer or semitrailer that is left parked or unattended in an area like New York City, would be fined \$1,000; and

Whereas, While these bills could help decrease the impact of illegal overnight parking, they only relate to illegal parking by certain types of trucks and do not address all types of commercial vehicles; and

Whereas, To address the chronic problem of overnight parking by commercial vehicles, more comprehensive state legislation needs to be introduced and passed; and

Whereas, Residents of New York City should not have to tolerate commercial vehicles appropriating all of the street parking in their residential neighborhoods; and

Whereas, The City should have the authority to increase the maximum fines for these types of violations so they serve as an effective deterrent; and

Whereas, At the moment, the capped fines are minimal enough to be factored in as a cost of doing business; now, therefore, be it

Resolved, That the Council of the City of New York calls on the State legislature to increase the cap on commercial overnight fines for cities.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 172

By Council Members Hudson, Cabán, Stevens, Hanif and Nurse.

A Local Law to amend the administrative code of the city of New York, in relation to notification and community input regarding designation of, removal of and changes to open streets

Be it enacted by the Council as follows:

Section 1. Subdivisions a, j and l of section 19-107.1 of the administrative code of the city of New York, as added by local law number 55 for the year 2021, are amended to read as follows:

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

Affected representatives. The term “affected representatives” means any council member or community board representing the geographic area in which the relevant open street is located, and any community organization involved in the management or operations of the relevant open street.

Community organization. The term “community organization” means any formal or informal group of people or businesses with ties to the community who collaborate to manage or participate in the operations of an open street.

Open street. The term “open street” means a street or segment of a street designated by the department as such, on which motor vehicle access is controlled by barriers and signage or other traffic calming measures, and on which priority is given to pedestrians, individuals using bicycles, and other non-vehicular street users.

j. Prior to the designation or permanent removal of an open street or any permanent changes to the geographic bounds, design or streetscape elements of an open street, the department shall: [provide notice to affected council members, community boards and community organizations]

1. Provide notice to affected representatives of the proposed action at least 60 days prior to implementation;

2. Following the provision of such notice, provide a period of at least four weeks during which the department shall accept and consider comments from the affected representative and the community regarding the proposed action;

3. Following such comment period, provide a period of at least two weeks in which the department shall consider and prepare responses to such comments; and

4. At least one week before implementation of such designation, removal or change, provide a response summarizing the comments received and whether it will make any changes to the proposed action.

l. Reporting. On an annual basis, the department shall submit to the mayor and the speaker of the council and post on the department’s website a report evaluating the open streets program, including any recommendations for modifications or expansion. In addition, the department shall regularly post on the department’s website an updated list of open streets, hours of operation and any temporary suspension of open streets or temporary changes to the geographic scope, design or streetscape elements of open streets. The department shall also provide notice to affected representatives of any temporary suspension of open streets or changes to the geographic scope, design or streetscape elements of open streets. Such notice shall be provided at least 72 hours in advance of any planned temporary changes or suspensions and no later than 72 hours following any unplanned temporary changes or suspensions.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 173

By Council Members Krishnan, Cabán, Stevens, Hanif, Brewer, Narcisse, Won, Restler, Marte, Hudson, Menin, Nurse, Farías and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to the parks and playgrounds that have failed inspections conducted by the department of parks and recreation

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-158 to read as follows:

§ 18-158 Park and playground inspections. a. Definitions. For the purposes of this section, the following term has the following meaning:

Park feature. The term “park feature” means a structural or landscape element of a park or other property under the jurisdiction of the department, including, but not limited to, athletic fields, benches, fences, lawns, horticultural areas, paved surfaces, play equipment, safety surfacing, sidewalks, trees, or unpaved trails.

b. The department shall develop standards for grading park features that have been examined pursuant to an inspection conducted by the department. In determining a grade for a park feature, the standards shall

consider the cleanliness of each park feature including, but not limited to, the presence of litter, graffiti, broken glass, ice or weeds and whether the overall condition of any park feature is suitable for the intended use of such park feature. Upon the conclusion of an inspection, a grade of acceptable or unacceptable for the cleanliness and overall condition of such park feature shall be issued.

c. On December 31, 2022 and every six months thereafter, the department shall submit a report to the mayor and the council regarding park features under the jurisdiction of the department that were found to receive an unacceptable rating pursuant to an inspection conducted by the department.

c. Such report shall include, but not be limited to:

1. The date and location of each inspection performed by the department on a park feature of a park, playground, pool, beach or recreation center, where such park feature was issued an unacceptable rating for its cleanliness or overall condition during such inspection three or more times during a six month period;

2. For each park feature, a description of the condition that resulted in an unacceptable rating being issued for its cleanliness or overall condition;

3. A plan that describes the work needed to be performed in order to bring such feature into a condition where its cleanliness or overall condition would be rated as acceptable pursuant to an inspection performed by the department; and

4. An estimate of the cost and timeframe required to complete such work;

§ 2. This local law takes effect 90 days after it becomes law.

Referred to the Committee on Parks and Recreation.

Int. No. 174

By Council Members Krishnan, Cabán, Stevens, Hanif, Brewer, Won, Restler, Marte and Nurse (by request of the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to reporting on park capital expenditures

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-159 to read as follows:

§ 18-159 Reporting on capital project expenditures in parks. a. For each capital project, under the jurisdiction of the department, for which certain data is posted on the public online capital projects database, pursuant to subdivision d of section 219 of the charter, such data shall also be posted on the website of the department, updated no less than quarterly and include the following:

1. The location of such capital project, specified by borough and community district;

2. The date when funding for such capital project was fully allocated and any addition or subtraction made to the funding allocation for such project after such date and the reasons for such addition or subtraction;

3. A description of any phase of such capital project that is delayed and the reason for such delay;

4. A description of any projected or actual cost overrun for each phase of such project; and

5. The date such project was first assigned to an employee of the department.

b. The department shall also post on its website, the total number of capital projects that were completed during the most recent fiscal year, the average amount of time taken to complete such projects, measured from the date when each project was fully funded to the date construction was completed and the total number of capital projects currently under the jurisdiction of the department.

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

Referred to the Committee on Parks and Recreation.

Int. No. 175

By Council Member Marte, the Public Advocate (Mr. Williams) and Council Members Cabán, Stevens, Hanif, Won, Menin, Hudson, Abreu, Narcisse, Restler, Williams, Ayala, Ossé, Moya, Nurse and Farías.

A Local Law to amend the administrative code of the city of New York, in relation to maximum working hours for home care aides

Be it enacted by the Council as follows:

Section 1. Paragraph 3 of subdivision a of section 20-1208 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:

3. For each violation of:

(a) Section 20-1204,

(1) Rescission of any discipline issued, reinstatement of any employee terminated and payment of back pay for any loss of pay or benefits resulting from discipline or other action taken in violation of section 20-1204;

(2) \$500 for each violation not involving termination; and

(3) \$2,500 for each violation involving termination;

(b) Section 20-1221, \$200 and an order directing compliance with section 20-1221;

(c) Section 20-1222, payment of schedule change premiums withheld in violation of section 20-1222 and \$300;

(d) Section 20-1231, payment as required under section 20-1231, \$500 and an order directing compliance with section 20-1231;

(e) Section 20-1241, \$300 and an order directing compliance with section 20-1241;

(f) Subdivision a of section 20-1251, the greater of \$500 or such employee's actual damages;

(g) Subdivisions a and b of section 20-1252, \$300; [and]

(h) Subdivision a or b of section 20-1262, \$500 and an order directing compliance with such subdivision, provided, however, that an employer who fails to provide an employee with the written response required by subdivision a of section 20-1262 may cure the violation without a penalty being imposed by presenting proof to the satisfaction of the department that it provided the employee with the required written response within seven days of the department notifying the employer of the opportunity to cure; *and*

(i) Section 20-1282, \$500 and an order directing compliance with section 20-1282.

§ 2. Subdivision a of section 20-1211 of the administrative code of the city of New York, as amended by local law number 2 for the year 2021, is amended to read as follows:

a. Claims. Any person, including any organization, alleging a violation of the following provisions of this chapter may bring a civil action, in accordance with applicable law, in any court of competent jurisdiction:

1. Section 20-1204;

2. Section 20-1221;

3. Subdivisions a and b of section 20-1222;

4. Section 20-1231;

5. Subdivisions a, b, d, f and g of section 20-1241;

6. Section 20-1251;

7. Subdivisions a and b of section 20-1252; [and]

8. Section 20-1272; *and*

9. Section 20-1282.

§ 3. Chapter 12 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 8 to read as follows:

**SUBCHAPTER 8
MAXIMUM HOURS FOR HOME CARE AIDES**

§ 20-1281 Definitions. As used in this subchapter, the following terms have the following meanings:

Home care aide. The term “home care aide” means a home health aide, personal care aide, personal care attendant, consumer directed personal assistant, home attendant or other licensed or unlicensed person whose primary responsibility includes the provision of in-home assistance with activities of daily living, instrumental activities of daily living or health-related tasks, or the provision of companionship or fellowship, excluding any person who provides any such service to a family member.

Unforeseeable emergent circumstance. The term “unforeseeable emergent circumstance” means an unpredictable or unavoidable occurrence that requires immediate action.

Shift. The term “shift” means any period of time during which a home care aide (i) is the sole home care aide at the place of employment who is able to provide the services for which the home care aide is engaged, (ii) is required to be available to provide such services, or (iii) is not permitted to leave the place of employment.

§ 20-1282 Maximum home care hours. a. No employer shall assign any home care aide to work:

- 1. Any one single shift exceeding 12 hours;*
- 2. Consecutive 12-hours shifts;*
- 3. Shifts totaling more than 12 hours in any 24-hour period; or*
- 4. Hours in excess of 50 per week.*

b. In the event of an unforeseeable emergent circumstance, an employer may assign a home care aide hours in excess of the maximum hours set forth in subdivision a, provided that the employer has exhausted all reasonable efforts to obtain proper staffing. Such excess hours shall not exceed two hours per day or 10 hours per week. A staffing shortage shall not constitute an unforeseeable emergent circumstance.

c. Any requirement of a home care aide to accept an assignment for hours in excess of the maximum hours set forth in subdivision a contained in any contract, agreement or understanding executed or renewed after the effective date of this local law that added this section shall be void.

§ 4. This local law takes effect 90 days after it becomes law.

Referred to the Committee on Civil Service and Labor.

Int. No. 176

By Council Members Marte and Hanif (by request of the Manhattan Borough President).

A Local Law in relation to requiring a report on outreach by the department of education and the department of health and mental hygiene to individuals who were students, teachers and staff at schools near the World Trade Center during the 2001-2002 school year

Be it enacted by the Council as follows:

Section 1. No later than the first anniversary of the effective date of this local law, the department of education, in collaboration with the department of health and mental hygiene, shall submit to the council a report on outreach to all individuals who were enrolled as students or employed as teachers or staff members at schools within one and one-half miles of the World Trade Center during the 2001-2002 school year. Such report shall, at a minimum:

1. Include information about all efforts to inform such individuals about their eligibility for any programs to help, monitor or compensate individuals who may have been harmed as a result of the terrorist attack on the World Trade Center on September 11, 2001 and its aftermath, including, without limitation, the World Trade Center Health Registry, the World Trade Center Health Program and the September 11th Victim Compensation Fund;
2. Identify any difficulties in identifying or contacting such individuals as well as any other gaps or deficiencies in such outreach efforts; and
3. Make recommendations regarding further outreach to such individuals.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 177

By Council Members Menin, Schulman, the Public Advocate (Mr. Williams), Hanif and Won (by request of the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to reporting of data related to COVID-19

Be it enacted by the Council as follows:

Section 1. Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.19 to read as follows:

§ 17-199.19 Reporting on COVID-19. a. Definitions. For the purposes of this section, the term “COVID-19” means the disease caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

b. The department shall maintain a website where it reports and updates daily the following information for each zip code:

1. The number of tests for COVID-19 performed;
2. The number of COVID-19 tests that were positive;
3. The percentage of COVID-19 tests that were positive;
4. The number of COVID-19 vaccines administered; and
5. The number of deaths due to COVID-19.

c. The information reported pursuant to subdivision b shall be posted on the website no later than seven days following the date the department receives such data.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Res. No. 115

Resolution calling on the New York State Legislature to pass and the Governor to sign, S.7199/A.8169, the Hospital Equity and Affordability Legislation (HEAL Act), that aims to improve market access and increase transparency of health insurance contracts by banning certain anti-competitive provisions.

By Council Members Menin, Abreu, Velázquez, Schulman, De La Rosa, Cabán, Hanif, Brewer, Farías, Won, Barron, Williams, Richardson Jordan, Restler, Krishnan, Gutiérrez, Rivera, Bottcher, Avilés, Hudson, Joseph, Marte, Yeager, Brannan, Ung, Brooks-Powers and Ayala.

Whereas, The COVID-19 pandemic has devastated New York City and its health system; and

Whereas, The City will emerge from the pandemic facing long-term consequences and lessons learned; and

Whereas, Widespread access to high-quality, affordable health care is more important than ever; and

Whereas, New York has some of the country’s best hospitals, but also some of the highest prices for care; and

Whereas, From 2013 to 2017, the cost of services at New York metropolitan area hospitals rose 22%, and as of 2017 they were 19% above the national median cost; and

Whereas, The future of our city and state depends on our ability to rein in the hospital costs so every New Yorker can access the care they need; and

Whereas, We must do more to ensure a more equitable city, especially for those who were disproportionately impacted, both physically and financially, during the COVID-19 crisis; and

Whereas, New Yorkers from vulnerable immigrant communities and communities of color are also disproportionately impacted by the rapidly escalating cost of health care across New York and the nation; and

Whereas, Demanding fair pricing from large hospital systems is about much more than fixing a longstanding barrier to health care, it is a step closer to creating a truly equitable and affordable state; and

Whereas, S.7199, introduced by Senator Andrew Gounardes, and A.8169, introduced by Assembly Member Catalina Cruz, would prohibit certain provisions in insurance and Health Maintenance Organization (HMO) contracts that require the insurer to include within the scope of the contract all covered groups of the insurer for access to the insurer's network of participating providers and other similar anticompetitive provisions; and

Whereas, The Hospital Equity and Affordability Legislation (HEAL) is aimed at preventing anti-competitive hospital contracting practices and out-of-control pricing structures that hurt patients and act as a barrier to affordable care; and

Whereas, HEAL seeks to prohibit practices such as striking backroom deals with insurers to keep prices secret and preventing innovative programming that benefits patients; and

Whereas, Stakeholders and unions, including the 32BJ Health Fund, which provides benefits to nearly 100,000 32BJ members and their families, have fully supported HEAL; and

Whereas, Protecting access to high-quality health care is a question of basic human rights that will guarantee that hard-working New Yorker will no longer pay for opaque and bloated healthcare costs; and

Whereas, We have to strive and move closer to greater health equity in the City of New York; and 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.7199/A.8169, the Hospital Equity and Affordability Legislation (HEAL Act), that aims to improve market access and increase transparency of health insurance contracts by banning certain anti-competitive provisions.

Referred to the Committee on Hospitals.

Int. No. 178

By Council Member Moya.

A Local Law to amend the administrative code of the city of New York, in relation to limiting the amount of sidewalk area that private property owners are responsible for maintaining

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 19-152 of title 19 of the administrative code of the city of New York, as amended by local law number 64 for the year 1995, is amended to read as follows:

a. The owner of any real property, at his or her own cost and expense, shall (1) install, construct, repave, reconstruct and repair the sidewalk flags in front of or abutting such property *up to 30 feet from the property line*, including but not limited to the intersection quadrant for corner property *if such intersection quadrant is within 30 feet from such property line*, and (2) fence any vacant lot or lots, fill any sunken lot or lots and/or cut down any raised lots comprising part or all of such property whenever the commissioner of the department shall so order or direct. The commissioner shall so order or direct the owner to reinstall, construct, reconstruct, repave or repair a defective sidewalk flag in front of or abutting such property *up to 30 feet from the property line*, including but not limited to the intersection quadrant for corner property *if such intersection quadrant is within 30 feet from such property line*, or fence any vacant lot or lots, fill any sunken lot or lots and/or cut down any raised lots comprising part or all of such property after an inspection of such real property by a departmental inspector. The commissioner shall not direct the owner to reinstall, reconstruct, repave or repair a sidewalk flag which was damaged by the city, its agents or any contractor employed by the city during the course of a city capital construction project. The commissioner shall direct the owner to install, reinstall, construct, reconstruct, repave or repair only those sidewalk flags which contain a substantial defect. For the purposes of this subdivision, a substantial defect shall include any of the following:

1. where one or more sidewalk flag(s) is missing or where the sidewalk was never built;
2. one or more sidewalk flag(s) are cracked to such an extent that one or more pieces of the flag(s) may be loosened or readily removed;

3. an undermined sidewalk flag below which there is a visible void or a loose sidewalk flag [tht] *that* rocks or seesaws;

4. a trip hazard, where the vertical grade differential between adjacent sidewalk flags is greater than or equal to one half inch or where a sidewalk flag contains one or more surface defects of one inch or greater in all horizontal directions and is one half inch or more in depth;

5. improper slope, which shall mean (i) a flag that does not drain toward the curb and retains water, (ii) flag(s) that must be replaced to provide for adequate drainage or (iii) a cross slope exceeding established standards;

6. hardware defects which shall mean (i) hardware or other appurtenances not flush within 1/2" of the sidewalk surface or (ii) cellar doors that deflect greater than one inch when walked on, are not skid resistant or are otherwise in a dangerous or unsafe condition;

7. a defect involving structural integrity, which shall mean a flag that has a common joint, which is not an expansion joint, with a defective flag and has a crack that meets such common joint and one other joint;

8. non-compliance with DOT specifications for sidewalk construction; and

9. patchwork which shall mean (i) less than full-depth repairs to all or part of the surface area of broken, cracked or chipped flag(s) or (ii) flag(s) which are partially or wholly constructed with asphalt or other unapproved non-concrete material; except that, patchwork resulting from the installation of canopy poles, meters, light poles, signs and bus stop shelters shall not be subject to the provisions of this subdivision unless the patchwork constitutes a substantial defect as set forth in paragraphs (1) through (8) of this subdivision.

§ 2. Subdivision a-1 of section 19-152 of title 19 of the administrative code of the city of New York, as added by local law number 64 for the year 1995, is amended to read as follows:

a-1. An owner of real property shall bear the cost for repairing, repaving, installing, reinstalling, constructing or reconstructing any sidewalk flag in front of or abutting his or her property *up to 30 feet from the property line*, including but not limited to the intersection quadrant for corner property *if such intersection quadrant is within 30 feet from such property line*, deemed to have a substantial defect which is discovered in the course of a city capital construction project or pursuant to the department's prior notification program, wherein the department receives notification of a defective sidewalk flag(s) by any member of the general public or by an employee of the department. However, with respect to substantial defects identified pursuant to the prior notification program, the sidewalk must be deemed to be a hazard prior to the issuance of a violation for any substantial defect contained in subdivision a of this section for any sidewalk flag on such sidewalk. For purposes of this subdivision, a hazard shall exist on any sidewalk where there is any of the following:

1. one or more sidewalk flags is missing or the sidewalk was never built;

2. one or more sidewalk flag(s) is cracked to such an extent that one or more pieces of the flag(s) may be loosened or readily removed;

3. an undermined sidewalk flag below which there is a visible void;

4. a loose sidewalk flag that rocks or seesaws;

5. a vertical grade differential between adjacent sidewalk flags greater than or equal to one half inch or a sidewalk flag which contains one or more surface defects of one inch or greater in all horizontal directions and is one half inch or more in depth; or

6. cellar doors that deflect greater than one inch when walked on, are not skid resistant or are otherwise in a dangerous or unsafe condition.

§ 3. Section 7-210 of title 7 of the administrative code of the city of New York, as added by local law number 49 for the year 2003, is amended to read as follows:

§ 7-210 Liability of real property owner for failure to maintain sidewalk in a reasonably safe condition. a. It shall be the duty of the owner of real property abutting any sidewalk, including, but not limited to, the intersection quadrant for corner property, to maintain such sidewalk *up to 30 feet from the property line* in a reasonably safe condition.

b. Notwithstanding any other provision of law, the owner of real property abutting any sidewalk, including, but not limited to, the intersection quadrant for corner property, shall be liable for any injury to property or personal injury, including death, proximately caused by the failure of such owner to maintain such sidewalk *up to 30 feet from the property line* in a reasonably safe condition. Failure to maintain such sidewalk in a reasonably safe condition shall include, but not be limited to, the negligent failure to install, construct, reconstruct, repave, repair or replace defective sidewalk flags and the negligent failure to remove snow, ice, dirt or other material

from the sidewalk. This subdivision shall not apply to one-, two- or three- family residential real property that is (i) in whole or in part, owner occupied, and (ii) used exclusively for residential purposes.

c. Notwithstanding any other provision of law, the city shall not be liable for any injury to property or personal injury, including death, proximately caused by the failure to maintain sidewalks (other than sidewalks abutting one-, two- or three- family residential real property that is (i) in whole or in part, owner occupied, and (ii) used exclusively for residential purposes) *abutting an owner's real property up to 30 feet from the property line* in a reasonably safe condition. This subdivision shall not be construed to apply to the liability of the city as a property owner pursuant to subdivision b of this section.

d. Nothing in this section shall in any way affect the provisions of this chapter or of any other law or rule governing the manner in which an action or proceeding against the city is commenced, including any provisions requiring prior notice to the city of defective conditions.

§ 4. Section 7-211 of title 7 of the administrative code of the city of New York, as added by local law number 54 for the year 2003, is amended to read as follows:

§ 7-211 Personal injury and property damage liability insurance. An owner of real property, other than a public corporation as defined in section sixty-six of the general construction law or a state or federal agency or instrumentality, to which subdivision b of section 7-210 of this code applies, shall be required to have a policy of personal injury and property damage liability insurance for such property for liability for any injury to property or personal injury, including death, proximately caused by the failure of such owner to maintain the sidewalk abutting such property *up to 30 feet from the property line* in a reasonably safe condition. The city shall not be liable for any injury to property or personal injury, including death, as a result of the failure of an owner to comply with this section.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 179

By Council Members Moya, Cabán, Stevens, Farías, Richardson Jordan, Menin, Won, De La Rosa and Nurse.

A Local Law in relation to creating a task force to examine the role of women in nontraditional workplaces

Be it enacted by the Council as follows:

Section 1. a. There shall be a task force to conduct a study of the role of women in nontraditional workplaces and issues that women face in nontraditional careers, such as women working in the construction, utilities, maintenance, green, and transportation industries.

b. The task force shall consist of the following members:

1. The executive director of the commission on gender equity or such executive director's designee;
2. The commissioner of consumer affairs and worker protection or such commissioner's designee;
3. A representative from the initiative established on June 20, 2018, known as the Women.NYC initiative, to provide resources for working women;

4. Five members appointed by the speaker of the council, two of whom shall represent advocacy organizations with relevant expertise and experience within the construction, utilities, maintenance, green, or transportation industries or fields where women are traditionally underrepresented and three members who identify as female and are currently employed in a nontraditional workplace; and

5. Five members appointed by the mayor representing each of the five boroughs, respectively, provided that each member shall have relevant expertise.

c. The task force shall conduct a comprehensive review of role of women in nontraditional workplaces, including issues that lead to challenges with recruitment and retention of women, sustained negative work environments for women, issues impacting how these environments value of diversity, equity and inclusion, and other significant barriers to success for women in nontraditional workplaces. The task force shall also:

1. Make recommendations for how the city could establish a mechanism and build upon existing resources to support and empower women to pursue and succeed in careers in nontraditional fields; and
 2. Host or co-host discussions, public programs and other educational initiatives related to supporting women in nontraditional workplaces.
- d. The task force shall meet no less than once a quarter.
 - e. No later than 12 months after the effective date of this local law, the task force shall post online and submit a report that contains its findings, conclusions and recommendations, an overview of city resources and information available to women in underrepresented fields, any recommendations for policy or legislation, and copies of minutes taken at task force meetings, to the mayor and the speaker of the council.
 - f. The task force shall dissolve upon submission of its report as required by subdivision e of this section.
- § 2. This local law takes effect immediately.

Referred to the Committee on Women and Gender Equity.

Int. No. 180

By Council Members Powers, Cabán, Stevens, Hanif, Brewer, Dinowitz, Won, Restler, Krishnan, Hudson, Nurse and Abreu.

A Local Law to amend the New York city charter, in relation to the designation and usage of public libraries as polling places

Be it enacted by the Council as follows:

Section 1. Chapter 46 of the New York city charter is amended by adding a new section 1057-h to read as follows:

§ 1057-h Usage of public libraries as polling places. a. Where permitted by section 4-104 of the election law, the board of elections in the city of New York, in consultation with the New York Public Library system, Brooklyn Public Library system, and Queens Public Library system, shall designate every public library as a polling place for any general election, including during the early voting period for such general election. Such designation and usage of permissible public libraries as polling places shall be made in addition to the designation and usage of any other site which the board of elections in the city of New York has previously designated as a polling place for any general election and early voting period for such general election. Refusal by the board of elections in the city of New York to designate a public library as a polling place may not be based on the library's proximity to an existing polling place.

b. Report. No later than 60 days following the completion of a general election, the board of elections in the city of New York shall submit a report to the speaker of the council on the use of public libraries as polling places. Such report shall include the following information:

- 1. A complete list of the public libraries in the New York Public Library system, Brooklyn Public Library system, and Queens Public Library system, and whether each such library was designated as a polling place for the preceding general election or the early voting period for such general election;*
- 2. The criteria used to determine the permissibility of public libraries as polling places for a general election and early voting period for a general election; and*
- 3. The reasoning used in each decision not to designate a public library as a polling place for a general election or early voting period for a general election.*

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

Referred to the Committee on Governmental Operations.

Int. No. 181

By Council Members Powers, Rivera, Cabán, Hanif, Won, Restler, Hudson, Nurse, Abreu and Narcisse.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to publish all of its rules, policies and directives

Be it enacted by the Council as follows:

Section 1. Section 9-138 of the administrative code of the city of New York, as added by local law number 89 for the year 2015, is amended to read as follows:

§ 9-138 [Use of force directive] *Department rules, policies and directives.* The commissioner shall post on the department's website *all departmental rules, policies and directives, including* the directive stating the department's current policies regarding the use of force by departmental staff on [inmates] *incarcerated individuals*, including [but not limited to] the circumstances in which any use of force is justified, the circumstances in which various levels of force or various uses of equipment are justified, and the procedures staff must follow prior to using force. The commissioner may redact [such directive] *sections of any rule, policy or directive* [as] *when necessary to preserve safety and security in the facilities under the department's control.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Criminal Justice.

Int. No. 182

By Council Members Powers, Marte, Won and Hudson

A Local Law to amend the administrative code of the city of New York, in relation to amending the definition of business dealings with the city to include certain uncertified applications to the department of city planning

Be it enacted by the Council as follows:

Section 1. Paragraphs a and b of subdivision 18 of section 3-702 of the administrative code of the city of New York is amended to read as follows:

a. The term “business dealings with the city” shall mean (i) one or more contracts (other than an emergency contract or a contract procured through publicly-advertised competitive sealed bidding) with a single person or entity for the procurement of goods, services or construction that are in effect or that were entered into within the preceding twelve-month period with the city of New York or any agency or entity affiliated with the city of New York and have a total value at or above \$100,000, or, with respect to contracts for construction, at or above \$500,000, and shall include any contract for the underwriting of the debt of the city of New York or any agency or entity affiliated with the city of New York and the retention of any bond counsel, disclosure counsel or underwriter's counsel in connection therewith; or (ii) any acquisition or disposition of real property (other than a public auction or competitive sealed bid transaction or the acquisition of property pursuant to the department of environmental protection watershed land acquisition program) with the city of New York or any agency or entity affiliated with the city of New York; or (iii) any application for approval sought from the city of New York pursuant to the provisions of section 195 of the charter, any application for approval sought from the city of New York [that has been certified] pursuant to the provisions of section 197-c of the charter, and any application for a zoning text amendment [that has been certified] pursuant to section 201 of the charter; provided, however, that for purposes of this clause, with respect to section 195 an applicant shall include the lessor of an office building or office space, and with respect to section 197-c an applicant shall include a designated developer or sponsor of a project for which a city agency or local development corporation is the applicant and provided, further, however, that owner-occupants of one, two and three family homes shall not be considered applicants

pursuant to this clause; or (iv) one or more concessions (other than a concession awarded through publicly-advertised competitive sealed bid) or one or more franchises with a single person or entity that are in effect or that were entered into within the preceding twelve-month period from the city of New York or any agency or entity affiliated with the city of New York which have a total estimated annual value at or above \$100,000; or (v) one or more grants made to a single person or entity that are in effect or that were entered into within the preceding twelve-month period that have a total value at or above \$100,000, received from the city of New York or any agency or entity affiliated with the city of New York; or (vi) any economic development agreement entered into or in effect with the city of New York or any agency or entity affiliated with the city of New York; or (vii) any contract for the investment of pension funds, including investments in a private equity firm and contracts with investment related consultants. In addition, for purposes of this chapter a lobbyist as defined in section 3-211 of this title shall be deemed to be engaged in business dealings with the city of New York during all periods covered by a registration statement. For purposes of clauses (i), (iv) and (v) of this subdivision, all contracts, concessions, franchises and grants that are \$5,000 or less in value shall be excluded from any calculation as to whether a contract, concession, franchise or grant is a business dealing with the city. For purposes of clauses (ii) and (iii) of this subdivision, the department of city planning, in consultation with the board, may promulgate rules to require the submission by applicants to the city of information necessary to implement the requirements of subdivisions 1-a and 1-b of section 3-703 of this chapter as they relate to clauses (ii) and (iii) of paragraph (a) of this subdivision for purposes of inclusion in the doing business database established pursuant to subdivision 20 of this section. For purposes of this subdivision, "agency or entity affiliated with the city of New York" shall mean the city school district of the city of New York and any public authority, public benefit corporation or not for profit corporation, the majority of whose board members are officials of the city of New York or are appointed by such officials. The department of housing preservation and development shall promulgate rules setting forth which categories of actions, transactions and agreements providing affordable housing shall and shall not constitute business dealings with the city of New York for purposes of this subdivision. The department shall consider the significance of the affordable housing program and the degree of discretion by city officials in determining which actions, transactions and agreements shall and shall not constitute such business dealings. Notwithstanding any provision of this subdivision, a housing assistance payment contract between a landlord and the department of housing preservation and development or the New York city housing authority relating to the provision of rent subsidies pursuant to Section 8 of the United States Housing Act of 1937, 42 USC 1437 et., seq., shall not constitute business dealings with the city of New York for the purposes of this subdivision.

b. Business dealings with the city as defined in this subdivision shall be as follows: for purposes of clause (i) of paragraph (a) of this subdivision, bids or proposals on contracts for the procurement of goods, services, or construction shall only constitute business dealings with the city of New York for the period from the later of the submission of the bid or proposal or the date of the public advertisement for the contract opportunity until twelve months after the date of such submission or advertisement, and contracts for the procurement of goods, services or construction shall only constitute business dealings with the city of New York during the term of such contract (or in the case of purchase contracts for goods, from the date of such purchase) and for twelve months thereafter, provided, however that where such contract award is made from a line item appropriation and/or discretionary funds made by an elected official other than the mayor or the comptroller, such contract shall only constitute business dealings with the city from the date of adoption of the budget in which the appropriation of such contract is included until twelve months after the end of the term of such contract; for purposes of clause (ii) of paragraph a of this subdivision, leases in which the city of New York is the proposed lessee shall only constitute business dealings with the city from the date the application for acquisition is filed pursuant to section 195 or the date of the certification of such application pursuant to section 197-c to a period of one year after the commencement of the lease term or after the commencement of any renewal and, where the city or any city affiliated entity is disposing of any real property interest, shall only constitute business dealings with the city from the date of the submission of a proposal and during the term of any agreement and one year after; for purposes of clause (iii) of paragraph (a) of this subdivision, applications for approval sought from the city of New York pursuant to the provisions of sections 197-c or 201 of the charter, except for applications for leases as described in clause (ii), shall only constitute business dealings with the city from the date of the [certification of such] application to the date that is one hundred twenty days after the date of filing by the council with the mayor of its action pursuant to subdivision e of section 197-d of the charter or, in the case of a decision

of the city planning commission for which the council takes no action pursuant to paragraph (3) of subdivision (b) of section 197-d of the charter, the date which is twenty days following the filing of such decision with the council pursuant to subdivision a of section 197-d of the charter, provided, however, that in the case of a disapproval of a council action by the mayor pursuant to subdivision e of section 197-d of the charter, such date shall be one hundred twenty days after expiration of the ten day period for council override pursuant to such section, *and further provided that in the case of the withdrawal of such application such date shall be the date of such withdrawal*; for purposes of clause (iv) of paragraph (a) of this subdivision, bids or proposals for franchises and concessions shall only constitute business dealings with the city of New York for the period from the submission of the bid or proposal until twelve months after the date of such submission, concessions shall only constitute business dealings with the city of New York during the term of such concession and for twelve months after the end of such term, and franchises shall only constitute business dealings with the city of New York for the period of one year after the commencement of the term of the franchise or after the commencement of any renewal; for purposes of clause (v) of paragraph (a) of this subdivision, grants shall constitute business dealings with the city of New York for one year after the grant is made; for purposes of clause (vi) of paragraph (a) of this subdivision, economic development agreements shall constitute business dealings with the city from the submission of an application for such agreement and during the term of such agreement and for one year after the end of such term; and for purposes of clause (vii) of paragraph (a) of this subdivision, contracts for the investment of pension funds, including the investments in a private equity firm and contracts with investment related consultants shall constitute business dealings with the city from the time of presentation of investment opportunity or the submission of a proposal, whichever is earlier, and during the term of such contract and for twelve months after the end of such term.

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

Referred to the Committee on Governmental Operations.

Int. No. 183

By Council Members Powers, Holden, Stevens, Brewer and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to monthly reports on animal shelters that are in contract with the city

Be it enacted by the Council as follows:

Section 1. Section 17-802 of the administrative code of the city of New York, as amended by local law number 7 for the year 2015, subdivision b as amended by local law number 53 for the year 2015, subdivision c-1 as added by local law number 222 for the year 2019, and subdivision k as added by local law number 200 for the year 2019, is amended to read as follows:

§ 17-802 Definitions. [For the purposes of] *As used in this chapter, the following terms [shall be defined as follows] have the following meanings:*

Adoptable animal. The term “adoptable animal” means any companion animal.

[a. "Adoption"] *Adoption. The term “adoption” means the delivery of a dog or cat deemed appropriate and suitable by an animal shelter to an individual at least eighteen years of age who has been approved to own, care and provide for the animal by the animal shelter.*

[b. "Animal rescue group"] *Animal rescue group. The term “animal rescue group” means a duly incorporated not-for-profit organization that accepts homeless, lost, stray, abandoned, seized, surrendered or unwanted animals from an animal shelter or other place and attempts to find homes for, and promote adoption of, such animals by the general public.*

[c. "Animal shelter"] *Animal shelter. The term “animal shelter” means a not-for-profit facility holding a permit in accordance with § 161.09 of the New York city health code where homeless, lost, stray, abandoned, seized, surrendered or unwanted animals are received, harbored, maintained and made available for adoption to*

the general public, redemption by their owners or other lawful disposition, and which is owned, operated, or maintained by a duly incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other organization devoted to the welfare, protection or humane treatment of animals.

[c-1. "Companion animal"] *Companion animal.* The term "*companion animal*" means any dog or cat, and also means any other domesticated animal normally maintained in or near the household of the owner or person who cares for such other domesticated animal. "Companion animal" does not include a farm animal as defined in section 350 of the agriculture and markets law or a wild animal as defined in section 161.01 of the New York city health code.

[d. "Consumer"] *Consumer.* The term "*consumer*" means any individual purchasing an animal from a pet shop. A pet shop [shall not be considered] *is not* a consumer.

[e. "Feral cat"] *Feral cat.* The term "*feral cat*" means an animal of the species *felis catus* who has no owner, is unsocialized to humans and has a temperament of extreme fear of and resistance to contact with humans.

Foster care. The term "*foster care*" means a temporary placement for an animal too young to be adopted or in need of specialized care prior to adoption.

[f. "Full-service shelter"] *Full-service shelter.* The term "*full-service shelter*" means a person required to have a permit issued pursuant to subdivision (b) of section 161.09 of the New York city health code that houses lost, stray or homeless animals and:

[(1)] 1. accepts dogs and cats twelve hours per day, seven days per week;

[(2)] 2. has an adoption program available seven days per week; and

[(3)] 3. provides sterilization services for dogs and cats and any other veterinary services deemed necessary by a licensed veterinarian at such shelter or at a veterinary facility.

Healthy animal. The term "*healthy animal*" means an animal that does not require medical, behavioral, or foster care to be ready for adoption.

[g. "Person"] *Person.* The term "*person*" means any individual, corporation, partnership, association, municipality, or other legal entity.

[h. "Pet shop"] *Pet shop.* The term "*pet shop*" has the same meaning as such term is defined in section 17-371 [of this title].

[i. "Sterilization"] *Sterilization.* The term "*sterilization*" means rendering a dog or cat that is at least eight weeks of age and that weighs at least two pounds unable to reproduce, by surgically altering such animal's reproductive organs as set forth in the rules of the department or by non-surgical methods or technologies approved by the United States food and drug administration or the United States department of agriculture and acceptable to the department. Such definition [shall include] *includes* the spaying of a female dog or cat or the neutering of a male dog or cat.

[j. "Trap-neuter-return"] *Trap-neuter-return.* The term "*trap-neuter-return*" means a program to trap, vaccinate for rabies, sterilize and identify feral cats and return them to the locations where they were found.

[k. "Adoptable animal"] means any companion animal subject to adoption as defined in subdivision a of this section.]

Treatable-manageable animal. The term "*treatable-manageable animal*" means an animal that is not likely to become healthy but could have a good quality of life if provided with treatment for the condition comparable with that typically provided by a reasonable owner or guardian, provided the animal does not pose a risk to the health or safety of other animals or people.

Treatable-rehabilitatable animal. The term "*treatable-rehabilitatable animal*" means an animal that is likely to become healthy if provided with treatment for the condition compatible with that typically provided by a reasonable owner or guardian.

Unhealthy-untreatable animal. The term "*unhealthy-untreatable animal*" means an animal that either has a behavioral or temperamental characteristic that poses a health or safety risk or otherwise makes the animal unsuitable for placement as a pet, or is suffering from a disease, injury, or congenital condition that adversely affects the animal's health and will not become healthy or treatable even with a level of care typically provided by a reasonable owner or guardian.

§ 2. Section 17-805 of the administrative code of the city of New York, as amended by local law number 59 for the year 2011, is amended to read as follows:

§ 17-805 Reporting requirements. *a.* The department shall provide the mayor and the city council with a report by February [twenty-eight] 28 of each year [which shall set] *setting* forth information regarding the management and operation of all full-service shelters performing services pursuant to a contract with the city of New York, including but not limited to:

[a.] 1. The following information with respect to the previous calendar year:

[(1)] (a). [the] *The* total number of animals accepted by each full-service shelter;
 [(2)] (b). [the] *The* total number of animals that were sterilized at each full-service shelter;
 [(3)] (c). [the] *The* total number of animals that were [humanely] euthanized at each full-service shelter;
 [(4)] (d). [the] *The* total number of healthy animals that were [humanely] euthanized at each full-service shelter;

[(5)] (e). [the] *The* total number of animals that were adopted at each full-service shelter;

[(6)] (f). [the] *The* total number of animals at each full-service shelter that were returned to their owner;
 and

[(7)] (g). [the] *The* number of animals at each full-service shelter that were provided to other shelters for adoption.

[b.] 2. The following information for each month of the previous calendar year:

[(1)] (a). [the] *The* total number of animals, disaggregated by borough, picked up by field services during regular business hours and delivered to [(A)] (i) receiving facilities and [(B)] (ii) full-service shelters;

[(2)] (b). [the] *The* total number of animals, disaggregated by borough, picked up by field services during off hours and delivered to [(A)] (i) receiving facilities and [(B)] (ii) full-service shelters;

[(3)] (c). [the] *The* total number of animals taken in and transferred to a full-service shelter from each receiving facility; and

[(4)] (d). [the] *The* staffing levels at all full-service shelters and receiving facilities.

[c. The department shall report to the mayor and the council each month the total number of healthy animals that were humanely euthanized at each full-service shelter during the previous month.

d. No later than twenty-four months after the effective date of the local law that added this subdivision, the department shall provide to the mayor and the council a report that summarizes and describes trends in the reporting requirements provided annually in accordance with this section.]

b. The department shall issue a public report on a monthly basis, and post such report on its website, setting forth information for the immediately preceding month regarding the management and operation of all full-service shelters performing services pursuant to a contract with the city of New York, including but not limited to:

1. The total number of animals in the full-service shelter on the first day of the month;
2. The total number of animals in the full-service shelter on the last day of the month;
3. The total number of animals the full-service shelter received in the past month and how many received animals were stray, surrendered by their owners, returned by their owners, or seized;

4. The total number of animals in the full-service shelter that have been adopted and how many adopted animals were categorized as healthy, treatable-manageable, treatable-rehabilitatable, and unhealthy-untreatable;

5. The total number of animals in the full-service shelter that have been euthanized and how many euthanized animals were categorized as healthy, treatable-manageable, treatable-rehabilitatable, and unhealthy-untreatable;

6. The total number of animals received in the full-service shelter that have undergone sterilization;

7. The length of time each animal was in the full-service shelter before being euthanized;

8. The total number of animals received by the full-service shelter that were transferred to another shelter for adoption or foster care and how many transferred animals were categorized as healthy, treatable-manageable, treatable-rehabilitatable, and unhealthy-untreatable;

9. The total number of animals in the full-service shelter that were lost; and

10. The total number of animals in the full-service shelter that died for reasons other than euthanasia.

§ 3. Section 17-810 of the administrative code of the city of New York, as amended by local law number 59 for the year 2011, is amended to read as follows:

§ 17-810 Euthanizing animals; time frame for making such determination. In determining when a full-service shelter may euthanize a lost, stray or homeless animal held by it, such shelter shall exclude from the

calculation of the number of hours that such shelter is required by law to hold such animal before euthanizing such animal those hours when such shelter is not required to accept dogs and cats pursuant to [paragraph one of subdivision d of] section 17-802 [of this chapter]. Such calculation of the number of hours shall not take into consideration the full-service shelter required to accept dogs and cats twenty-four hours per day pursuant to subdivision a of section 17-803 [of this chapter].

§ 4. Subdivision b of section 17-1601 of the administrative code of the city of New York, as added by local law number 4 for the year 2014, is amended to read as follows:

b. "Animal shelter" shall mean any full service shelter, as defined in [subdivision d of] section 17-802 of this code, or other facility that makes dogs and cats available for adoption whether or not a fee for such adoption is charged.

§ 5. This local law takes effect 30 days after it becomes law.

Referred to the Committee on Health.

Int. No. 184

By Council Members Powers, Hanif, Rivera, Cabán, Won, Restler, Krishnan, Hudson, Nurse and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to limiting the circumstances in which a person may be detained by the police department on a civil immigration detainer

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 14-154 of the administrative code of the city of New York, as amended by local law number 228 for the year 2017, is amended to read as follows:

b. Prohibition on honoring a civil immigration detainer.

1. The department may only honor a civil immigration detainer by holding a person beyond the time when such person would otherwise be released from the department's custody, in addition to such reasonable time as is necessary to conduct the search specified in subparagraph (ii) of this paragraph, or by notifying federal immigration authorities of such person's release, if:

i. federal immigration authorities present the department with a judicial warrant for the detention of the person who is the subject of such civil immigration detainer at the time such civil immigration detainer is presented; and

ii. a search, conducted at or about the time when such person would otherwise be released from the department's custody, of state and federal databases, or any similar or successor databases, accessed through the New York state division of criminal justice services e-JusticeNY computer application, or any similar or successor computer application maintained by the city of New York or state of New York, indicates, or the department has been informed by a court or any other governmental entity, that such person: A. has been convicted of a violent or serious crime, or B. is identified as a possible match in the terrorist screening database.

[2. Notwithstanding paragraph one of this subdivision, the department may honor a civil immigration detainer by holding a person for up to forty-eight hours, excluding Saturdays, Sundays and holidays, beyond the time when such person would otherwise be released from the department's custody, in addition to such reasonable time as is necessary to conduct the search specified in this paragraph, if a search, conducted at or about the time when such person would otherwise be released from the department's custody, of state and federal databases, or any similar or successor databases, accessed through the New York state division of criminal justice services e-JusticeNY computer application, or any similar or successor computer application maintained by the city of New York or state of New York, indicates, or the department has been informed by a court or any other governmental agency, that such person: A. has been convicted of a violent or serious crime and has illegally re-entered the country after a previous removal or return, or B. is identified as a possible match in the terrorist screening database; provided, however, that if federal immigration authorities fail to present the department with a judicial warrant for such person within the period described above, such person shall be released and the

department shall not notify federal immigration authorities of such person's release.]

[3.] 2. Nothing in this section shall affect the obligation of the department to maintain the confidentiality of any information obtained pursuant to paragraph[s] one [or two] of this subdivision.

§2. This local law takes effect 60 days after it becomes law.

Referred to the Committee on Immigration.

Int. No. 185

By Council Members Powers, Hanif, Rivera, Cabán, Stevens, Won, Restler, Krishnan, Hudson, Nurse and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to limiting communication between the department of correction and federal immigration authorities

Be it enacted by the Council as follows:

Section 1. Paragraph 1 of subdivision h of section 9-131 of the administrative code of the city of New York, as amended by local law number 228 for the year 2017, is amended to read as follows:

1. Department personnel shall not expend time while on duty or department resources of any kind disclosing information that belongs to the department and is available to them only in their official capacity, in response to federal immigration inquiries or in communicating with federal immigration authorities regarding any person's incarceration status, release dates, court appearance dates, or any other information related to persons in the department's custody, [other than information related to a person's citizenship or immigration status,] unless such response or communication:

(i) [relates to a person convicted of a violent or serious crime or identified as a possible match in the terrorist screening database] *is made pursuant to subdivision b of this section; or*

(ii) is unrelated to the enforcement of civil immigration laws[; or

(iii) is otherwise required by law].

§2. This local law takes effect 60 days after it becomes law.

Referred to the Committee on Immigration.

Int. No. 186

By the Public Advocate (Mr. Williams) and Council Members Cabán, Hanif, Won, Restler, Krishnan and Nurse.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting discrimination in the issuance of credit and requiring creditors to disclose to potential borrowers how their rate is calculated

Be it enacted by the Council as follows:

Section 1. Section 8-107 of the administrative code of the city of New York, as amended by local law number 32 for the year 2022, is amended by adding a new subdivision 33 to read as follows:

33. *Credit. (a) It shall be an unlawful discriminatory practice for any creditor or any officer, agent or employee thereof to discriminate in the granting, withholding, extending or renewing, or in the fixing of the rates, terms or conditions of, any form of credit on the basis of an applicant's race, creed, religion, color, national origin, sexual orientation, age, gender, marital status, disability, partnership status, caregiver status, uniformed service or alienage or citizenship status of such applicant or applicants, or because of any lawful*

source of income of such applicant or applicants, or because children are, may be or would be residing with such applicant or applicants.

(b) Notwithstanding paragraph a of this subdivision, it shall not be considered discriminatory if credit differentiations or decisions are based upon factually supportable, objective differences in applicants' overall credit worthiness, which may include reference to such factors as current income, assets and prior credit history of such applicants, as well as reference to any other relevant factually supportable data; provided, however, that no creditor shall consider, in evaluating the credit worthiness of an applicant, aggregate statistics or assumptions relating to race, creed, religion, color, national origin, sexual orientation, age, gender, marital status, disability, partnership status, caregiver status, uniformed service or alienage or citizenship status of such applicant or applicants, or any lawful source of income of such applicant or applicants, or whether children are, may be or would be residing with such applicant or applicants.

(c) Notwithstanding paragraph a of this subdivision, it shall not be an unlawful discriminatory practice to consider age in determining credit worthiness when age has a demonstrable and statistically sound relationship to a determination of credit worthiness.

(d) Notwithstanding paragraph a of this subdivision, the provisions in this subdivision, as they relate to age, shall not apply to persons under the age of eighteen years.

(e) Notwithstanding paragraph a of this subdivision, it shall not be an unlawful discriminatory practice for a creditor or any officer, agent or employee thereof to make inquiries concerning marital history, status and number of dependents.

(f) A creditor granting, withholding, extending or renewing, or fixing the rates, terms or conditions of, any form of credit shall, if requested by an applicant or applicants in writing, disclose the method by which such determinations, rates, terms or conditions were calculated.

§ 2. The commission on human rights shall engage in outreach and education efforts regarding the rights of borrowers, and the responsibilities of creditors, established by this local law. Such outreach and education shall be directed at such creditors and the general public.

§ 3. a. For a period of one year, the commission on human rights shall organize and conduct no fewer than five investigations of discrimination in the granting, withholding, extending or renewing, or in the fixing of the rates, terms or conditions of, any form of credit, during which the commission shall use pairs of testers to investigate creditors. Such investigations shall include but not be limited to using matched pairs of testers who shall apply for, inquire about or express interest in the same extension of credit and who shall be assigned similar credentials but who shall differ in one of the following characteristics: actual or perceived race, creed, religion, color, national origin, sexual orientation, age, gender, marital status, disability, partnership status, caregiver status, uniformed service or alienage or citizenship status of such applicant or applicants, lawful source of income, number of children who are, may be or would be residing with such applicant or applicants. The first of the investigations shall commence on or before January 1, 2023.

b. On or before January 1, 2024, the commission shall submit to the speaker of the Council a report related to such investigations conducted during the 12 month period commencing on January 1, 2023. Such report shall include, but not be limited to:

- (i) the number of matched pair tests completed;
- (ii) the protected class variable used in each matched pair test; and
- (iii) the number of incidents of actual or perceived discrimination on each protected class, including a description of any incidents of discrimination detected in the course of such investigations, provided that the commission shall not be required to report information that would compromise any ongoing or prospective investigation or prosecution.

c. Any incidents of actual or perceived discrimination that occur during such investigations shall be referred to the commission's law enforcement bureau.

d. Nothing herein shall preclude the commission from conducting other such discrimination testing programs or investigations pursuant to the commissioner's authority under the Administrative Code and the New York City Charter.

§ 4. This local law shall take effect 120 days after it becomes law.

Referred to the Committee on Civil and Human Rights.

Int. No. 187

By the Public Advocate (Mr. Williams) and Council Members Cabán, Stevens, Won, Restler and Nurse.

A Local Law in relation to creating an interagency task force to be charged with studying the obstacles faced by children of incarcerated parents, from arrest to reunification

Be it enacted by the Council as follows:

Section 1. a. There shall be an interagency task force to study the obstacles faced by children of incarcerated parents, from arrest to reunification.

b. The task force shall consist of nine members that shall be:

1. the commissioner of the department of correction, or their designee, who shall serve as chair;
2. the commissioner of children's services, or their designee;
3. the police commissioner, or their designee;
4. three members appointed by the mayor with relevant expertise in the area of children of incarcerated parents; and
5. three members appointed by the speaker of the city council with relevant expertise in the area of children of incarcerated parents.

c. The task force shall invite representatives of the New York state office of children and family services, the New York state department of correction, and any other relevant state agency or state elected official, as identified by the task force, to participate in the development of the task force report pursuant to subdivision g of this section.

d. Members of such task force shall serve until the task force submits the report required by subdivision g of this section. Any vacancy shall be filled in the same manner as the original appointment. All members shall be appointed to the task force within 60 days of the enactment of this local law.

e. Members of the task force shall serve without compensation and shall meet no less often than on a quarterly basis.

f. No member of the task force shall be removed except for cause and upon notice and hearing by the appropriate appointing official.

g. The task force shall submit a report of its findings and recommendations to the mayor and the speaker of the city council no later than 12 months after the effective date of the local law that added this section. Such report shall include recommendations in areas including, but not limited to: (i) arrest protocols for custodial parents; (ii) child-centered visitations and facilities at incarceration facilities; (iii) mental health supports and services for children of incarcerated parents; and (iv) support services for incarcerated parents and their children upon reentry.

h. The task force shall terminate upon the issuance of the report required by subdivision g of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 188

By The Public Advocate (Mr. Williams) and Council Members Cabán, Hanif, Won, Stevens, Restler and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to creating a youth employment education program

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-414 to read as follows:

§ 21-414. Youth employment education program. a. The commissioner shall establish an educational program to prepare youth for early work experiences. The program shall run concurrent with summer recess for city public schools between the months of June and September.

b. Program elements. The program established by this section shall include, but need not be limited to:

1. Classroom-based training focusing on essential job skills such as time management, professionalism, communication skills, and problem solving; and

2. Shadowing current employees of city agencies.

c. Program eligibility. All residents of the city of New York between the ages of 14 and 22 years of age shall be eligible to apply for such program. The commissioner shall promulgate rules establishing the application procedure for such program.

d. Program grant. In conjunction with such program, participants shall receive a one-time grant for the purpose of job readiness, which shall not be less than \$1,500 per program participant.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of youth and community development shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Youth Services.

Int. No. 189

By The Public Advocate (Mr. Williams) and Council Members Cabán, Hanif and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to developing a college admissions counseling program

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-414 to read as follows:

§ 21-414 College admissions counseling program. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Family. The term “family” means any student’s parents or legal guardians whose information is required for the student’s successful completion of a college application and related documentation.

Student. The term “student” means any prospective college student under the age of 21 who is enrolled as a junior or senior in high school.

b. Program establishment. On or before January 1, 2023, the department shall develop and administer a program that provides college admissions counseling to students and their families. The program shall:

1. Provide general information regarding the college admissions process and college readiness;

2. Provide a checklist of information required to successfully complete a college application, including related documentation, applicable deadlines and suggested timelines;

3. Provide information regarding how to access and assemble data and official records required to apply to college;

4. Counsel students and families regarding college options, including tips on how to present a competitive application; and

5. Refer students and families to resources regarding financial aid, scholarships and other college funding options.

c. Educational outreach. The department shall engage in outreach to inform students and families about the program established pursuant to subdivision b of this section. Such outreach shall include, but shall not be limited to, posting information about the program on the department’s website.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of youth and community development shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

Referred to the Committee on Youth Services.

Int. No. 190

By the Public Advocate (Mr. Williams) and Council Members Salamanca, Cabán, Stevens, Hanif, Ayala, Won, Restler, Krishnan and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to the creation and distribution of a homeless bill of rights

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-324 to read as follows:

§ 21-324 *Homeless bill of rights. a. Definitions. For the purposes of this section, the term “shelter” means any temporary emergency housing provided to homeless adults, adult families and families with children by the department or by a provider under contract or similar agreement with the department.*

b. The department shall create a homeless bill of rights. Such homeless bill of rights shall include information regarding the rights of individuals and families experiencing homelessness and services available for such people, including:

- 1. The right to shelter;*
- 2. Access to legal services;*
- 3. The right to request an interpreter and to have documents translated into other languages when interacting with city agencies;*
- 4. Educational options for children experiencing homelessness;*
- 5. Voting rights, voter registration and how to find polling places;*
- 6. How to file a complaint and protections against retaliation for filing complaints;*
- 7. Housing and financial assistance;*
- 8. Protections against discrimination;*
- 9. The right to request accommodations for disabilities;*
- 10. Rights of individuals in shelters, including to:*
 - (a) Meet privately with advocates and legal representatives;*
 - (b) Leave and return to the shelter outside of curfew hours and request early and late passes;*
 - (c) Participate in recreational activities;*
 - (d) Be placed in a room with a person who identifies as the same gender;*
 - (e) A private room with a lock for families experiencing homelessness;*
 - (f) A secure locker for single adults experiencing homelessness;*
 - (g) Access to bathrooms;*
 - (h) Access to washing machines and dryers or to money for laundry;*
 - (i) Access to space and equipment to bathe and change babies and small children; and*
 - (j) Meals and accommodations for dietary needs and restrictions; and*
- 11. Any other information the department deems appropriate.*

c. No later than 90 days after the effective date of the local law that added this section, such homeless bill of rights shall be made available on the department’s website in each of the designated citywide languages, as defined in section 23-1101, and copies shall be provided to each agency office, as defined in section 21-190, and each shelter for distribution to individuals and families experiencing homelessness. The department shall update such bill of rights to reflect any changes in law or procedure.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Preconsidered Int. No. 191

By The Public Advocate (Mr. Williams) and Council Members Rivera, Cabán, Stevens, Hanif, Won, Restler and Nurse.

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of a flash flood emergency evacuation plan for residents of multiple dwellings and outreach and reporting relating thereto

Be it enacted by the Council as follows:

Section 1. Section 30-114 of title 30 of the administrative code of the city of New York, as amended by local law number 17 for the year 2015, is amended to read as follows:

§ 30-114 Localized emergency preparedness materials. The commissioner shall develop and disseminate localized emergency preparedness materials for communities, *including all multiple dwellings*, in which there is a risk of evacuation due to *flash floods*, coastal storms or hurricanes to increase public awareness as to the appropriate responses by members of the public to such risk and of the resources available during such *flash flood*, coastal storm or hurricane within and near such communities. Such materials shall:

- a. be limited to information relevant to that community, as identified by zip code or contiguous zip codes in a geographic area;
- b. identify any local evacuation zones, evacuation centers or other such geographic information relevant to an evacuation, *including providing a detailed explanation as to how residents of multiple dwellings, especially residents of basement and first floor apartments, would be evacuated in the event of a flash flood, coastal storm or hurricane emergency warning*;
- c. identify and provide contact information for any local patrol precinct or firehouse;
- d. at the discretion of the commissioner, identify and provide contact information for any charitable organization or not-for-profit organization that the commissioner identifies as having the potential to provide services or materials that may be beneficial to such community after a *flash flood*, coastal storm or hurricane;
- e. provide any other information deemed relevant by the commissioner; and
- f. be distributed within communities, *including all multiple dwellings*, at risk of evacuation due to *flash floods*, coastal storms or hurricanes in the top ten most commonly spoken languages within each such community as determined by the commissioner in consultation with the department of city planning, and be made available online.

§ 2. Title 30 of the administrative code of the city of New York is amended by adding a new section 30-114.1, to read as follows:

§ 30-114.1 *Emergency evacuation plans, outreach and reporting on flash flood risk.* a. *The commissioner, in collaboration with the commissioner of environmental protection and the commissioner of housing preservation and development, shall develop flash flood emergency evacuation plans for residents of multiple dwellings and conduct culturally appropriate outreach in the designated citywide languages, as defined in section 23-1101, including providing signage to landlords for use in multiple dwellings, to notify residents of flash flood risks.*

b. *Within 60 days of a flash flood emergency, the commissioner shall submit a report on the implementation of the flash flood emergency evacuation plans required by this section to the mayor, the speaker of the council and the public advocate, which the commissioner shall post on the department's website. The report shall include, but not be limited to, the following information, which shall not include any personally identifiable information:*

1. *The number of multiple dwellings, including the total number of basement and first floor apartments that were evacuated during the flash flood emergency;*

2. *The addresses and council districts of such evacuated multiple dwellings;*
 3. *The number of individuals who were evacuated from such multiple dwellings;*
 4. *Challenges in implementing such evacuation plans, including, but not limited to, the evacuation of seniors and persons with limited mobility, and any recommendations to address such challenges; and*
 5. *Any additional information that the commissioner deems relevant.*
- § 3. This local law takes effect 120 days after it becomes law.

Referred to the Committee on Resiliency and Waterfronts (preconsidered but laid over by the Committee on Resiliency and Waterfronts).

Res. No. 116

Resolution recognizing November 20th annually as Transgender Day of Remembrance and March 31st annually as Transgender Day of Visibility in the City of New York.

By The Public Advocate (Mr. Williams) and Council Members Hudson, Cabán, Schulman, Bottcher, Ossé, Richardson Jordan, Stevens, Hanif, Brewer, Won, Restler, Krishnan and Nurse.

Whereas, Transgender (“trans”) and gender nonconforming people face stigma, often rooted in ignorance and politically-motivated attacks on gender identity and expression, on a daily basis; and

Whereas, This stigma erects barriers in nearly every facet of life, denying trans and gender nonconforming people the equal opportunity to succeed and be accepted as their true selves; and

Whereas, Not only does anti-trans stigma have a long-term impact on mental health and economic and housing stability of trans and gender nonconforming people—especially if they experience familial rejection and isolation from social support systems—but it has also fueled an epidemic of anti-trans fatal violence that disproportionately impacts trans women of color, who comprise approximately four in five of all anti-trans homicide victims; and

Whereas, In 1999, trans advocate Gwendolyn Ann Smith held a vigil to honor the memory of Rita Hester, a well-known Black trans woman in Boston’s trans and Black LGBTQ+ communities, who was brutally murdered on November 28, 1998, two days before her 35th birthday, and whose murder remains unsolved; and

Whereas, Now, the Transgender Day of Remembrance is observed annually on November 20th, to honor the memory of trans and gender nonconforming people whose lives were lost in acts of anti-trans violence; and

Whereas, On March 31, 2009, in response to the lack of positive recognition of trans people by the cisgender lesbian, gay and bisexual community, trans activist Rachel Crandall started the International Transgender Day of Visibility to bring trans and gender nonconforming people together and celebrate their contributions to society, as well as raise awareness of discrimination faced by trans and gender non-conforming people; and

Whereas, Now celebrated internationally, the International Transgender Day of Visibility is very meaningful to the trans and gender nonconforming community, acknowledging the courage it takes to live openly and authentically, and validating their experiences; and

Whereas, Trans and gender nonconforming people face significant cultural, economic and legal challenges; according to the 2015 United States Transgender Survey (USTS), the largest survey examining the experiences of trans people in the U.S., 18 percent of respondents in New York State were unemployed and 37 percent were living in poverty; and

Whereas, The USTS also found rampant employment, workplace, education, housing, and health care-related discrimination, including harassment and violence, among respondents in New York State, as well as mistreatment, assault and harassment by police; inequitable treatment and harassment in places of public accommodation; homelessness and issues with obtaining identity documents, accessing shelters and using public restrooms; and

Whereas, At least 57 trans or gender nonconforming people, the majority of whom were Black and Latinx, were murdered in 2021, the highest number of transgender and gender non-conforming people killed in a single year since the Human Rights Campaign began tracking these deaths in 2013; and

Whereas, Black and Latinx drag queens and trans people played significant roles in many of the early milestones of the gay rights movement; and

Whereas, The Stonewall riots, a series of demonstrations against gay oppression following the June 27, 1969 police raid of the Stonewall Inn, a Greenwich Village gay bar and dance club, have become the defining origin story of the modern global LGBTQ+ rights movement; and

Whereas, While it is still disputed who first pushed back against the police, sparking the Stonewall riots, there is widespread consensus that trans rights activists, Marsha P. Johnson and Zazu Nova Queen of Sex, both Black trans women, along with Jackie Hormona, a gay youth experiencing homelessness, were among the first; and

Whereas, On June 14, 2020, an estimated 15,000 people, all dressed in white, gathered at the Brooklyn Museum and silently marched down Eastern Parkway to Fort Greene Park, to demand justice for Riah Milton and Dominique “Rem’mie” Fells, two recent victims of anti-Black, anti-trans violence, in the largest ever trans rights demonstration, now known as the Brooklyn Liberation March; and

Whereas, Inspired by the 1917 NAACP-organized Silent March, drag queens West Dakota and Merrie Cherry conceived the Brooklyn Liberation March as a safe space for Black trans people who felt that attending the police killing of George Floyd-sparked demonstrations against police brutality would put them in danger; and

Whereas, New York State is home to more than 50,000 trans people, per a June 2016 Williams Institute report, who deserve to no longer live in fear or feel invisible; now, therefore, be it

Resolved, That the Council of the City of New York recognizes November 20th annually as Transgender Day of Remembrance and March 31st annually as Transgender Day of Visibility in the City of New York.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Res. No. 117

Resolution calling on the New York State Legislature to pass, and the Governor to sign, a bill that would mandate the Office of Court Administration to update the securing order form to include a gender X option.

By The Public Advocate (Mr. Williams) and Council Members Hudson, Schulman, Bottcher, Cabán, Ossé, Richardson Jordan, Hanif, Brewer, Won, Restler, Krishnan and Nurse.

Whereas, The Office of Court Administration’s (OCA) Securing Order form collects basic demographic information about a criminal defendant at arraignment; and

Whereas, The Securing Order form features a question with a check box for female and male only and auto-filled with information contained in the New York City Police Department and the District Attorney’s paperwork where gender markers are frequently marked incorrectly as defendants are unable to self-identify; and

Whereas, Consequently, this strict binary option excludes New Yorkers who do not identify as male or female, or do not wish to identify; and

Whereas, In an effort to be inclusive, the New York court system announced in 2019 its plan to expand the gender options on jury forms to be more inclusive of New Yorkers who do not identify as male or female; and

Whereas, The new jury form, according to an OCA spokesman, would include the gender options female, male, transgender, non-binary, intersex and other; and

Whereas, The OCA has not made a similar public announcement about the Securing Order form; and

Whereas, States and cities have moved to expand gender options on state-issued identification documents to acknowledge the existence of intersex, transgender, and non-binary individuals; and

Whereas, At least fourteen states, including the District of Columbia, offer a gender X option on driver’s licenses, so people who do not identify as female or male can choose X instead; and

Whereas, New York City began offering a gender X option on birth certificates in 2019, allowing New Yorkers to make changes to their birth certificate to reflect a gender X designation without physician authorization; and

Whereas, Updating the Securing Order form to reflect a gender X option would bring New York a step closer in recognizing the rights and dignity of intersex, transgender, and non-binary New Yorkers; and 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 bill that would mandate the Office of Court Administration to update the securing order form to include a gender x option.

Referred to the Committee on Women and Gender Equity.

Int. No. 192

By Council Members Rivera, Cabán, Nurse, Stevens, Hanif, Won and Barron.

A Local Law to amend the administrative code of the city of New York, in relation to excluding community land trusts and affordable cooperative rentals from the housing portal

Be it enacted by the Council as follows:

Section 1. The definition of “affordable unit” in section 26-1801 of the administrative code of the city of New York, as amended by local law number 81 for the year 2020, is amended to read as follows:

Affordable unit. The term “affordable unit” means a dwelling unit for which occupancy or initial occupancy is required to be restricted based on the income of the occupant or prospective occupant thereof as a condition of (i) a loan, grant, tax exemption or conveyance of property from the department pursuant to the private housing finance law, other than article viii-b of such law, or the general municipal law, (ii) a tax exemption pursuant to section 420-c, 421-a or 489 of the real property tax law or (iii) generating a floor area bonus for the provision of affordable inclusionary housing or providing mandatory inclusionary housing pursuant to the New York city zoning resolution; provided that (i) such dwelling unit is not subject to federal or state requirements the department determines would be inconsistent with the provisions of this chapter and not filled by direct referral by a governmental agency or instrumentality, (ii) such dwelling unit is not owned in the form of shares in a cooperative corporation that is incorporated pursuant to articles ii, iv, v or xi of the private housing finance law, (iii) *such dwelling unit is not a rental unit in a building that is incorporated pursuant to articles ii, iv, v or xi of the private housing finance law*, (iv) *such dwelling unit is not in a community land trust, as defined in subdivision a of section 26-2001*, and [(iii)] (v) such dwelling unit satisfies the additional conditions of paragraph 1 and 2:

1. Before July 1, 2021, such unit satisfies the conditions of subparagraph (a) or, on or after such date, such unit satisfies the conditions of subparagraph (a) or subparagraph (b):

(a) The issuance or renewal of such loan, grant or tax exemption, conveyance of such property or generation of such floor area bonus or effective date of such mandatory inclusionary housing requirement occurs or is executed or renewed, as determined by the department, on or after January 1, 2018.

(b) For the purposes of a requirement imposed pursuant to this chapter, such unit is deemed to have satisfied the conditions of this paragraph unless such unit is subject to a regulatory agreement with the department, such agreement was executed before January 1, 2018 and has not been thereafter renewed and the department determines that such agreement is inconsistent with such requirement; provided that, where the department determines that one or more dwelling units are exempt from one or more requirements imposed pursuant to this chapter because of a regulatory agreement that satisfies the foregoing conditions, the department shall electronically submit each year to the mayor and the speaker of the council a report identifying the number of such units, disaggregated by the affordable housing program to which such agreements apply; and

2. On or after July 1, 2020, such unit is offered by the owner for lease or sale.

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 193

By Council Members Rivera, Cabán, Nurse, Stevens, Hanif, Won, Barron, Restler, Krishnan and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to lead-based paint hazards in common areas of dwellings

Be it enacted by the Council as follows:

Section 1. Subdivision a-1 of section 27-2056.4 of the administrative code of the city of New York, as amended by local law number 39 for the year 2021, is amended to read as follows:

a-1. Within the earliest of five years of the effective date of this subdivision, one year after a child of applicable age comes to reside in a dwelling unit subject to the requirements of subdivision a of this section, or the issuance of an order by the department of health and mental hygiene as required by such order, one investigation for the presence of lead-based paint undertaken pursuant to subdivision a of this section shall be performed by a person who (i) is not the owner or the agent of the owner or any contractor hired to perform work related to the remediation of lead-based paint hazards, and (ii) is certified as an inspector or risk assessor pursuant to section 745.226 of title 40 of the code of federal regulations. Such inspection shall consist of the use of an x-ray fluorescence analyzer on all types of surfaces in accordance with the procedures described in chapter 7 of the United States department of housing and urban development guidelines for the evaluation and control of lead-based paint hazards in housing, including on chewable surfaces, friction surfaces, and impact surfaces, to determine whether lead-based paint is present, and where such paint is located, in such dwelling unit *and in the common areas of such multiple dwelling*. Provided, however, that the investigation specified by this subdivision shall not be required if an investigation that complies with the requirements of this subdivision was previously completed and the owner retains records of such investigation, or if the dwelling unit has an exemption from the presumption of lead paint, as provided in subdivision b of section 27-2056.5 of this article.

§ 2. Section 27-2056.6 of the administrative code of the city of New York, as added by local law number 1 for the year 2004, is amended to read as follows:

§ 27-2056.6 Violation in a Dwelling Unit or Common Area. a. The existence of lead-based paint in any dwelling unit in a multiple dwelling where a child of applicable age resides shall constitute a class C immediately hazardous violation if such paint is peeling or is on a deteriorated subsurface.

b. *The existence of lead-based paint in any common area of a multiple dwelling where a child of applicable age resides shall constitute a class C hazardous violation if such paint is peeling or is on a deteriorated subsurface.*

§ 3. Section 27-2056.9 of the administrative code of the city of New York is amended by adding a new subdivision d-2 to read as follows:

d-2. *When conducting an inspection pursuant to this section, the department shall also conduct an inspection of the common areas of such multiple dwelling, in the manner provided by subdivision c of this section, for conditions that would constitute a violation of section 27-2056.6. Provided, however, that an inspection of the common areas of a multiple dwelling as specified by this subdivision shall not be required if an inspection of the common areas of such multiple dwelling complying with the requirements of this subdivision was conducted by the department within the previous year, unless the department has received a specific complaint relating to presumed peeling lead paint in a common area and such surface has not been previously tested to determine the presence of lead-based paint pursuant to subdivision a-1 of section 27-2056.4 or subdivision c of this section or exempted pursuant to subdivision b of section 27-2056.5.*

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

Referred to the Committee on Housing and Buildings.

Int. No. 194

By Council Members Rivera, Cabán, Nurse, Stevens, Hanif, Won, Barron and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to requiring landlords to test apartment air quality before offering a lease for signature

Be it enacted by the Council as follows:

Section 1. Section 27-2005 of article 1 of subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new subdivision h to read as follows:

h. 1. Prior to January 1, 2023, the department shall, in consultation with the department of health and mental hygiene, promulgate a list of interior air pollutants including, but not limited to, asbestos, biological pollutants, carbon monoxide, formaldehyde, lead, nitrogen dioxide, pesticides, radon, respirable particles, second-hand smoke, and volatile organic compounds, and the threshold amounts of such interior air pollutants above which the concentration of such pollutant in an interior space is hazardous to human life and well-being.

2. Prior to January 1, 2023, the department shall, in consultation with the department of health and mental hygiene, promulgate rules with respect to the proper testing, remediation, and certification of remediation of interior air pollutants on the list promulgated pursuant to paragraph 1 of this subdivision.

3. On and after January 1, 2023, prior to the offer of an initial lease for signature, or prior to occupancy if there is no lease, the owner of a multiple dwelling, or a one or two family dwelling, shall test such dwelling for interior air pollutants, and, if interior air pollutants are found in hazardous amounts, shall remediate such hazards.

§2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 195

By Council Members Rivera, Brewer, Cabán, Nurse, Hanif, Farías, Avilés, Brooks-Powers, Ayala, Krishnan, Won, Richardson Jordan, Restler, Ossé, Gutiérrez, Hudson and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to requiring registration and inspection of vacant dwelling units

Be it enacted by the Council as follows:

Section 1. Paragraph (6) of subdivision a of section 27-2098 of the administrative code of the city of New York is renumbered paragraph (7) and a new paragraph (6) is added to read as follows:

(6) An identification of any dwelling unit that has been vacant for the entire period since the most recent registration date of the dwelling as established pursuant to subdivision e of section 27-2097.

§ 2. Article 1 of subchapter 4 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2096.3 to read as follows:

§ 27-2096.3 Inspection of vacant dwelling units. a. The department shall inspect no fewer than 15 percent of all vacant dwelling units registered pursuant to paragraph (6) of subdivision a of section 27-2098 for the existence of any conditions constituting a violation of the multiple dwelling law, the housing maintenance code, or other applicable state or local laws.

b. The department shall develop a comprehensive written procedure to guide department personnel in implementing the provisions of this section. Such procedures shall include a methodology and a form to be used by department personnel when conducting an inspection to carry out and record an inspection pursuant to subdivision a of this section.

c. No later than December 31, 2023, and annually thereafter, the department shall submit to the speaker of the council a report of the inspections conducted by the department pursuant to subdivision a of this section of vacant dwelling units registered in the previous year. Such report shall, at a minimum, include:

- 1. The total number of inspections conducted; and*
- 2. The total number of notices of violation issued, disaggregated by classification of violation.*

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

Referred to the Committee on Housing and Buildings.

Int. No. 196

By Council Members Rivera, Nurse, Cabán, Stevens, Hanif, Brewer, Won, Richardson Jordan, Restler, Krishnan and Hudson (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to giving qualified entities a first opportunity to purchase and an opportunity to submit an offer to purchase certain residential buildings when offered for sale

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 9-a to read as follows:

CHAPTER 9-a
FIRST OPPORTUNITY TO PURCHASE

§ 26-851 Definitions. For the purposes of this section, the following terms have the following meanings:

Bona fide purchaser. The term “bona fide purchaser” means a person that has tendered a bona fide offer to purchase a residential building.

Bona fide offer to purchase. The term “bona fide offer to purchase” means an offer to purchase a residential building, which offer is made in writing, in good faith and without fraud.

Commissioner. The term “commissioner” means the commissioner of housing preservation and development or the head of a successor agency charged with the administration of this chapter.

Community land trust. The term “community land trust” means a corporation that satisfies the following criteria: (i)(a) is incorporated pursuant to article 11 of the private housing finance law and section 402 of the not-for-profit corporation law; (b) the certificate of incorporation of which specifically provides for the provision of housing for persons of low income, as such term is defined in subdivision 19 of section 2 of the private housing finance law, in the form of a community land trust; (c) has submitted such disclosure statements as shall be required by the department and received the approval of such department; (d) lawfully acquired all of its real property in full compliance with such corporation’s certificate of incorporation and any agreements with a governmental entity with respect to such property or such corporation; and (ii) provides in its by-laws that it will (a) acquire parcels of land, primarily for conveyance under long-term ground leases, (b) transfer ownership of any structural improvements located on such leased parcels to the lessees, (c) retain a preemptive option to purchase any such structural improvement at a price determined by formula that is designed to ensure that the improvement remains affordable to low-income households, and (d) have a board of directors composed of lessees of housing associated with the entity, an adult resident of a particular geographic area specified in the bylaws of the organization and any other category of persons described in the bylaws of the organization.

Department. The term “department” means the department of housing preservation and development or a successor agency charged with the administration of this chapter.

Extremely low-income. The term “extremely low-income” means the income of a household that is no more than 30 percent of the area median income, adjusted according to the size of the household.

First opportunity to purchase. The term “first opportunity to purchase” means an opportunity for a qualified entity to purchase, in good faith and without fraud, a residential building at list price before such residential building becomes available for sale in the public market.

Low-income. The term “low-income” means the income of a household that is more than 50 percent of the area median income but no more than 80 percent of the area median income, adjusted according to the size of the household.

Opportunity to submit an offer to purchase. The term “opportunity to submit an offer to purchase” means the right of a qualified entity to submit to the owner of a residential building, in writing, in good faith and without fraud, an offer to purchase such building at the higher of either the list price or the identical price, terms and conditions offered by another person that has submitted a bona fide offer to purchase.

Owner. The term “owner” means any person or entity, or combination of such persons or entities, or any agent of such persons or entities, that has a controlling interest in a residential building that is offered for or subject to sale.

Qualified entity. The term “qualified entity” means any entity that meets the criteria set forth in section 26-852, any nonprofit entity on the department’s Qualified Preservation Buyers List or similar department list, or any organization that has received funding to operate or implement a community land trust program.

Residential building. The term “residential building” means a building with three or more dwelling units which are rented, leased, let or hired out to be occupied, or are occupied, as the residence or home of three or more families living independently of each other.

Sale. The term “sale” means the transfer, in exchange for money or any other thing of economic value, of a present interest in a residential building, including beneficial use, where the value of the present interest is the fee interest in the residential building, or substantially equal to the value of that fee interest. For purposes of this definition, a transfer may be completed in one transaction or a series of transactions over time. The term “sale” includes short-sales.

Short-sale. The term “short-sale” means a sale approved by a mortgagee to a bona fide purchaser at a price that is less than the owner’s existing debt on the residential property.

Very low-income. The term “very low-income” means the income of a household that is more than 30 percent of the area median income but no more than 50 percent of the area median income, adjusted according to the size of the household.

§ 26-852 *Qualified entity.* a. The commissioner shall promulgate rules establishing a process for certifying, on an annual basis, not-for-profit organizations that meet the following criteria:

1. The organization is exempt from federal income tax under paragraph (3) of subsection (c) of section 501 of title 26 of the United States code;

2. The organization has demonstrated a commitment to the provision of permanently affordable housing for extremely low-, very low-, and low-income city residents, and to preventing the displacement of such residents;

3. The organization has demonstrated a commitment to community representation, engagement and accountability, as evidenced by relationships with local residents, neighborhood-based organizations or tenant counseling organizations; and

4. The organization has demonstrated the capacity, including but not limited to the legal and financial capacity, to effectively acquire and manage residential real property at multiple locations in the city, or the organization partners with a housing development organization that has demonstrated such legal and financial capacity to effectively acquire and manage residential real property at multiple locations in the city.

b. The commissioner shall review new applications for qualified entity status at least three times each calendar year. A qualified entity that has been certified under this section shall remain qualified for two years, so long as it continues to meet the eligibility criteria set forth in subdivision a of this section. Any such qualified entity may apply for renewed certification when the commissioner accepts new applications for qualified entity status.

c. The commissioner shall post on the department’s website and provide in hard copy on request, a list of qualified entities and their contact information, including but not limited to a mailing address, electronic mail address, and a telephone number.

d. The commissioner shall investigate any complaint alleging that a qualified entity has not complied with this chapter. If after providing the qualified entity with notice and opportunity to be heard, the department determines that a not-for-profit organization listed as a qualified entity failed to comply with this chapter, the department may suspend or revoke that not-for-profit organization's certification as a qualified entity.

§ 26-853 Notice of sale. a. An owner of a residential building shall provide notice to the department of such owner's action that will result in the sale of the residential building.

b. The owner shall provide such notice of sale no less than 180 days before taking such action. The notice may be provided fewer than 180 days before the owner takes such action where the owner shows good cause for delay, including but not limited to the owner's death or financial hardship, provided that the owner is not a corporation, or a limited liability company whose membership includes a corporation.

c. A notice of sale shall include the following information:

- 1. The name and address of each owner of the residential building;*
- 2. All addresses and names of the residential building;*
- 3. The action that will result in a sale;*
- 4. The date on which such action is anticipated to take place;*
- 5. The provision of law, rule or regulation pursuant to which such action is authorized, if any;*
- 6. The total number and type of dwelling units subject to a sale;*
- 7. The rent collected for each dwelling unit as of the date of the notice;*
- 8. The income and expense report for the 12-month period before the notice of sale, including capital improvements, real property taxes and other municipal charges;*
- 9. The amount of the outstanding mortgage as of the date of the notice;*
- 10. The two most recent inspection reports of comprehensive building-wide inspections conducted by the department or the department of buildings, if any;*
- 11. A statement that a qualified entity holds the opportunity to submit an offer to purchase as required by section 26-855 and the first opportunity to purchase as required by section 26-856; and*
- 12. Such other information as the department may require.*

d. An owner may withdraw a notice of sale, subject to the terms of any accepted offer to purchase or executed purchase and sale agreement, and to applicable statutory and common law remedies. In such event, the owner shall give notice of withdrawal to the department and to any qualified entity that submitted an offer to purchase such building. However, if the owner decides at any time to take an action that will result in a sale, such owner shall comply with subdivisions a, b and c of this section and with all other applicable requirements of this chapter.

e. Notwithstanding any provision of this section to the contrary:

- 1. A person shall be deemed to have complied with the requirement to provide notice of sale or notice of withdrawal under this section if such person has complied with a substantially similar notice requirement imposed pursuant to a superseding city, state or federal statute or program; and*
- 2. If the notice of sale or notice of withdrawal is required by this section to include more information than is required by any applicable superseding city, state or federal statute or program, the additional information required by this section shall be provided within the time period established by the superseding statute or program.*

§ 26-854 Notice of bona fide offer to purchase. a. If the owner of a residential building receives a bona fide offer to purchase such building and intends to consider or respond to such offer, then the owner shall provide a notice of bona fide offer to purchase to all qualified entities and the department no more than 15 days from the date such bona fide offer to purchase is delivered to the owner.

b. A notice of bona fide offer to purchase shall include the following information:

- 1. The name and address of the person who made the offer; and*
- 2. The price and terms and conditions of the offer.*

c. Within 15 days of completing the sale of such building, the owner shall provide a notice of sale to the department and any qualified entity that submitted an offer to purchase such building.

§ 26-855 Opportunity to submit an offer to purchase. a. Each qualified entity shall have an opportunity to submit an offer to purchase as defined in section 26-851.

b. A qualified entity shall provide notice of intent to exercise an opportunity to submit an offer to purchase to the owner of a residential building and the department within 60 days after the notice of sale pursuant to subdivision a of section 26-853 has been made.

c. Following notice of sale by the owner in compliance with subdivision a of section 26-853, a qualified entity shall have 120 days from the date of such notice to submit its offer to purchase, during which time the owner may not accept any other offer to purchase.

d. Following notice of bona fide offer to purchase by the owner in compliance with section 26-854, a qualified entity shall have 120 days from the date of such notice to submit its offer to purchase, during which time the owner may not accept any other offer to purchase.

e. The commissioner may extend any time limit set forth in this section upon application and for good cause shown, provided that the party applying for the extension was not at fault in causing the need for the extension.

f. If a qualified entity does not submit an offer in writing to the owner and the department within the time periods stated in subdivisions c or d of this section following provision of notice of sale by the owner under subdivision a of section 26-853 or notice of bona fide offer to purchase by the owner under subdivision a of section 26-854, then such opportunity to submit an offer to purchase shall be deemed waived and the owner shall have no further obligations under this section.

g. A qualified entity that has submitted a notice of intent to exercise an opportunity to submit an offer to purchase under subdivision b of this section may withdraw such notice by submitting a written notice of waiver of rights to the owner and to the department.

§ 26-856 First opportunity to purchase. a. Each qualified entity shall have a right of first opportunity to purchase as defined in section 26-851. The owner may not accept any other offer to purchase before the expiration of the time for the first opportunity to purchase pursuant to subdivisions b and c of this section.

b. A qualified entity shall provide notice to the owner and the department of its intent to exercise its right of first opportunity to purchase within 60 days after the notice of sale pursuant to subdivision a of section 26-853 has been made.

c. A qualified entity shall have 120 days from the date of the notice of sale pursuant to subdivision a of section 26-853 to submit its offer to purchase, during which time the owner may not accept any other offer to purchase.

d. The commissioner may extend any time limit set forth in this section upon application and for good cause shown, provided that the party applying for the extension was not at fault in causing the need for the extension.

e. If a qualified entity does not submit an offer in writing to the owner and the department within the time period stated in subdivision c of this section following notice of sale by the owner under subdivision a of section 26-853, then such right of first opportunity to purchase shall be deemed waived and the owner shall have no further obligations under this section.

f. A qualified entity that has submitted a notice of intent to exercise a first opportunity to purchase under subdivision b of this section may withdraw such notice by submitting a written notice of waiver of rights to the owner and to the department.

§ 26-857 Prior notification. Notwithstanding any other provision of this chapter, where an owner has listed a residential building for sale before the effective date of this chapter and such listing was properly posted under any other applicable provision of law and more than 45 days remain before the expiration of the time period applicable to such listing, a qualified entity may complete any action authorized by sections 26-855 and 26-856 at any time before the expiration of such time period.

§ 26-858 Notice requirements, generally. a. Wherever this chapter requires provision of notice, such notice shall be in writing and shall be provided to each recipient as required by this chapter through posting on a website designated by the commissioner and one or more of the following methods:

- 1. First class and registered mail;*
- 2. Personal delivery; or*
- 3. E-mail.*

b. The commissioner shall designate a website through which a person may provide notice to another under this chapter. The commissioner shall update the website at least daily and shall include disclaimers to the effect that (i) where a notice is provided on the website, such notice usually will not be provided in any other manner and (ii) it is the responsibility of any person interested in receiving any notice under this chapter to monitor the website for such notices.

c. Each such notice shall be deemed to have been given upon the deposit of such first class and registered mail in the custody of the United States postal service, upon receipt of personal delivery, upon delivery of e-mail or upon posting of such notice on the website approved by the commissioner, as applicable.

§ 26-859 Penalty. An owner found to have violated any provision of this chapter shall be liable for a civil penalty of \$30,000. Nothing in this section prohibits a qualified entity from seeking injunctive relief against a non-compliant owner in a court of competent jurisdiction.

§ 26-860 Exclusions; construction. a. The provisions of this chapter do not apply:

1. To any existing agreement regarding the transfer of a residential building to a qualified entity in effect on the effective date of this chapter, except that any renewal, modification or amendment of such agreement occurring on or after the effective date of this local law is subject to the provisions of this chapter;

2. To an owner or purchaser who refinances a residential building in order to maintain ownership of such building;

3. To any transfer of property effected by (i) a government entity implementing its powers of eminent domain, (ii) a judicial proceeding, including a judicially supervised sale, (iii) a bankruptcy proceeding, or (iv) other operation of law; or

4. Where a listing as described in section 26-857 was properly posted in accordance with any other applicable provision of law and 45 or fewer days remain before the expiration of such applicable notice of sale period.

b. Nothing in this chapter shall be construed as requiring an owner to give preference to any particular offer to purchase a residential building, or to accept any such offer.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of housing preservation and development shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Housing and Buildings.

Int. No. 197

By Council Members Rivera, Menin, Cabán, Hanif, Won, Restler, Krishnan and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a legacy business registry and preservation fund

Be it enacted by the Council as follows:

Section 1. Chapter 10 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-1007 to read as follows:

§ 22-1007 Legacy business registry and preservation fund. a. Establishment of registry. No later than December 1, 2022, the commissioner shall establish and maintain a registry of legacy businesses, the purpose of which shall be to recognize and honor the contributions of long-standing small businesses to communities and neighborhoods in the city.

b. Designation as legacy business. The commissioner may designate a small business as a legacy business to be included on the legacy business registry required by subdivision a only if:

1. The mayor, the public advocate, a borough president or a member of the city council nominates such business as a legacy business;

2. The business has operated in the city for a minimum of 20 years;

3. The commissioner has determined, after consultation with the community board for the community district in which the business is located and the landmarks preservation commission, that the business has significantly contributed to the history, identity or character of the community or neighborhood in which the business is located; and

4. The business has submitted to the commissioner a description of how the business intends to maintain traditions that define the business and that create a positive impact on the neighborhood or community in which the business is located.

c. *Recognition of legacy businesses.* The commissioner shall carry out activities in order to recognize the contributions of legacy businesses to communities and neighborhoods in the city, which activities shall include, but not be limited to, creating an interactive map on the department's website for use by the public that:

1. Indicates the location and address of each legacy business on the legacy business registry; and
2. Includes a link to a description of each legacy business, a history of the legacy business, and photographs of the exterior and interior of the building in which legacy business is located.

d. *Legacy business preservation fund.* 1. No later than February 1, 2023, the commissioner shall establish, subject to appropriation, a legacy business preservation fund from which a grant may be awarded to a legacy business or to a property owner that leases property to a legacy business, in accordance with the requirements of this subdivision.

2. The commissioner may award to a legacy business annually a grant in an amount equal to \$500 per full-time employee of the legacy business, up to a maximum of 100 full-time employees, except that the total combined grants paid to all legacy businesses in a fiscal year shall not exceed the appropriations for the legacy business preservation fund for such fiscal year. The commissioner may award a grant to a legacy business under this subdivision only if the commissioner determines that there is a significant risk of displacement of the legacy business, and the legacy business:

- (a) Files an application for the grant with the department on a form prepared by the commissioner;
- (b) Certifies the number of full-time employees employed by the legacy business; and
- (c) Meets any other requirements for the grant established by rules promulgated by the commissioner in accordance with this subdivision.

3. The commissioner may award annually a grant to a property owner who enters into an agreement with a legacy business for the lease of real property in the city for a term of a minimum of 10 years, or extends the term of a legacy business's existing lease for a minimum of 10 years. A grant provided under this paragraph shall be equal to \$4.50 per square foot leased to the legacy business, up to a maximum of 5,000 square feet. The commissioner may award a grant to a property owner under this section only if the commissioner determines that there is a significant risk of displacement of the legacy business, and the property owner submits to the department:

- (a) An application on a form prepared by the commissioner;
- (b) A certification of the total square footage leased to the legacy business;
- (c) A copy of the lease entered into with the legacy business; and
- (d) A certification that the owner meets all of the requirements for the grant established by this subdivision and rules promulgated by the commissioner.

e. *Rules.* No later than December 1, 2022, the commissioner shall promulgate rules to carry out the provisions of this section, including with respect to:

1. Procedures for removing a legacy business from the legacy business registry, after notice and opportunity to be heard, if the commissioner determines that a business no longer meets the standards for designation as a legacy business; and

2. Criteria for determining how grant awards from the legacy business preservation fund may be allocated to legacy businesses and property owners each year in the most equitable manner.

f. *Annual Report.* No later than September 1 of each year, the commissioner shall submit to the mayor and the speaker of the council a report including the following information for the preceding fiscal year:

1. For each business designated as a legacy business during such fiscal year, the name and location of the business, the type of business, and the reasons for designating the business as a legacy business; and

2. For each grant provided under this section:

- (a) The name and location of the grant recipient;
- (b) The amount of the grant;
- (c) Whether the grant recipient is a legacy business or a property owner;
- (d) For each grant recipient that is a legacy business, a brief description of the type of business of the legacy business;

(e) For each grant recipient that is a property owner, the legacy business to which the property owner leases property, and a brief description of the type of business of such legacy business;

(f) Whether the grant recipient has previously received a grant under this section, and if so, the amount of such grant; and

(g) The reasons for providing a grant to the business or property owner.

§ 2. This local law takes effect immediately.

Referred to the Committee on Small Business.

Res. No. 118

Resolution calling on the New York State Department of Health to clarify and ensure that the New York State Hospital Patients' Bill of Rights applies to all hospitals, including temporary emergency hospitals and field hospitals.

By Council Members Rivera, Moya, Cabán, Stevens, Won, Barron, Restler and Krishnan.

Whereas, The COVID-19 pandemic has severely impacted New York City and stretched the resources of New York City hospitals and health care providers; and

Whereas, During the height of the pandemic, a news report published by The City found that in 2020, only 3,557 hospital beds of all types were available out of 20,330 beds citywide, underlining the limited resources that New York City has to combat COVID-19; and

Whereas, As part of efforts to increase patient capacity in New York City and treat patients impacted by COVID-19, New York State and New York City permitted the establishment of publicly-operated and privately-operated temporary emergency field hospitals in New York City; and

Whereas, To cope with capacity pressure, Samaritan's Purse and Mount Sinai Health System established a 68-bed emergency field hospital in Central Park in New York City on March 31, 2020 which operated until May 4, 2020; and

Whereas, Samaritan's Purse is led by Franklin Graham, who has a history of promoting homophobic and transphobic biases, and has called the LGBTQ community "immoral" and "detestable"; and

Whereas, Samaritan's Purse requires that its volunteers agree to a written affirmation "that marriage is exclusively the union of one genetic male and one genetic female"; and

Whereas, The New York State Department of Health is charged with enforcing the New York State Hospital Patients' Bill of Rights pursuant to Section 405.7 of Title 10 of the New York Codes, Rules, and Regulations; and

Whereas, Section 2801 of the New York Public Health Law defines a hospital as a facility or institution engaged principally in providing services by or under the supervision of a physician including, but not limited to, a general hospital; and

Whereas, Consistent with the New York State Hospital Patients' Bill of Rights, every general hospital must guarantee patients certain rights, including the right to receive treatment without discrimination as to race, color, religion, sex, gender identity, national origin, disability, sexual orientation, age or source of payment; and

Whereas, The New York State Hospital Patients' Bill of Rights applies to every general hospital, regardless of whether such hospital is operated by a public or private entity; and

Whereas, The rights afforded to hospital patients in New York State under the Patients' Bill of Rights should be guaranteed to patients regardless of the temporary or emergency nature of a particular field hospital; and

Whereas, Public and private entities providing health-related services in New York City hospitals during the COVID-19 crisis should care for their patients in a manner consistent with the rights guaranteed under the New York State Patients' Bill of Rights; and

Whereas, Every hospital patient deserves to be treated with equal dignity and respect; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Department of Health to ensure and clarify that the New York State Hospital Patients' Bill of Rights applies to the provision of care in all hospital settings, including temporary and emergency field hospitals.

Referred to the Committee on Hospitals.

Int. No. 198

By Council Members Salamanca, Cabán, Stevens, Hanif, Won, Restler, Krishnan, Nurse and Abreu.

A Local Law to amend the administrative code of the city of New York in relation to requiring the department of education to stock opioid antagonists in all school buildings

Be it enacted by the Council as follows:

Section 1. The administrative code of the city of New York is amended by adding a new chapter 21 to title 21-A to read as follows:

Chapter 29. Opioid Overdose Prevention

§ 21-2901 a. Definitions. For purposes of this section, the following terms have the following meanings:

Opioid antagonist. The term "opioid antagonist" means naloxone or other medication approved by the federal food and drug administration and the New York state department of health that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the human body.

School building. The term "school building" means any facility that is leased by the department or over which the department has care, custody and control, in which there is a public school, including a charter school.

b. The department shall stock opioid antagonists in all school buildings pursuant to section 922 of the education law.

§ 2. This local law takes effect 60 days after it becomes law.

Referred to the Committee on Education.

Int. No. 199

By Council Members Salamanca, Cabán, Schulman and Dinowitz.

A Local Law to amend the administrative code of the city of New York, in relation to requiring letter grades for food service establishments operated in schools, and to repeal section 23-702 of the administrative code of the city of New York, as added by local law number 112 of 2017, in relation to the results of inspections of food service establishments operated in schools

Be it enacted by the Council as follows:

Section 1. Chapter 15 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1519 as follows:

§ 17-1519 Sanitary inspection grading for school food service establishments. a. Definitions. For purposes of this section, the term "school food service establishment" means a cafeteria or kitchen in a school that is subject to the provisions of article 81 of title 24 of the New York city health code.

b. The department shall establish and implement a system for grading and classifying inspection results for each school food service establishment using letters to identify and represent a school food service establishment's degree of compliance with laws and rules that require such school food service establishment to operate in a sanitary manner to protect public health. Where practicable, such system shall be implemented in a manner consistent with the implementation of the letter grading program established by the department for food service establishments pursuant to section 81.51 of the New York city health code.

§ 2. Section 23-702 of chapter 7 of title 23 of the administrative code of the city of New York, as added by local law number 112 for the year 2017, is repealed.

§ 3. Section 23-702 of chapter 7 of title 23 of the administrative code of the city of New York, as added by chapter 313 for the year 2017, is amended to read as follows:

§ 23-702 [School cafeteria and kitchen inspection data.] *School food service establishment inspection results and letter grades.* a. [Whenever any cafeteria or kitchen in a school of the city school district is inspected by the department of health and mental hygiene, the city school district shall post the following information on its website:

1. the date of the inspection or reinspection;
2. the name and address of the school where the inspected cafeteria or kitchen is located;
3. the facts established observed violations, if any, during such inspection and the severity level of such violations;
4. citations to the laws, regulations or rules for any violations observed during such inspection; and
5. any corrective actions taken in response to such inspection.]

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

Letter grade. The term "letter grade" means the sanitary inspection grade issued by the department of health and mental hygiene pursuant to section 17-1506.

School food service establishment. The term "school food service establishment" has the same meaning as set forth in section 17-506.

[b. Inspection results posted on the website for the city department of education pursuant to this section shall be searchable by the school name and address.]

b. Whenever a school food service establishment in the city school district is inspected by the department of health and mental hygiene, the department of education shall post the following information on its website: (i) the date of the inspection or re-inspection; (ii) the name and address of the school where the school food service establishment is located; (iii) the letter grade issued to the school food service establishment; (iv) the facts establishing observed violations, if any, during such inspection and the severity level of such violations; (v) citations to the laws, regulations or rules for any violations observed during such inspection; and (vi) any corrective actions taken in response to such inspection.

c. At least once every school year, the principal of every school of the city school district [where students use a cafeteria or kitchen] *in which there is a school food service establishment* shall inform the parent or legal guardian of each student of such school of the letter grade of the school food service establishment and that the additional information required by this section is available on the website of the [city] department of education. *The principal shall also post such letter grade in a publicly visible location near the front entrance and cafeteria entrances of such school, in a manner to be determined by the department of health and mental hygiene. The principal shall further promptly inform the parent or legal guardian of each student of such school whenever a letter grade issued for such school food service establishment is a C or below. The principal shall [inform such parent or legal guardian that such information is available] provide the information required to be communicated to such parent or legal guardian by this section in a manner consistent with how other information is communicated to such parent or legal guardian, including, but not limited to, email, mail, parent newsletter, or notice to students to show their parent or legal guardian.*

d. The department of health and mental hygiene shall, for each school food service establishment for which inspection results and letter grades are not posted pursuant to subdivision b, post the following information on its website: (i) the date of the inspection or re-inspection; (ii) the name and address of the school where the school food service establishment is located; (iii) the letter grade issued to the school food service establishment; (iv) the facts establishing observed violations, if any, during such inspection and the severity level of such violations; (v) citations to the laws, regulations or rules for any violations observed during such inspection; and (vi) any corrective actions taken in response to such inspection.

e. Inspection results and letter grades posted on the websites for the department of education and the department of health and mental hygiene pursuant to this section shall be searchable by the school name and address.

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

Referred to the Committee on Health.

Int. No. 200

By Council Members Salamanca, Cabán, Won, Nurse and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to quarterly reporting on objections to orders for the abatement or remediation of lead conditions

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended to add a new section 17-186.2 to read as follows:

§ 17-186.2 Quarterly report. a. No later than January 1, 2023, and no later than the first of the month for each calendar quarter thereafter, the department shall submit to the mayor and the speaker of the council, and make publicly available on the department's website, a report for the immediately prior calendar quarter of the number of objections to orders issued by the department pursuant to section 173.13(d)(2) of the health code or successor rule applicable thereto, disaggregated by the number of objections filed by a housing development operated by the New York city housing authority.

b. The report required pursuant to subdivision a of this section shall include the number of objections found by the department to have merit disaggregated by the specific reasons why the objections had merit including, but not limited to:

- 1. Faulty paint sampling or testing by the department;*
- 2. Inconclusive or contradicting test results; or*
- 3. An exemption based upon the date the tested dwelling was erected.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 201

By Council Members Salamanca and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a substance abuse assistance mobile application

Be it enacted by the Council as follows:

Section 1. Title 17 of the administrative code of the city of New York is amended by adding a new chapter 21 to read as follows:

Chapter 21
Substance Abuse Assistance Mobile Application

§ 17-2101 Definitions. For the purposes of this chapter, the following terms have the following meanings:

Mobile application. The term “mobile application” means a type of application software designed to run on a mobile device, such as a smartphone or tablet computer.

Substance abuse. The term “substance abuse” means the long-term, pathological use of alcohol or drugs, characterized by daily intoxication, inability to reduce consumption, and impairment in social or occupational functioning.

§ 17-2102 Substance Abuse Assistance Mobile Application. a. The department shall create a substance abuse assistance mobile application within six months of the effective date of the local law that added this chapter.

b. The substance abuse assistance mobile application shall contain information about available drug and alcohol use services. Such services include, but are not limited to, general drug and alcohol use services, substance abuse treatment facilities, harm reduction services, syringe access and disposal, overdose prevention training, pharmacies carrying naloxone, and information about substance abuse hotlines.

§ 2. This local law takes effect 120 days after it becomes law, except that the department of health and mental hygiene shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Mental Health, Disabilities and Addiction.

Int. No. 202

By Council Member Salamanca.

A Local Law to amend the administrative code of the city of New York, in relation to the number of employees on trade waste hauling vehicles

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16-a of the administrative code of the city of New York is amended by adding a new section 16-529 to read as follows:

§ 16-529 Number of Employees. a. Definitions. For the purposes of this section, the term “trade waste hauling vehicle” means any motor vehicle that is owned or operated by an entity that is required to be licensed or registered by the commission pursuant to section 16-505 and that is operated in the city for collection or removal of trade waste.

b. An entity required to be licensed or registered by the commission pursuant to section 16-505, shall assign a minimum of three employees, or the maximum number of employees for such trade waste hauling vehicle to meet its capacity, including the driver, to physically accompany each trade waste hauling vehicle of such entity when such vehicle is in operation for the purpose of hauling trade waste in the city.

c. Any owner or operator of a trade waste hauling vehicle that violates any provision of this section shall be liable for a civil penalty of 5,000 dollars per vehicle that is in violation, returnable to the office of administrative trials and hearings. Each notice of violation shall contain an order of the chair of the commission directing the respondent to correct the condition constituting the violation and to file with the commission electronically, or in such other manner as the commission shall authorize, a certification that the condition has been corrected within 30 days from the date of such order.

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 203

By Council Member Salamanca.

A Local Law to amend the administrative code of the city of New York, in relation to requiring luxury limousine services to provide proof of vehicle safety inspections at the time of contract

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-557 to read as follows:

§ 19-557 Proof of safety inspection for luxury limousines. a. A luxury limousine base shall maintain proof of a valid and current certificate of inspection received pursuant to subdivision f of section 19-504 of this chapter for each luxury limousine licensed by the commission. Such proof of a certificate of inspection shall be provided to a person contracting with such luxury limousine base at the time a contract is entered into for transportation of a passenger by such luxury limousine.

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

Referred to the Committee on Transportation and Infrastructure.

Res. No. 119

Resolution calling on the U.S. Congress to pass and the President to sign legislation that requires all U.S. Postal Service post offices meet ADA standards to accommodate customers with disabilities.

By Council Members Salamanca, Cabán, Stevens, Hanif, Nurse and Abreu

Whereas, The Americans with Disabilities Act (ADA) was a pinnacle piece of legislation that became law in 1990; and

Whereas, Under this federal law, discrimination against individuals with a disability in all areas of life, including employment, public spaces, schools and transportation, became illegal; and

Whereas, This crucial civil rights law brought protections for people with disabilities into line with other protected classes and has helped to foster the goal of ensuring the basic dignity, full inclusion and participation as an equal member of society for every person in the Country; and

Whereas, According to the 2020 Census, there are more than 61 million Americans who have a disability, which is nearly one in every four people; and

Whereas, While the ADA has helped remove many physical and figurative barriers that prevent people with disabilities from participating in ways equivalent to able-bodied people, there are still many obstacles; and

Whereas, For example, not all branches of the United States Postal Service (USPS) have to be compliant with the ADA; and

Whereas, Currently, buildings leased by the USPS only need to be compliant with the ADA if they were built after 1968; and

Whereas, Given that the USPS is the country's second oldest federal department there are potentially many post office branches that fall into this category; and

Whereas, One example is the USPS post office on Jerome Ave in Fordham, Bronx; and

Whereas, This post office has a number of stairs at the front of the building that prevents people requiring wheelchairs, or parents and guardians using strollers, from safely accessing the building; and

Whereas, Aside from the fact that the exemption for pre-1968 buildings flies in the face of the intention of the ADA, post offices provide a range of key services that become inaccessible for people with disabilities if the branches are not ADA compliant; and

Whereas, In addition to postal services, the branches of the United States Postal Service offer a range of other important services that individuals frequently require, including 20 million passport applications each year and more than 254,000 money orders each day; and

Whereas, In total, the USPS accommodates close to 741 million retail visits each year from customers; and

Whereas, However, for customers with a disability, they are not always able to fully access these branches; and

Whereas, As the nation's largest retail network, it is vital that all USPS branches be equally accessible for all of the country's residents, regardless of physical ability; now, therefore, be it

Resolved, That the U.S. Congress pass and the President sign legislation that requires all U.S. Postal Service post offices meet ADA standards to accommodate customers with disabilities.

Referred to the Committee on Mental Health, Disabilities and Addiction.

Int. No. 204

By Council Members Sanchez, De La Rosa, Richardson Jordan, Joseph, Stevens, Salamanca, Dinowitz, Abreu, Ayala, Feliz, Hudson, Ossé, Hanif, Won, Williams, Cabán, Velázquez, Riley, Avilés, Brewer, Schulman, Restler, Farías, Krishnan, Gutiérrez, Nurse, Kagan, Narcisse and Hanks.

A Local Law to amend the administrative code of the city of New York, in relation to raising the inspection fees for certain housing inspections

Be it enacted by the Council as follows:

Section 1. Subparagraph (i) of paragraph (8) of subdivision (f) of section 27-2115 of the administrative code of the city of New York, as added by local law number 65 for the year 2014, is amended to read as follows:

(8)(i) Notwithstanding any other provision of law, where (A) the department has performed two or more complaint-based inspections in the same dwelling unit within a twelve-month period, (B) each such inspection has resulted in the issuance of a hazardous or immediately hazardous violation, and (C) not all such violations have been certified as corrected pursuant to this section, the department may impose an inspection fee of [two hundred] *five hundred* dollars for the third and for each subsequent complaint-based inspection that it performs in such dwelling unit within the same twelve-month period that results in the issuance of a hazardous or immediately hazardous violation, provided that the department may by rule increase the fee for inspections performed *to no more than one thousand dollars* during the period of October first through May thirty-first. Such inspection fee shall be in addition to any civil penalties that may be due and payable.

§ 2. Subparagraph (iv) of paragraph (1) of subdivision (k) of section 27-2115 of the administrative code of the city of New York, as added by local law number 65 for the year 2011, is amended to read as follows:

(iv) Notwithstanding any other provision of law, a person who, after inspection by the department, is issued an immediately hazardous violation for a third or any subsequent violation of section 27-2028, section 27-2031, or section 27-2032 of this chapter at the same dwelling or multiple dwelling within the same calendar year or, in the case of subdivision a of section 27-2029 of this chapter, at the same dwelling or multiple dwelling within the same period of October first through May thirty-first, shall be subject to a fee of [two hundred] *five hundred* dollars for each inspection that results in the issuance of such violation as well as any civil penalties that may be due and payable for the violation, provided[, however,] that [such] *the department may by rule increase the fee for inspections performed to no more than one thousand dollars.* Such fee shall not be applicable to inspections performed in a multiple dwelling that is included in the alternative enforcement program pursuant to article ten of subchapter five of this chapter. All fees that remain unpaid shall constitute a debt recoverable

from the owner and a lien upon the premises, and upon the rents and other income thereof. The provisions of article eight of subchapter five of this chapter shall govern the effect and enforcement of such debt and lien.

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

Referred to the Committee on Housing and Buildings.

Preconsidered Int. No. 205-A

By Council Member Ung.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to removing certain reporting requirements selected for waiver by the report and advisory board review commission, and to repeal subdivision c of section 4-207 of the administrative code of the city of New York, relating to reports on assessments of certain clean on-site power generation technologies, and subdivision b of section 19-180.1 of such code, relating to reports on safety audits of crash locations involving pedestrians

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 541 of the New York city charter, as added by local law number 61 for the year 1991, is amended to read as follows:

c. The commission shall:

(1) make recommendations to insure the continuation and growth of a healthy environment for professional, amateur and scholastic sports activities in the city;

(2) hold at least one meeting per month[:];

(3) [issue a quarterly report to the mayor and the council detailing the commission's activities during the previous three month period;

(4) issue an annual report to the mayor and the council at the start of each fiscal year detailing the commission's goals for the upcoming year;

(5)] submit a proposed annual budget to the council no later than March thirty-first of each year;

[(6)] (4) seek to promote the city as a positive and profitable base for professional sports teams wishing to relocate their organizations; and

[(7)] (5) perform such other duties as may be necessary as determined by the commission.

§ 2. Subdivision c of section 4-207 of the administrative code of the city of New York is REPEALED.

§ 3. Subdivision b of section 19-180.1 of the administrative code of the city of New York is REPEALED and subdivisions c and d of such section are relettered subdivisions b and c, respectively.

§ 4. Subdivision b of section 21-402 of the administrative code of the city of New York, as added by local law number 81 for the year 1996, is amended to read as follows:

b. The commissioner shall submit to the city council copies of the following reports, and any revisions, updates or modifications to such reports, at the same time that each is submitted to the appropriate New York state agency or officer, or any successor thereto, elected official or other governmental body pursuant to any applicable statute, law, regulation or rule:

i. the community services block grant management plan required to be submitted to the department of state; and

ii. [the community services block grant program report required to be submitted to the governor and state legislature; and

iii.] the comprehensive planning report required to be submitted to the New York state division for youth within the executive department.

§ 5. This local law takes effect immediately.

Adopted by the Council (preconsidered as amended and approved by the Committee on Governmental Operations).

Int. No. 206

By Council Members Ung, Joseph, Cabán, Stevens, Hanif, Brewer, Dinowitz, Won, Marte and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of information technology and telecommunications to report on wait times for the 311 customer service center to connect callers to an interpreter

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

§ 23-308 Report on wait times for interpreters. a. Definitions. As used in this section, the term “wait time” means the time, in minutes and seconds, from when an individual who calls the 311 customer service center requests an interpreter to when such individual is connected to an interpreter.

b. Beginning September 15, 2022, and no later than the fifteenth day of each month thereafter, the commissioner of technology and telecommunications shall submit to the mayor and the speaker of the council a report on the wait times for individuals with limited English proficiency who place a call to the 311 customer service center.

c. Each report submitted under this section shall include the following information on wait times for the preceding month:

- 1. The wait time for each call for which an interpreter is requested;*
- 2. The native language of the caller for each call for which an interpreter is requested; and*
- 3. The average wait time for calls for which an interpreter is requested, for each requested language.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Technology.

Preconsidered Res. No. 120-A

Resolution disapproving the Report and Advisory Board Review Commission’s determination to waive the 911 Operational Time Analysis Report required by and described in subdivisions b and c of section 14-149 of the Administrative Code of the City of New York, disapproving such Commission’s determination to waive the Annual Youth Services Reports required by subdivision a of section 21-402 of the Administrative Code of the City of New York and approving the remaining four determinations of such Commission communicated to the City Council on December 30, 2021.

By Council Member Ung.

Whereas, On November 2, 2010, the voters of the City of New York approved a series of revisions to the New York City Charter, including the addition of section 1113, which established the Report and Advisory Board Review Commission (RABRC); and

Whereas, Pursuant to section 1113, the RABRC has the power and duty to review all requirements in the New York City Charter, the Administrative Code of the City of New York and the unconsolidated local laws of the City of New York mandating the issuance of reports by public agencies, officers or employees; and

Whereas, Under section 1113, the RABRC also has the power, subject to the approval of the City Council, to waive any such reporting requirement and thereby cause the relevant report to cease to be required by law; and

Whereas, Section 1113 provides that, following a determination by the RABRC to waive any reporting requirement, the City Council may approve or disapprove such determination by the affirmative vote of a majority of all the Council Members; and

Whereas, Section 1113 further provides that any such disapproval by the Council shall be final unless the Mayor files a written veto of the Council's action, which may be overridden by a two-thirds vote of all the Council Members; and

Whereas, On December 10, 2021, the RABRC made determinations to waive the following six reporting requirements: the report on the assessment of city facilities regarding certain clean on-site power generation technologies required by subdivision c of section 4-207 of the Administrative Code of the City of New York, the High Pedestrian Crash Location Report required by subdivision b of section 19-180.1 of the Administrative Code of the City of New York, the New York City Sports Commission Reports required by paragraphs 3 and 4 of subdivision c of section 541 of the New York City Charter, the 911 Operational Time Analysis Report required by and described in subdivisions b and c of section 14-149 of the Administrative Code of the City of New York, the Annual Youth Services Reports required by subdivision a of section 21-402 of the Administrative Code of the City of New York and the submission to the Council of a copy of the Community Services Block Grant Report required by paragraph ii of subdivision b of section 21-402 of the Administrative Code of the City of New York;

Whereas, On December 30, 2021, the RABRC communicated such determinations to the City Council by submitting a written statement of each determination along with the rationale therefor; now, therefore, be it

Resolved, That the Council of the City of New York disapproves the Report and Advisory Board Review Commission's determination to waive the 911 Operational Time Analysis Report required by and described in subdivisions b and c of section 14-149 of the Administrative Code of the City of New York, disapproves such Commission's determination to waive the Annual Youth Services Reports required by subdivision a of section 21-402 of the Administrative Code of the City of New York and approves the remaining four determinations of such Commission communicated to the City Council on December 30, 2021.

Adopted by the Council (preconsidered as amended and approved by the Committee on Governmental Operations).

Int. No. 207

By Council Members Velázquez, Stevens, Hanif, Restler, Marte, Rivera, Nurse and Abreu.

A Local Law in relation to informing sexual assault survivors of their rights

Be it enacted by the Council as follows:

Section 1. a. Definitions. For the purposes of this section, the term "sexual assault" means any nonconsensual sexual act proscribed by federal or state law, including when the victim lacks capacity to consent.

b. The department of health and mental hygiene shall conduct an outreach campaign to notify survivors of sexual assault of their rights under chapter 238 of title 18 of the United States code, section 631(13) of the New York executive law, and sections 2805-i and 2805-p of the New York public health law, or any successor to such provisions, and any regulations promulgated pursuant thereto.

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

Referred to the Committee on Health.

Preconsidered Int. No. 208

By Council Members Williams, Hudson, Salamanca, Feliz, Riley, Stevens, Holden, Dinowitz, Hanif, Farías, Louis, Velázquez, Avilés, Schulman, Menin, Narcisse, Restler, Barron, Krishnan, Joseph, Gutiérrez, Ayala, Richardson Jordan, Hanks, Nurse and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to inspections of self-closing doors in residential buildings

Be it enacted by the Council as follows:

Section 1. Article 11 of subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2041.2 to read as follows:

§ 27-2041.2 *Self-closing doors; required inspections.* a. *General.* Commencing January 1, 2023, self-closing doors in occupancy groups R-1 and R-2 shall be periodically inspected in accordance with this section.

Exception: No inspection is required pursuant to this section for a building that contains no self-closing doors and for which the owner of such building has submitted to the commissioner, in a form and manner determined by the commissioner, a certificate of a registered design professional, or a person satisfying other qualifications that the commissioner may establish, that such building contains no self-closing doors and is not required by law to contain self-closing doors.

b. *Inspection intervals.* The department shall conduct an inspection of a building's self-closing doors at periodic intervals as set forth by rule of the commissioner, but such inspection shall be conducted at least once every two years.

Exception: The initial inspection for a new building shall be conducted in the third year after the earlier of (i) the issuance by the department of a letter of completion or, if applicable, a temporary or final certificate of occupancy for such building or (ii) the date such building was completed as determined by reference to an applicable rule of the department.

c. *Inspection process.* Self-closing doors shall be inspected and tested in accordance with this section and applicable rules of the department promulgated pursuant to this section. The commissioner shall develop criteria to be used during the inspection of a self-closing door for violations.

d. *Inspection requirements.* At each inspection conducted pursuant to subdivision c, the department shall, at minimum, inspect self-closing doors in common areas, public spaces, hallways and corridors, provided that such testing need only include common areas, public spaces, hallways, and corridors on floors that contain self-closing doors.

e. *Notification and correction of violations.* If an inspection reveals any violation, the department shall notify the building owner immediately and the building owner shall immediately correct such violating condition and bring such condition into compliance with applicable provisions of this code, the New York city fire code and the New York city construction codes. The building owner shall certify to the department in a time and manner determined by the commissioner that such condition has been corrected.

f. *Re-inspection requirement.* If an inspection of self-closing doors conducted pursuant to this section reveals any class C immediately hazardous violation, the department shall conduct a re-inspection of the building after receiving notification from the building owner that such violation has been corrected or after 90 days have passed since any such violation was identified to the building owner, whichever occurs first.

g. *Conditional inspections.* Where a tenant or occupant of an R-1 or R-2 occupancy group building requests an inspection for an alleged violation identified in such building's common areas, public spaces, hallways, or corridors, the department shall automatically inspect the immediate floor of such alleged violation for self-closing door violations if such floor contains self-closing doors. If the department discovers a self-closing door violation on such immediate floor, the department shall inspect all other common areas, public spaces, hallways and corridors in such building for self-closing door violations.

h. *Annual report on self-closing doors.* 1. No later than December 31, 2023, and annually thereafter, the commissioner shall submit to the mayor and the speaker of the council and shall post conspicuously on the department's website an annual report regarding self-closing doors inspected by the department pursuant to this section.

2. *The annual report shall include a table in which each separate row references a building inspected by the department pursuant to this section in the previous year. Each such row shall include the following information, as well as any additional information the commissioner deems appropriate, set forth in separate columns:*

- (a) The address of the building where such inspection occurred;*
- (b) The building or property owner;*
- (c) The date on which an inspection of such building occurred;*
- (d) The number of floors contained in such building;*
- (e) Which floors were inspected for self-closing door violations in the previous year;*
- (f) The number of self-closing doors inspected in such building in the previous year;*
- (g) The number of self-closing door violations identified in such building in the previous year; and*
- (h) The date on which the property owner properly corrected all self-closing door violations after any such violations were identified by the department during such inspection.*

§ 2. This local law takes effect immediately. The commissioner of housing preservation and development shall take all actions necessary for its implementation by no later than January 1, 2023.

Referred to the Committee on Housing and Buildings (preconsidered but laid over by the Committee on Housing and Buildings).

Res. No. 121

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.1553-C/A.6399-B, the Clean Slate Act.

By Council Members Williams, the Public Advocate (Mr. Williams), Cabán, Hanif, Bottcher, Won, Farías, Stevens, Louis, Riley, Avilés, Schulman, Joseph, Narcisse, Restler, Sanchez, Barron, Krishnan, Gutiérrez, Ayala, Rivera, Richardson Jordan, Hudson, Hanks, Nurse and De La Rosa.

Whereas, According to the National Institute of Justice, nearly 1 in 3 American adults has a prior arrest or criminal conviction on their record; and

Whereas, According to the Legal Action Center, in New York even a single past conviction can mean a lifetime of obstacles and barriers to critical employment, licensing, housing and educational opportunities; and

Whereas, According to Clean Slate New York, a coalition of over 100 advocacy groups, nearly 2.3 million New Yorkers are shackled by their convictions and perpetually excluded from our state's economy and society; and

Whereas, According to the Brennan Center for Justice, people who have been to prison lose an average of \$484,400 in earnings over their lifetime; and

Whereas, As determined by the Economic Policy Institute, racial disparities and socio-economic discrimination are rampant throughout the criminal legal system, and statistical data shows that convictions for even low-level offenses result in cyclical harm and structural instability for individuals, families and communities; and

Whereas, On January 13, 2021, New York Senator Zellnor Myrie and New York Assembly Member Catalina Cruz introduced S.1553-C/A.6399-B, the Clean Slate Act, which would automatically seal conviction records after someone has completed their sentence, is off of parole or probation, has not incurred any new charges or convictions in New York State during the waiting period, and the conviction to be sealed is not a sex offense; and

Whereas, According to reports from various media outlets, only approximately 2,500 of an estimated 600,000 eligible people, or less than 0.5 percent, have had their records sealed since New York's current application-based sealing law went into effect in 2017; and

Whereas, Giving people access to jobs, housing, education and licenses to practice a trade increases their participation in the economy and reduces the likelihood they will return to prison, thereby making our communities safer and more prosperous; and

Whereas, Numerous other states, including Pennsylvania, Michigan, Utah and Connecticut, have already passed “Clean Slate” legislation; and

Whereas, Excluding individuals with criminal records from full participation in society creates a system of perpetual punishment, contributes to intergenerational trauma and exacerbates racial and economic inequality; and

Whereas, The Clean Slate Act would work to ensure that individuals are well integrated into society and have opportunities to move forward after having paid their debts to society; 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.1553-C/A.6399-B, the Clean Slate Act.

Referred to the Committee on Public Safety.

Res. No. 122

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A.6584A/S.5125A, which would exclude from State income tax up to \$10,200 of unemployment compensation benefits earned by a resident of the State.

By Council Members Yeger, Stevens and Hanif.

Whereas, Almost 3.9 million New Yorkers lost their jobs and collected unemployment in 2020; and

Whereas, From the start of the COVID-19 pandemic in March 2020, no other large American city has been hit as hard, or has struggled as much to replenish its labor force, as New York City (“NYC” or “City”); and

Whereas, According to the New York State (“State”) Department of Labor, the City’s current unemployment rate of 7.6 percent is nearly double the national average of 4 percent; and

Whereas, While the country as a whole has regained more than 90 percent of lost jobs since the pandemic began, NYC has regained roughly 7 of every 10 jobs; and

Whereas, The federal American Rescue Plan Act, which was signed into law in March 2021, includes a retroactive provision making the first \$10,200 per taxpayer of 2020 unemployment benefits nontaxable for individuals with modified federal Adjusted Gross Income of less than \$150,000; and

Whereas, The federal exclusion of unemployment compensation from federal tax does not also apply to State tax; and

Whereas, Of the states that tax income, California, New Jersey, Oregon, Pennsylvania and Virginia already fully exempt unemployment benefits, while Delaware recently exempted unemployment benefits from state taxes; and

Whereas, A.6584A, sponsored by State Assembly Member Peter Abbate, and S.5125A, sponsored by State Senator Simcha Felder, would remove the State income tax requirement on the first \$10,200 of unemployment benefits in 2020; 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.6584A/S.5125A, which would exclude from State income tax up to \$10,200 of unemployment compensation benefits earned by a resident of the State.

Referred to the Committee on State and Federal Legislation,

Preconsidered No. L.U. No. 34

By Council Member Salamanca:

Application No. G 220010 TAM (Second Avenue Subway Phase 2 MTA Disposition, Manhattan) submitted by the Metropolitan Transportation Authority (MTA) pursuant to Section 1266-c(5) of the New York State Public Authorities Law requesting approval of the disposition of city-owned property located at Block 1773, Lots 4 and 72, Borough of Manhattan, Community District 11, Council District 8.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions (preconsidered but laid over by the Subcommittee on Landmarks, Public Sitings and Dispositions).

Preconsidered L.U. No. 35

By Council Member Salamanca:

Application number C 210098 ZMK (1220 Avenue P Rezoning) submitted by Omni Enterprises, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22d, by changing from an R5B District to an R7A District, Borough of Brooklyn, Community District 15, Council District 48.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning & Franchises).

Preconsidered L.U. No. 36

By Council Member Salamanca:

Application number N 210099 ZRK (1220 Avenue P Rezoning) submitted by Omni Enterprises, 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 Brooklyn, Community District 15, Council District 48.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning & Franchises).

Preconsidered L.U. No. 37

By Council Member Salamanca:

Application number C 210321 ZMX (Our Lady of Pity-272 East 151st Street Rezoning) submitted by Our Lady of Pity Apartments LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a: by changing from an R6 District to an R7A District, Borough of the Bronx, Community District 1, Council District 17.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning & Franchises).

Preconsidered L.U. No. 38

By Council Member Salamanca:

Application number N 210322 ZRX (Our Lady of Pity-272 East 151st Street Rezoning) submitted by Our Lady of Pity Apartments, 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 the Bronx, Community District 1, Council District 17.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning & Franchises).

Preconsidered L.U. No. 39

By Council Member Salamanca:

Application number C 200246 ZMQ (146-93 Guy Brewer Boulevard Rezoning) submitted by Ranbir, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 19b: changing from an R3-2 District to an R6A District and establishing within the proposed R6A District a C2-2 District, Borough of Queens, Community District 13, Council District 31.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning & Franchises).

Preconsidered L.U. No. 40

By Council Member Salamanca:

Application number N 200247 ZRQ (146-93 Guy Brewer Boulevard Rezoning) submitted by Ranbir, 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 13, Council District 31.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning & Franchises).

Preconsidered L.U. No. 41

By Council Member Salamanca:

Application number C 210312 ZMK (103 Lee Avenue) submitted by Sbeny holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d: eliminating from within an existing R6 District a C1-3 District, changing from an R6 District to an R7X District, and establishing within the proposed R7X District a C2-4 District, Borough of Brooklyn, Community District 1, Council District 33.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning & Franchises).

Preconsidered L.U. No. 42

By Council Member Salamanca:

Application number N 210313 ZRK (103 Lee Avenue) submitted by Sbeny 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 APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 1, Council District 33.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises (preconsidered but laid over by the Subcommittee on Zoning & Franchises).

NEW YORK CITY COUNCIL**A N N O U N C E M E N T S****Monday, April 18, 2022**

Committee on Immigration jointly with the
Committee on Health and the
Committee on Hospitals and the
Subcommittee on Covid Recovery and Resiliency

Shahana K. Hanif, Chairperson
 Lynn Schulman, Chairperson
 Mercedes Narcisse, Chairperson
 Francisco P. Moya, Chairperson

Oversight - The Impact of the COVID-19 Pandemic on the Health of Immigrant New Yorkers.

Proposed Res 84-A - By Council Members Hanif, Abreu, Moya, Schulman, Lee, Hudson, Brewer, Ung, Stevens, Brannan, Won, Restler, Avilés, Brooks-Powers and Menin - **Resolution** calling on the State Legislature to pass, and the Governor to sign, A.880A/S.1572A, to provide coverage for health care services under the basic health program for individuals whose immigration status renders them ineligible for federal financial participation.

Res 112 - By Council Member Hanif and the Public Advocate (Mr. Williams) - **Resolution** calling on the New York State Legislature to pass, and the Governor to sign, the New York for All Act (A.2328-A / S.3076-A), which would prohibit and regulate the discovery and disclosure of immigration status by New York state and local government entities.

Remote Hearing (Virtual Room 1).....10:00 a.m.

Committee on Consumer and Worker Protection

Marjorie Velázquez, Chairperson

Oversight - The Office of Nightlife and the State of the Nightlife Industry.

Council Chambers – City Hall.....1:00 p.m.

Tuesday, April 19, 2022

Committee on Civil Service and Labor jointly with the
Committee on Women and Gender Equity and the
Committee on Economic Development

Carmen De La Rosa, Chairperson
 Tiffany Cabán, Chairperson
 Amanda Farías, Chairperson

Oversight - Gender Diversity in the Trades.

Int 179 - By Council Member Moya - **A Local Law** in relation to creating a task force to examine the role of women in nontraditional workplaces.

Remote Hearing (Virtual Room 2).....10:00 a.m.

Committee on Transportation and Infrastructure jointly with the
Committee on Resiliency and Waterfronts

Selvena N. Brooks-Powers, Chairperson
 Ari Kagan, Chairperson

Oversight - Assessing New York City's Infrastructure: Laying the Foundation for Federal Infrastructure Funding.

Remote Hearing (Virtual Room 1).....10:30 a.m.

Committee on Land Use

Rafael Salamanca, Jr., Chairperson

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Remote Hearing (Virtual Room 3)..... 3:00 p.m.

Wednesday, April 20, 2022[Committee on Education](#)

Rita Joseph, Chairperson

Oversight - Foster Care Students in the DOE System.

Remote Hearing (Virtual Room 2).....10:30 a.m.

Thursday, April 21, 2022[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) wished to officially congratulate Justice Ketanji Brown Jackson on her confirmation to the Supreme Court of the United States. She spoke of how Justice Jackson's historic appointment had served as an inspiration to young girls and women and was a special inspiration to black and brown girls who would be able to see themselves in her story. The Speaker (Council Member Adams) again congratulated Justice Jackson, as well as her family, and congratulated all Americans who would be benefiting from the new Justice's continued public service to this country.

The Speaker (Council Member Adams) acknowledged the April 12, 2022 Brooklyn mass shooting that took place inside a Manhattan-bound N subway train in the Sunset Park section of Council Member Avilés district. This attack of terror left ten people shot and wounded inside the train and nearly two dozen others injured. The Speaker (Council Member Adams) thanked the NYPD and law enforcement personnel, the first responders, the transit workers, and everyday New Yorkers who all played contributing roles that led to the arrest of the suspect. The Speaker (Council Member Adams) also acknowledged the other shootings that had taken place in the city recently and referred specifically to an April 8, 2022 incident in the Bronx where a sixteen year old was shot and killed. In addition, she cited the rise in hate violence targeting Asian-American, Jewish, Sikh, and other communities in the city.

The Speaker (Council Member Adams) acknowledged that many New Yorkers had been traumatized by the pandemic and the resulting increase in violence which had compounded and spread across the city and the nation. She emphasized the importance of providing help to the victims of such violence. In response to these overall events, the Council was proposing the creation of trauma recovery centers which would provide culturally competent and community-based assistance to those afflicted.

The Speaker (Council Member Adams) acknowledged that many New Yorkers of various faiths would soon be observing Good Friday, Easter (Resurrection) Sunday, Passover, and *Ramadan*. She wished a happy and safe gathering to all who would be celebrating these major holidays among family, friends, and communities.

The Speaker (Council Member Adams) wished a happy birthday to Council Member Hudson.

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Powers) adjourned these hybrid proceedings to meet again for the Stated Meeting on Thursday, April 21, 2022.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Note: The Stated Meeting scheduled for Thursday, April 21, 2022 was subsequently deferred. A Stated Meeting was later scheduled and held on Thursday, April 28, 2022.

*Editor's Local Law Note: Int. No. 70, adopted by the Council at the March 10, 2022 Stated Meeting, was **signed into law by the Mayor** on March 30, 2022 as Local Law No. 55 of 2022.*

*Preconsidered Int. No. 71, adopted at the March 10, 2022 Stated Meeting, was **returned unsigned** by the Mayor on April 11, 2022. This item had become law on April 10, 2022 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. This bill was assigned subsequently as Local Law No. 56 of 2022.*

