

**THE COUNCIL**

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*Minutes of the Proceedings for the*

**STATED MEETING**

*of*

Tuesday, February 11, 2020, 2:04 p.m.

The Public Advocate (Mr. Williams)

*Acting President Pro Tempore and Presiding Officer*

Council Members

Corey D. Johnson, *Speaker*

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

Absent: Council Members Diaz and Salamanca.

Medical Leave: Council Member Rose.

At the time of this Stated Meeting, there was a vacant seat in the Council pending the swearing-in of the certified winner of an upcoming Special Election to be held in the 37th Council District (Brooklyn).

The Public Advocate (Mr. Williams) assumed the chair as the Acting President Pro Tempore and Presiding Officer for these proceedings.

Following the gaveling-in of the Meeting and the recitation of the Pledge of Allegiance, the Roll Call for Attendance was called by the City Clerk and the Clerk of the Council (Mr. McSweeney).

After consulting with the City Clerk and Clerk of the Council (Mr. McSweeney), the presence of a quorum was announced by the Public Advocate (Mr. Williams).

*There were 47 Council Members marked present at this Stated Meeting held in the Council Chambers of City Hall, New York, N.Y.*

### INVOCATION

The Invocation was delivered by Pastor Brenda Starks-Ross, spiritual leader of Trinity Pentecostal House of Prayer located at 548 Fountain Avenue, Brooklyn, NY 11208.

Good afternoon, Speaker Corey Johnson,  
Majority Leader Laurie Cumbo,  
Public Advocate Jumaane Williams,  
Council Member Inez Barron,  
who I affectionately call the queen of East New York,  
Mark Levine, and the entire council.

It is an honor, privilege, and pleasure  
to be at the Stated Meeting with the City Council.  
I would like you all to know  
that I pray for you on a weekly basis.  
My prayer is that you use the authority given you  
to govern New York with vision and wisdom.  
The Bible informs without vision people perish.  
Therefore, I am thanking God today  
for leaders such as yourselves  
to continue to use your God-given vision and wisdom  
to make the hard decisions  
that will improve the lives of New Yorkers.  
I appreciate the dedication, devotion of service,  
and stamina you bring  
to the decision-making table on a consistent basis.  
Father, I thank you for these fearless leaders.  
Permit them to use vision, wisdom,  
and collective decision-making  
every time they are tasked  
with coming up with solutions for your people.  
Let them remember *Proverbs 13:10*,  
“Where there is strife there is pride,

but wisdom is found in those who take advice".  
Let them continue to advise one another  
and do what they have done consistently  
to protect your people.  
*Matthew 25:40* says,  
"Verily I say unto you  
in such as ye have done it  
unto one of the least these of my brethren  
ye have done it unto me".  
God bless you and may his mighty hand  
keep you in his perfect peace.  
Amen.

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

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Johnson) asked for a Moment of Silence in memory of two first responders who died of 9/11 related illnesses: FDNY Firefighter Richard Jones, 63, and FDNY Lieutenant Paul Deyo, Jr., 74. They both passed away on February 7, 2020. On behalf of the Council, the Speaker (Council Member Johnson) offered his condolences to their families and to the FDNY.

At this point, a Moment of Silence was observed in the Chambers.

\* \* \*

#### **ADOPTION OF MINUTES**

Council Member Maisel moved that the Minutes of the Stated Meeting of December 19, 2019 and Charter Meeting of January 8, 2020 be adopted as printed.

**MESSAGES & PAPERS FROM THE MAYOR**

M-210

**Communication from the Mayor – Submitting January 2020 Financial Plan Detail for Fiscal Years 2020-2024, pursuant to Sections 101 and 213 of the New York City Charter.**

(For text, please refer to the New York City Council at <https://council.nyc.gov> for the attachment section of the [M-210 of 2020 file](#); please also refer to the Mayor’s Office of Management and Budget at 255 Greenwich Street, Suite 8, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-211

**Communication from the Mayor - Submitting Preliminary Expense, Revenue, and Contract Budget for Fiscal Year 2021, pursuant to Sections 225 and 236 of the New York City Charter.**

(For text, please refer to the New York City Council at <https://council.nyc.gov> for the attachment section of the [M-211 of 2020 file](#); please also refer to the Mayor’s Office of Management and Budget at 255 Greenwich Street, Suite 8, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-212

**Communication from the Mayor - Submitting Geographic Reports for Expense Budget for Fiscal Year 2021, pursuant to Sections 100 and 231 of the New York City Charter.**

(For text, please refer to the New York City Council at <https://council.nyc.gov> for the attachment section of the [M-212 of 2020 file](#); please also refer to the Mayor’s Office of Management and Budget at 255 Greenwich Street, Suite 8, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-213

**Communication from the Mayor - Submitting Departmental Estimates for Fiscal Year 2021, pursuant to Sections 100, 212 and 231 of the New York City Charter.**

(For text, please refer to the New York City Council at <https://council.nyc.gov> for the attachment section of the [M-213 of 2020 file](#); please also refer to the Mayor’s Office of Management and Budget at 255 Greenwich Street, Suite 8, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-214

**Communication from the Mayor - Submitting the Preliminary Capital Budget, Fiscal Year 2021, pursuant to Section 213 and 236 of the New York City Charter.**

(For text, please refer to the New York City Council at <https://council.nyc.gov> for the attachment section of the [M-214 of 2020 file](#); please also refer to the Mayor's Office of Management and Budget at 255 Greenwich Street, Suite 8, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-215

**Communication from the Mayor - Submitting the Preliminary Capital Commitment Plan, Fiscal Year 2020, Volumes 1, 2, 3, & 4, pursuant to Section 219 of the New York City Charter.**

(For text, please refer to the New York City Council at <https://council.nyc.gov> for the attachment section of the [M-215 of 2020 file](#); please also refer to the Mayor's Office of Management and Budget at 255 Greenwich Street, Suite 8, New York, N.Y. 10007)

Referred to the Committee on Finance.

M-216

**Communication from the Mayor – Submitting Preliminary Mayor's Management Report (PMMR) for Fiscal Year 2020.**

(For text, please refer to the New York City Council at <https://council.nyc.gov> for the attachment section of the [M-216 of 2020 file](#); please also refer to the Mayor's Office of Management and Budget at 255 Greenwich Street, Suite 8, New York, N.Y. 10007)

Received, Ordered, Printed & Filed.

M-217

**Communication from the Mayor - Submitting the name of Nisha Agarwal to the Council for its advice and consent concerning her appointment to the New York City Conflicts of Interest Board, pursuant to Section 2602 of the New York City Charter.**

January 31, 2020

The Honorable Corey Johnson  
Speaker  
New York City Council  
City Hall  
New York, NY 10007

Dear Speaker Johnson:

Pursuant to Section 2602 of the New York City Charter, I am pleased to present the name of Nisha Agarwal to the City Council for advice and consent concerning her appointment to the New York City Conflicts of Interest Board.

Ms. Agarwal previously served as Senior Advisor to Deputy Mayor Phil Thompson. She is a graduate of Harvard College, Oxford University, and Harvard Law School.

When appointed to the Board, Ms. Agarwal will succeed Erika Thomas and serve the remainder of a six-year term that will expire March 31, 2022.

I send my thanks to you and all Council members for reviewing this Conflicts of Interest Board appointment.

Sincerely,

Bill de Blasio  
Mayor

BDB:ml

cc: Nisha Agarwal  
Carolyn Miller, Executive Director, Conflicts of Interest Board  
Yume Kitasei, Director, City Legislative Affairs

Referred to the Committee on Rules, Privileges and Elections.

M-218

**Communication from the Mayor - Submitting the name of Wayne Hawley to the Council for its advice and consent concerning his appointment to the New York City Conflicts of Interest Board, pursuant to Section 2602 of the New York City Charter.**

January 31, 2020

The Honorable Corey Johnson  
Speaker  
New York City Council  
City Hall  
New York, NY 10007

Dear Speaker Johnson:

Pursuant to Section 2602 of the New York City Charter, I am pleased to present the name of Wayne Hawley to the City Council for advice and consent concerning his appointment to the New York City Conflicts of Interest Board.

Mr. Hawley previously served as Deputy Executive Director and General Counsel to the Conflicts of Interest Board. He is a graduate of Claremont McKenna College and Yale Law School.

When appointed to the Board, Mr. Hawley will succeed Richard Briffault and serve for a six-year term that will expire March 31, 2026.

I send my thanks to you and all Council members for reviewing this Conflicts of Interest Board appointment.

Sincerely,

Bill de Blasio  
Mayor

BDB:ml

cc: Wayne Hawley  
Carolyn Miller, Executive Director, Conflicts of Interest Board  
Yume Kitasei, Director, City Legislative Affairs

Referred to the Committee on Rules, Privileges and Elections.

**PETITIONS AND COMMUNICATIONS**

M-219

**Communication from the Speaker - Submitting an annual report pursuant to rule 2.75b in relation to complaints of sexual harassment as defined by the Council's Anti-Discrimination and Harassment Policy.**

**(For text of report, please refer to the New York City Council at [for the respective attachment to the M-219 of 2020 file](#))**

Received, Ordered, Printed and Filed.

M-220

**Communication from Council Member Rafael L. Espinal, Jr. - Submitting his resignation from the office of New York City Council Member of the 37th Council district effective January 27, 2020.**

January 27, 2020

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

Dear City Clerk McSweeney:

Please accept this letter as official notice of my resignation from the elected position of Council Member of District 37, effective at midnight tonight, January 27, 2020.

Sincerely,

Rafael L. Espinal  
Council Member  
37th District, Brooklyn

cc: Hon. Bill de Blasio, Mayor of the City of New York  
Patrick L. Synmoie, Executive Agency Counsel, Office of the City Clerk

Received, Ordered, Printed and Filed.



**LAND USE CALL-UPS**

M-221

By The Chair of the Land Use Committee (Council Member Salamanca, Jr.):

**Pursuant to Sections 11.20(b-d) of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on related Application Nos. C 200050 ZSM and C 200054 ZSM (Lenox Terrace) shall be subject to Council review. These items are related to Application Nos. N 200051 ZRM and C 200052 ZMM.**

Coupled on Call-Up Vote.

M-222

By Council Member Powers:

**Pursuant to Rule 11.20(b) of the Council and §20-226 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 900 7th Avenue, Borough of Manhattan, Council District 4, Community District 5, Application No. 20205106 TCM (Trattoria Dell'Arte), shall be subject to review by the Council.**

Coupled on Call-Up Vote.

M-223

By Council Member Rosenthal:

**Pursuant to Rule 11.20(b) of the Council and §20-226 of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 417 Amsterdam Avenue, Borough of Manhattan Council District 6, Community District 7, Application No. 20205180 TCM (Bluestone Lane), shall be subject to review by the Council.**

Coupled on Call-Up Vote.

The Public Advocate (Mr. Williams) put the question whether the Council would agree with and adopt such motions which were decided in the **affirmative** by the following vote:

**Affirmative** – Adams, Ampy-Samuel, Ayala, Barron, Borelli, Brannan, Cabrera, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Perkins, Powers, Reynoso, Richards, Rivera, Rodriguez, Rosenthal, Torres, Treyger, Ulrich, Vallone, Van Bramer, Yeger, the Minority Leader (Council Member Matteo), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **47**.

At this point, the Public Advocate (Mr. Williams) declared the aforementioned items **adopted** and referred these items to the Committee on Land Use and to the appropriate Land Use subcommittee.

## REPORTS OF THE STANDING COMMITTEES

### Report of the Committee on Economic Development

Report for Int. No. 1664-A

#### **Report of the Committee on Economic Development in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to requiring the office of food policy to formulate a 10-year food policy plan.**

The Committee on Economic Development, to which the annexed proposed amended local law was referred on August 14, 2019 (Minutes, page 2737), respectfully

#### REPORTS:

##### I. INTRODUCTION

On February 10, 2020, the Committee on Economic Development, chaired by Council Member Paul A. Vallone, held a second hearing on Int. 1664-A, in relation to requiring the office of food policy to formulate a 10-year food policy plan, sponsored by Council Member Vanessa Gibson, and on Int. 1666-A, in relation to the establishment of an office of food policy, sponsored by Council Member Ben Kallos. The Committee first heard prior versions of these bills on September 18, 2019. The bills were unanimously approved by the Committee by a vote of nine in the affirmative, zero in the negative and zero abstentions.

Int. No. 1664-A would require the Mayor's Office of Food Policy ("MOFP") to develop a 10-year food policy plan. Int. No. 1666-A would establish the Mayor's Office of Food Policy and its responsibilities.

##### II. BACKGROUND

On August 1, 2019, New York City Council Speaker Corey Johnson released the report *Growing Food Equity in New York City: A City Council Agenda* ("*Growing Food Equity*").<sup>1</sup> The report outlines budget and legislative proposals to build food equity in the areas of food governance; hunger; food waste; school food and nutrition education; equitable access to healthy food; and urban agriculture. Every person regardless of their income, race, gender, education, age, birthplace, or neighborhood should have equitable access to healthy food, which can come from many sources such as supermarkets, small grocers, non-profit stores, bodegas, restaurants, green carts, farmers' markets, Community Supported Agriculture (CSA) programs, fresh food boxes, and community gardens. Yet many New Yorkers experience food insecurity and food-related illnesses, and there is inequitable access to fresh and healthy food options in many neighborhoods throughout the city, particularly in low-income communities of color.<sup>2</sup>

There are numerous areas in our food system where more and improved interventions are needed to tackle food inequities. Many low-income areas continue to be underserved by affordable full-service grocery stores, and some gentrifying neighborhoods are losing affordable stores and gaining higher-priced ones. Farm-to-city programs like farmers' markets, CSAs, and food box programs can struggle to compete in the food market with a growing influx of grocery and meal-delivery businesses and without growth in local farm businesses, who are

<sup>1</sup> New York City Council, "Growing Food Equity in New York City: A City Council Agenda" (August 2019), <http://council.nyc.gov/data/wp-content/uploads/sites/73/2019/08/growing-food-equity-1.pdf>

<sup>2</sup> Id. at 4-6

themselves combatting low profit margins as they try to have competitive prices with other food retailers.<sup>3</sup> Additionally, our food system has the opportunity to increase access to healthier, fresh, scratch-cooked meals to New York City's 1.1 million school children. School food menus and kitchen and cafeteria infrastructure need significant investments to increase the participation rates and access to healthy food for our school-age children.

Further, New York City continues to face a “meal gap”—the number of missing meals that result from insufficient household resources to purchase food—of nearly 208 million meals.<sup>4</sup> An estimated 1.09 million New Yorkers are “food insecure,” meaning that they had difficulty at some time during the year accessing enough food due to a lack of resources.<sup>5</sup> New York City's food insecurity rate is 12% higher than the national rate, and 21% higher than New York State's.<sup>6</sup> While New York City's current rate of food insecurity is declining, it is still higher than prior to the 2008 recession.<sup>7</sup> From 2015-2017, 18% of all children, almost 9% of working adults, and almost 11% of seniors experienced food insecurity.<sup>8</sup> Moreover, food insecurity is a significant challenge among college students. A March 2019 survey of 22,000 CUNY students across 19 campuses found almost half (48%) of respondents indicated that they experienced food insecurity in the previous 30 days.<sup>9</sup>

Meanwhile, the inefficiency of our food system is staggering. While almost 41 million Americans do not have enough to eat, we also paradoxically waste food at alarming rates.<sup>10</sup> Approximately 40% of all food grown in the U.S. is thrown away before it is eaten.<sup>11</sup> Saving just one-third of food from becoming waste would feed the 41 million Americans who face hunger.<sup>12</sup> On average, a New York City household wastes 8.7 pounds of food every week, despite that six pounds of this food is edible at the time it is thrown out.<sup>13</sup> Food waste at individual and institutional levels can be curbed. Each year, 11 City agencies serve almost 240 million meals and snacks in a variety of settings, including schools, after school programs, public hospitals, and correctional facilities.<sup>14</sup> Not only is this buying power an opportunity to reduce food waste, but to advance good food purchasing standards that help ensure that city-procured food advances goals that support five value areas: local economies, nutrition, valued workforce, animal welfare, and environmental sustainability.

The City also needs equitable access to green spaces, including through urban agriculture. Urban agriculture in New York City includes a rich history of community gardens, and newer food production and greening models, such as green roofs, and rooftop and vertical farms. Even after decades of existence, some community gardens still face struggles for survival against competing land interests. Urban agriculture spaces are key neighborhood assets in terms of food, education, community development, environmental protection, and

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<sup>3</sup> Kyle Lawson, Membership groups offering farm fresh food on Staten Island struggle with declining participation. Staten Island Live (June 11, 2019), available at <https://www.silive.com/news/2019/06/membership-groups-offering-farm-fresh-food-on-staten-island-struggle-with-declining-participation.html>; Jodi Helmer, Why Are So Many Farmers Markets Failing? Because The Market Is Saturated, NPR (March 17, 2019), available at <https://www.npr.org/sections/thesalt/2019/03/17/700715793/why-are-so-many-farmers-markets-failing-because-the-market-is-saturated>

<sup>4</sup> Food Bank For New York City, Research, Reports and Financials: Fast Facts, available at <https://www.foodbanknyc.org/research-reports>, (last visited September 10, 2019), (hereinafter, Food Bank for New York City, Fast Facts).

<sup>5</sup> Hunger Free America, The Uneaten Big Apple: Hunger's High Cost in NYC, New York City Hunger Report, 2018, Hunger Free America, available at

[https://www.hungerfreeamerica.org/sites/default/files/atoms/files/NYC%20and%20NYS%20Hunger%20Report%202018\\_0.pdf](https://www.hungerfreeamerica.org/sites/default/files/atoms/files/NYC%20and%20NYS%20Hunger%20Report%202018_0.pdf) (hereinafter, Hunger Free America, The Uneaten Big Apple).

<sup>6</sup> Food Bank For New York City, Fast Facts, *supra* note 4.

<sup>7</sup> Hunger Free America, The Uneaten Big Apple, *supra* note 5

<sup>8</sup> *Id.*

<sup>9</sup> Sara Goldrick-Rab, Vanessa Coca, Christine Baker-Smita and Elizabeth Looker, City University of New York #RealCollege Survey, (March 2019), available at

[https://hope4college.com/wpcontent/uploads/2019/03/HOPE\\_realcollege\\_CUNY\\_report\\_final\\_webversion.pdf](https://hope4college.com/wpcontent/uploads/2019/03/HOPE_realcollege_CUNY_report_final_webversion.pdf).

<sup>10</sup> Feeding America, Food Insecurity in the United States, available at <https://map.feedingamerica.org/> (last visited September 10, 2019)

<sup>11</sup> Wasted: How America is Losing Up To 40 Percent of its food Farm to Fork to Landfill, Second Edition of NRDC's Original 2012 Report, National Resource Defense Council, (2017), available at <https://www.nrdc.org/sites/default/files/wasted-2017-report.pdf>

<sup>12</sup> *Id.*

<sup>13</sup> NRDC, Estimating Quantities and Types of Food Waste at the City Level, (Oct. 2017), available at <https://www.nrdc.org/sites/default/files/food-waste-city-level-report.pdf>.

<sup>14</sup> NYC Food Policy, Food Metrics Report 2018, <https://www1.nyc.gov/assets/foodpolicy/downloads/pdf/2018-Food-Metrics-Report.pdf>

improved health and quality of life. They are also one important tool cities have in the fight against climate change and the myriad of public health concerns that follow rising temperatures, such as asthma attacks and heat-related illnesses. Due to the “urban heat island effect,” cities are often two to eight degrees warmer than their neighboring suburban and rural areas.<sup>15</sup> This is due to a combination of factors, including tall buildings, dark roofs and pavement that absorb heat, and lack of green space.<sup>16</sup> The heat island effect is exacerbated in low-income communities of color that have long faced disinvestment and have less access to green space.<sup>17</sup>

Government is uniquely positioned to partner with communities in the fight for a just and fair food system. Policy makers can ensure that systems are designed with food justice goals in mind to protect those most impacted by food inequities, and that more resources are reaching the communities where neighbors are engaged in this work. Government can also coordinate actions across agencies and systems, since we know that policy decisions made in areas like housing, environmental protection, climate change, criminal justice, education, transportation, and more have a direct impact on hunger, healthy food access, food business development, and green space. Yet food and agriculture work being done across many different City agencies continues without a codified, well-resourced office of food policy; a unified, comprehensive food plan with a formal community engagement strategy; or consistent and meaningful tools for measuring the impact of City agencies’ efforts to address food issues. Without governance reforms, the impact of City interventions to combat the social and economic food inequities that millions of our city’s residents combat each day remain limited.

*Growing Food Equity* includes tangible steps the City can take to make a difference in how our food system is run and ensure its risks and benefits are shared and not distributed inequitably. Along with budget priorities, *Growing Food Equity* outlines a legislative agenda to improve food equity, combat food insecurity and increase healthy food access for all New Yorkers. The following legislation is highlighted in *Growing Food Equity* and is being considered at today’s hearing.

### III. LEGISLATION

#### INT. NO. 1664-A

Int. No. 1664-A would require the Mayor’s Office of Food Policy (“MOFP”) to consult with relevant agencies, community based organizations, community leaders and food system stakeholders that focus on food policy, food equity, food justice and food insecurity in the development of its 10-year food policy plan. The plan would set goals to reduce hunger, improve nutrition, increase access to healthy food, reduce food waste, develop and improve food and farm economies, and increase urban agriculture and sustainability. The MOFP would also be required to submit to the Mayor, the Speaker of the Council, and post on its website a report assessing the city’s progress toward the identified goals. This version was amended from the original to include recommendations from stakeholders and the administration to require a progress report every two years after the initial ten-year plan is released, as well as a sunset provision to repeal the local law after twelve years.

#### INT. NO. 1666-A

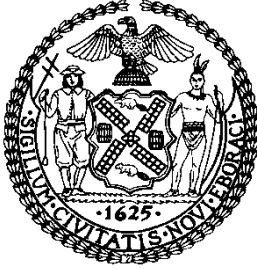
Int. No. 1666-A would establish the Mayor’s Office of Food Policy. The office would be responsible for, among other things, providing recommendations to the mayor and agencies regarding food policy; coordinating multi-agency initiatives relating to food policy; performing outreach to food policy advocates, community based organizations, academic institutions, and other entities to advance the city’s food policy; and supporting initiatives that are designed to promote access to healthy food. This version was amended from the original to include recommendations from stakeholders and the administration regarding outreach to food industry advocates as well as coordination across mayoral agencies.

<sup>15</sup> Calma, Justine, How New York City Is Tackling Extreme Heat in a Warming World, *Grist* (July 16, 2018), *available at* <https://www.wired.com/story/how-new-york-city-is-tackling-extreme-heat-in-a-warming-world/>.

<sup>16</sup> *Id.*

<sup>17</sup> Richard Florida, The Inequality of America’s Parks and Green Space, *CityLab* (Mar. 19, 2019), *available at* <https://www.citylab.com/equity/2019/03/inequality-parks-and-green-space-income-race-research/585166/>.

(The following is the text of the Fiscal Impact Statement for Int. No. 1664-A:)



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

**LATONIA MCKINNEY, DIRECTOR  
FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO:** 1664-A

**COMMITTEE:** Economic Development

**TITLE:** A Local Law to amend the New York city charter, in relation to requiring the office of food policy to formulate a 10-year food policy plan.

**SPONSOR(S):** Council Members Gibson, Levine, Kallos, Ayala Lander Brannan and Cohen.

**SUMMARY OF LEGISLATION:** This bill would require the Mayor's Office of Food Policy to develop a 10-year comprehensive food policy plan for the city. It would require the office of food policy to, where appropriate, consult with city agencies, community-based organizations, community leaders and other stakeholders in food policy, food equity, food justice and food insecurity in developing the 10-year food policy plan. The 10-year food policy plan would include, at a minimum, recommendations relating to: reducing hunger, improving nutrition, increasing access to healthy food, reducing food waste, developing and improving food and farm economies, and increasing urban agriculture and sustainability, implementation strategies for city agencies to achieve the plan's recommendations, and benchmarks to measure progress. The bill would also require the Mayor's Office of Food Policy to submit progress reports on the 10-year plan to the Mayor and Speaker every two years after the plan is released.

**EFFECTIVE DATE:** This law would take effect upon the same date as a local law for the year 2020 amending the New York city charter, relating to the office of food policy, as proposed in introduction number 1666 for the year 2019, takes effect and would be deemed repealed 12 years after it becomes a law.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** FISCAL 2022

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY21</b>	<b>FY Succeeding Effective FY22</b>	<b>Full Fiscal Impact FY22</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** It is estimated that the enactment of this legislation would have no impact on revenues.

**IMPACT ON EXPENDITURES:** It is estimated that the enactment of this legislation would have no impact on expenditures because the Mayor's Office of Food Policy would use existing resources to develop the plan and progress reports.

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

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

**ESTIMATE PREPARED BY:** Julia Haramis, Financial Analyst  
Aliya Ali, Principal Financial Analyst

**ESTIMATE REVIEWED BY:** Nathan Toth, Deputy Director  
Regina Poreda Ryan, Deputy Director  
Crilhien Francisco, Unit Head  
Dohini Sompura, Unit Head  
Noah Brick, Assistant Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council as Intro. No. 1664 on August 14, 2019 and referred to the Committee on Economic Development (Committee). The Committee heard the legislation on September 18, 2019 and it was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1664-A, will be considered by the Committee on February 10, 2020. Upon a successful vote by the Committee, Proposed Intro. No. 1664-A will be submitted to the full Council for a vote on February 11, 2020.

**DATE PREPARED:** February 4, 2020.

**(For text of Int. No. 1666-A and its Fiscal Impact Statement, please see the Report of the Committee on Economic Development for Int. No. 1666-A printed in these Minutes; for text of Int. No. 1664-A, please see below)**

*Accordingly, this Committee recommends the adoption of Int. Nos. 1664-A and 1666-A.*

**(The following is the text of Int. No. 1664-A:)**

Int. No. 1664-A

By Council Members Gibson, Levine, Kallos, Ayala, Lander, Brannan, Cohen, Rosenthal, Vallone, Barron, Rivera, Levin and Eugene.

**A Local Law to amend the New York city charter, in relation to requiring the office of food policy to formulate a 10-year food policy plan**

*Be it enacted by the Council as follows:*

Section 1. Section 20-i of the New York city charter, as added by a local law for the year 2020 amending the New York city charter, relating to the office of food policy, as proposed in introduction number 1666 for the year 2019, is amended by adding a new subdivision d to read as follows:

*d. Food policy plan. 1. The office of food policy shall develop a comprehensive 10 year food policy plan no later than 180 days after the effective date of this section. The office shall consult, as the director deems appropriate, agencies, community based organizations, and community leaders and other stakeholders that*

*focus on issues including but not limited to food policy, food equity, food justice and food insecurity in developing this plan. Such plan shall, at a minimum, make recommendations relating to:*

- (a) Reducing hunger;*
- (b) Improving nutrition;*
- (c) Increasing access to healthy food;*
- (d) Reducing food waste;*
- (e) Developing and improving food and farm economies; and*
- (f) Increasing urban agriculture and sustainability.*

*2. Such plan shall include implementation strategies for agencies to achieve the recommendations made pursuant to paragraph 1 of this subdivision and any other food policy recommendations made by the office of food policy, and benchmarks by which to measure the city's progress.*

*3. No later than two years after the submission of the report required pursuant to this subdivision and every two years thereafter, the office of food policy shall prepare and submit to the mayor and the speaker of the council, and post on the office's website, a report that describes the city's progress toward the recommendations made pursuant to paragraph 1 of this subdivision and any other food policy recommendations made by such office.*

§ 2. This local law takes effect upon the same date as a local law for the year 2020 amending the New York city charter, relating to the office of food policy, as proposed in introduction number 1666 for the year 2019, takes effect and is deemed repealed 12 years after it becomes a law.

PAUL A. VALLONE, Chairperson; PETER A. KOO, BRADFORD S. LANDER, INEZ D. BARRON, ROBERT E. CORNEGY, Jr., MARK GJONAJ, CARLOS MENCHACA, KEITH POWERS; FARAH N. LOUIS; Committee on Economic Development, February 10, 2020.

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

Report for Int. No. 1666-A

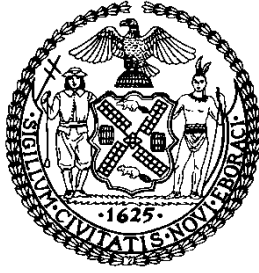
**Report of the Committee on Economic Development in favor of approving and adopting, as amended, Local Law to amend the New York city charter, in relation to the establishment of an office of food policy.**

The Committee on Economic Development, to which the annexed proposed local law was referred on August 14, 2019 (Minutes, page 2744), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Economic Development for Int. No. 1664-A printed in these Minutes)**

*The following is the text of the Fiscal Impact Statement for Int. No. 1666-A:*



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

**PROPOSED INTRO. NO:** 1666-A  
**COMMITTEE:** Economic Development

**TITLE:** A Local Law to amend the New York city charter, in relation to the establishment of an office of food policy.

**SPONSOR(S):** Council Members Kallos, the Speaker (Council Member Johnson), Ayala, Gibson, Lander, Ampry-Samuel, Rosenthal, Brannan and Cohen.

**SUMMARY OF LEGISLATION:** This bill would codify the Mayor’s Office of Food Policy in the City Charter and delegate specific responsibilities to the Office. The bill would:

- Direct the Mayor to establish the Mayor’s Office of Food Policy, with a Director as its head of office;
- Authorize the Director of Food Policy to make recommendations to the Mayor and city agencies regarding food policy;
- Authorize the Director of Food Policy to coordinate multi-agency initiatives relating to food policy;
- Authorize the Director of Food Policy to perform outreach to food policy community based organizations, academic institutions, and other entities to advance the city’s food policy; and
- Authorize the Director of Food Policy to support initiatives designed to promote access to healthy food, including but not limited to initiatives designed to promote healthy food access to communities that have historically had inequitable access to healthy food due to economic, racial, or environmental factors.

**EFFECTIVE DATE:** This law would take effect 120 days after it becomes law, except that the mayor’s office or any agency designated by the mayor shall take such measures as are necessary for the implementation of this local law before such date.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** FISCAL 2022

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY21</b>	<b>FY Succeeding Effective FY22</b>	<b>Full Fiscal Impact FY22</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** It is estimated that the enactment of this legislation would have no impact on revenues.

**IMPACT ON EXPENDITURES:** It is estimated that the enactment of this legislation would have no impact on expenditures because The Mayor’s Office of Food Policy currently exists pursuant a mayoral executive order



and it coordinates food policy initiatives and reports along with the Mayor's Office of Sustainability, the Department of Health and Mental Hygiene, as well as other agencies.

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

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

**ESTIMATE PREPARED BY:** Julia Haramis, Financial Analyst  
Aliya Ali, Principal Financial Analyst

**ESTIMATE REVIEWED BY:** Nathan Toth, Deputy Director  
Regina Poreda Ryan, Deputy Director  
Crilhien Francisco, Unit Head  
Dohini Sompura, Unit Head  
Noah Brick, Assistant Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council as Intro. No. 1666 on August 14, 2019 and referred to the Committee on Economic Development (Committee). The Committee heard the legislation on September 18, 2019 and it was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1666-A, will be considered by the Committee on February 10, 2020. Upon a successful vote by the Committee, Proposed Intro. No. 1666-A will be submitted to the full Council for a vote on February 11, 2020.

**DATE PREPARED:** February 4, 2020.

*Accordingly, this Committee recommends the adoption of Int. No. 1666-A.*

**(The following is the text of Int. No. 1666-A:)**

Int. No. 1666-A

By Council Members Kallos, the Speaker (Council Member Johnson), Ayala, Gibson, Lander, Ampy-Samuel, Rosenthal, Brannan, Cohen, Vallone, Barron, Rivera, Levin and Eugene.

**A Local Law to amend the New York city charter, in relation to the establishment of an office of food policy**

*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-i to read as follows:

§ 20-i. Office of food policy. a. Definitions. For the purposes of this section, the term "director" means the director of the office of food policy.

b. The mayor shall establish an office of food policy. Such office may be established within the office of the mayor or any department or office the head of which is appointed by the mayor. Such office shall be headed by a director who shall be appointed by the mayor or by the head of such department or office.

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

1. Provide recommendations to the mayor and agencies regarding food policy;
2. Coordinate multi-agency initiatives relating to food policy;

3. *Perform outreach to food policy advocates, community based organizations, academic institutions, and other entities to advance the city's food policy; and*

4. *Support initiatives that are designed to promote access to healthy food, including but not limited to initiatives designed to promote healthy food access for communities that have historically had inequitable access to healthy foods due to economic, racial, or environmental factors.*

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

PAUL A. VALLONE, Chairperson; PETER A. KOO, BRADFORD S. LANDER, INEZ D. BARRON, ROBERT E. CORNEGY, Jr., MARK GJONAJ, CARLOS MENCHACA, KEITH POWERS; FARAH N. LOUIS; Committee on Economic Development, February 10, 2020

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 Finance**

Report for Int. No. 113-A

**Report of the Committee on Finance 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 the creation of a database to track capital projects citywide, and to repeal section 18-145 of such administrative code.**

The Committee on Finance, to which the annexed proposed amended local law was referred on January 31, 2018 (Minutes, page 264), respectfully

#### **REPORTS:**

##### **I. Introduction**

On February 11, 2020, the Committee on Finance (Committee), chaired by Council Member Daniel Dromm, will hold a second hearing on Proposed Introduction (Int.) Number (No.) 113-A, introduced by Council Member Lander, titled *a Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the creation of a database to track capital projects citywide, and to repeal section 18-145 of such administrative code*. This is the second hearing on this bill, which was amended after introduction. At the first hearing on the bill, which was jointly held with the Subcommittee of Capital Budget, chaired by Council Member Vanessa Gibson, the Committee heard testimony from representatives from the Mayor's Office of Operations and the Department of Design and Construction, and members of the public.

## II. Background

Over the past decade, the City's spending on capital projects has averaged about \$9 billion in annual commitments.<sup>1</sup> The Capital Budget covers large long-term investments in facilities and infrastructure, or capital projects, which involve "the construction, reconstruction, acquisition or installation of a physical public betterment or improvement" with a value of \$35,000 or more, and a "useful life" of at least five years.<sup>2</sup> Physical public improvements consist of, but are not limited to, streets, parks, bridges, tunnels, sewers, housing, etc.<sup>3</sup>

In November of every even-numbered year, the Mayor's Office of Management and Budget ("OMB") and the Department of City Planning ("DCP") are required to jointly prepare a draft Ten-Year Capital Strategy ("Capital Strategy") which provides the long-range goals and guiding principles for the management of the City's capital assets for the next ten years.<sup>4</sup> The document must include the anticipated sources of financing for identified projects, and outline the implications of the strategy, including any possible economic, social, and environmental effects.<sup>5</sup> After a public hearing is held and a report by the City Planning Commission is provided, the final version of the Capital Strategy must be released with the Executive Budget in odd-numbered years.<sup>6</sup>

By January 16 of each year, the Mayor must submit a Preliminary Capital Budget to the Council, and by April 26 of each year an Executive Capital Budget.<sup>7</sup> The Capital Budget proposes funding for capital projects for the upcoming fiscal year, and estimates the amounts needed in each of the three succeeding fiscal years in such categories.<sup>8</sup> The final Capital Budget is adopted by the Council.<sup>9</sup> Spending for individual capital projects may not exceed the amount appropriated in the Adopted Capital Budget, and funds that are not allocated in the fiscal year in which they are appropriated are usually re-appropriated in the subsequent Capital Budget.

In addition to the Capital Budget, the Capital Commitment Plan ("Commitment Plan"), is issued three times each fiscal year.<sup>10</sup> The Commitment Plan lays out the anticipated implementation schedule for the current fiscal year and for the subsequent three years.<sup>11</sup> The first Commitment Plan is published within 90 days of the adoption of the Capital Budget.<sup>12</sup> Updated Commitment Plans are issued with the Preliminary and Executive budget proposals, in January and April thereafter.<sup>13</sup> The Commitment Plans are intended, in part, to provide a report of the progress of the City's capital projects, including schedules and clear explanations of any delays for particular prospects and summary information on each agency's record on such matters.<sup>14</sup>

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<sup>1</sup> See Report, New York City Independent Budget Office, *A Guide to the Capital Budget* (July 2018), available at <https://ibo.nyc.ny.us/iboreports/capital-budget-guide-2018.pdf> (last accessed on February 7, 2019).

<sup>2</sup> See generally N.Y.C. Charter § 210

<sup>3</sup> See *id.*

<sup>4</sup> See N.Y.C. Charter § 228.

<sup>5</sup> See N.Y.C. Charter § 215(b)(1).

<sup>6</sup> See N.Y.C. Charter § 234.

<sup>7</sup> See generally N.Y.C. Charter §§ 236 and 249.

<sup>8</sup> See N.Y.C. Charter § 214(a) and (b).

<sup>9</sup> See N.Y.C. Charter § 254.

<sup>10</sup> See generally N.Y.C. Charter § 219.

<sup>11</sup> See *id.*

<sup>12</sup> See *id.*

<sup>13</sup> See *id.*

<sup>14</sup> See *id.*

### III. Mechanisms for Tracking Capital Projects

#### a. Existing Report and Online Tracking Tools

The New York City Charter (“City Charter”) requires the Administration to provide to the Council certain information on capital projects enabling the Council to assess the appropriateness of proposed projects, evaluate the projects in comparison to other similar projects, and monitor their progress. The SCA, for instance, is required to provide quarterly reports on all school capital projects in-progress.<sup>15</sup> The report includes, for each project, the managing agency, planned and actual start and end times of each phase (scope; design; construction; and construction management, furniture, and equipment), and the budget and actual spending for each phase of the project. The report also provides explanations for projects in which the final cost estimate exceeds the project budget by ten percent or more, and provides an explanation for those projects in which the current phase completion date exceeds the planned completion date by 60 days or more. The report identifies the organization responsible for managing the project, and provides the relevant data points for that project.

In 2013, the City launched the NYC Capital Projects Dashboard (“Dashboard”), which provides a snapshot view of the City’s public building, infrastructure and information technology projects with budgets of \$25 million or more.<sup>16</sup> The Dashboard, which is maintained by the Mayor’s Office of Operations, was established with the intent of centralizing reporting of capital projects across city agencies, using standardized metrics, and facilitating project management transparency and accountability.<sup>17</sup> The Dashboard provides various different data points on active capital projects, which includes: the lead/managing agency; the client agency; the phase of the project for the reporting period (phases are defined as the “design” phase, the “construction procurement” phase, and the “construction” phase); the project’s budget forecast; and the start and completion date of the project.<sup>18</sup> The Dashboard also provides the history of capital projects, which includes budget changes, defined as the number of dollars the project is over or under budget since the last reporting period, and schedule changes, defined as the number of months the project is ahead or behind schedule since the last reporting period.<sup>19</sup>

In addition to the Dashboard, the City has other resources it uses to track capital projects. The NYC Parks Capital Projects Dashboard, for instance, is a dashboard maintained by the New York City Department of Parks and Recreation (“DPR”), which tracks all active capital projects throughout the city, ranging from improvements to parks, playgrounds, and greenways, to renovations of ball fields and recreational facilities, to resiliency efforts for beaches and boardwalks.<sup>20</sup> Aside from providing the status of all active DPR capital projects, the tracker also provides a listing of proposed project sites, partner projects and completed projects by borough and citywide.

Another resource made publicly available by the City on capital assets is the NYC Facilities Explorer, which is an interactive dataset maintained by the New York City Department of City Planning (“DCP”), of existing public and private facilities and program sites throughout the City.<sup>21</sup> The database aggregates information on facilities and program sites by neighborhood, and that are owned, operated, funded, licensed, or certified by a City, State, or Federal agency.<sup>22</sup> These facilities and programs are divided into seven domains, which include: Health and Human Services; Education, Child Welfare, and Youth; Parks, Gardens, and Historical Sites; Libraries and Cultural Programs; Public Safety, Emergency Services, and Administration of Justice; Core

<sup>15</sup> See generally N.Y.C. Charter § 521(e)(f) and (g).

<sup>16</sup> See Report, The New York City Bar Association, the Construction Law Committee, *Improving New York City’s Design and Construction Processes and Practices*, available at [https://s3.amazonaws.com/documents.nycbar.org/files/2017149-NYCdesignPractices\\_FINAL\\_11.16.17.pdf](https://s3.amazonaws.com/documents.nycbar.org/files/2017149-NYCdesignPractices_FINAL_11.16.17.pdf) (last accessed on February 5, 2019).

<sup>17</sup> See *id.*

<sup>18</sup> Mayor’s Office of Operations, NYC Capital Projects Dashboard, available at <https://www1.nyc.gov/site/capitalprojects/index.page> (last accessed on February 5, 2019).

<sup>19</sup> See *id.*

<sup>20</sup> New York City Department of Parks and Recreation, Capital Project Tracker, available at <https://www.nycgovparks.org/planning-and-building/capital-project-tracker> (last accessed on February 5, 2019).

<sup>21</sup> New York City Department of City Planning, NYC Facilities Explorer, available at <https://capitalplanning.nyc.gov/facilities> (last accessed on February 5, 2019).

<sup>22</sup> See *id.*

Infrastructure and Transportation; and Administration of Government.<sup>23</sup> Within each of these domains, each record is further categorized into a set of facility groups, subgroups, and types.<sup>24</sup>

According to DCP, this database and its interactive map builds on its Selected Facilities and Program Sites Database, and includes various product improvements, such as more facility types, improved data quality, and a restructured the database for easier use.<sup>25</sup>

Other mechanisms used to report on capital projects related to certain initiatives, or particular agencies, such as the aforementioned SCA Quarterly Report and Parks Capital Project Tracker, include: the New York City's Police Department's Quarterly Report on Capital Projects, which tracks projects funded by the City Council; the Sandy Funding Tracker, a database that tracks the expenditures of funds, including on capital projects, provided in connection with the recovery efforts of Hurricane Sandy;<sup>26</sup> and the Zoning Commitments Tracker, which lists written commitments made by the Mayor to the Council or a Council member in connection with applications submitted through the Uniform Land Use Review Procedure, including capital projects<sup>27</sup>.

#### **b. Notification Requirements**

Although the City Charter mandates the Mayor to require each agency to prepare and submit periodic reports regarding the progress of its capital projects, there is currently no mechanism for City agencies to provide electronic notification of capital project cost changes and delays.

Few agencies are required to provide notice on changes to capital projects they manage. As mentioned above, the SCA is required to provide notice on school capital projects under the jurisdiction of all City agencies.<sup>28</sup> DPR is also required to provide notice on its capital projects as well by notifying Council Members (who allocated funding to a capital project) within 30 days whenever a change order is implemented that has a value greater than 10 percent of an original contract value greater than \$500,000.<sup>29</sup>

Lastly, the Mayor's Office of Contracts Services, on behalf of the Mayor, is required to track certain cost increases in construction and service contracts with a value of \$10 million or more that are associated with projects in the capital budget, and notify the Council on such contracts on a quarterly basis.<sup>30</sup>

### **IV. Inefficiencies of the Current Tracking Mechanisms**

Although the Dashboard and other tracking mechanisms were designed to capture capital projects, a more comprehensive, centralized tracking system is still needed. The Dashboard is limited in that it only captures certain information on capital projects with a budget of above \$25 million. Currently, there are approximately 287 active capital projects listed on the Dashboard.<sup>31</sup> This represents only a subset of the tens of thousands of funded capital projects citywide. Additionally, the interactive map provided on the NYC Facilities Explorer needs to be enhanced to address integrity issues with the data source, and account for missing and/or duplicate records for facilities and inconsistencies of facility site locations.<sup>32</sup>

It is because of the above-mentioned reasons in which a centralized tracking system is needed to capture the full universe of capital projects, with data and records from all city agencies with qualifying capital projects, irrelevant of contract value, while providing an interactive map that accurately depicts capital projects citywide.

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<sup>23</sup> See *id.*

<sup>24</sup> See *id.*

<sup>25</sup> See *id.*

<sup>26</sup> L.L. 140/2013.

<sup>27</sup> L.L.175/2016

<sup>28</sup> See L.L. 23/2003

<sup>29</sup> See N.Y.C. Admin. Code § 18-153.

<sup>30</sup> See L.L. 18/2012

<sup>31</sup> See NYC Capital Projects Dashboard, *supra* note 10; *note* that the data contained under the category "All Capital Projects" was current through August 2018 (last accessed on February 5, 2019).

<sup>32</sup> See NYC Facilities Explorer, *supra* note 13.

## V. Creating Effective and Efficient Management Tools for Capital Projects

The Council is aware that city agencies utilize a system known as the Financial Management System (“FMS”) to control spending and track what is owed. The system is capable, among other things, of providing certain information on capital projects, such as the total forecast and plan amount for the years of the commitment plan; actual commitments and liquidations with dates and amounts; and project start and end date, duration, location, and description. The Council is also aware that the City creates a detailed, multi-volume report, known as the Capital Project Detail Data report, to track capital project status and present information on cost, budget, scope, and milestones, and, where applicable, the community board in which the project was located.<sup>33</sup> These are some of the existing resources that can be used to create a centralized tracking system for all capital projects citywide.

Proposed Int. No. 113-A would take a step towards improving the current capital project process, and utilizing existing City resources in providing an efficient, centralized system that tracks all pending capital projects citywide. The database and interactive map would allow residents to view pending projects occurring in their neighborhoods, and potentially hold managing agencies accountable to pre-established projects schedules and subsequent delays. The legislation would also allow for increased construction-related data analyses for revealing gaps in the process, and innovating change in the current policies and practices on both an agency and citywide level.

## VI. Analysis of Proposed Int. No. 113-A

Section 1 of Proposed Int. No. 113-A would amend the reporting requirements of each City agency in regard to the progress of its capital projects. Such reports would be required to be published at least three times each year: no later than 120 days after the adoption of the capital budget; no later than 30 days after submission of the preliminary capital budget; and no later than 30 days after submission of the executive capital budget. Copies of such reports must be transmitted by the City Council, the City Planning Commission, the Community Boards, the Borough Boards and Borough Presidents, and posted online on the website of the Office of Management and Budget in a machine-readable format.

Section 2 of Proposed Int. No. 113-A would require the establishment of an interagency task force to create and implement a public online capital projects database. Such task force would consist of representatives from the Office of Management and Budget, the Mayor’s Office of Operations, the Department of Parks and Recreation, the Department of Environmental Protection, the Department of Transportation, the Department of Design and Construction, the Department of Information Technology and Telecommunications, and any other agencies or offices deemed appropriate.

This section would also require the establishment of an advisory board, consisting of representatives from the Mayor’s office, the Council, and the Comptroller, that would advise the task force on the development of the public online capital projects database.

The task force would also be required to do the following:

- develop a data dictionary for the public online capital projects database that includes, but is not limited to, standardized terms, data elements, labels and fields, and phase of the capital construction process;
- review and assess existing capital management systems and databases at all agencies that manage capital projects, including the useful lifespan of any tangible or intangible assets supporting such systems and databases;
- develop and implement a plan to review the accuracy of data included in existing capital management systems and databases, and enter such data as the task force deems to be accurate and appropriate into the public online capital projects database, provided that such data shall include, but not be limited to,

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<sup>33</sup> See A Guide to the Capital Budget, *supra* note 1.

information that the task force deems relevant and appropriate contained in the reports required pursuant to subdivision d of section 219 of the New York city charter;

- make recommendations for new or improved integrated capital management systems and databases;
- establish mechanisms to merge and transfer data, including but not limited to, data contained in existing capital management systems and databases, into the public online capital project database; and
- take other steps deemed necessary by the task force to create and implement the public online capital projects database.

To the extent deemed practicable by the task force, the database would include information for each capital project, including:

- the name of the capital project and the borough in which such project will be located;
- the agency implementing the capital project and any agencies contributing capital funds for such capital project;
- the current phase of the capital project;
- information regarding the capital project's schedule, such as the baseline project schedule and, if applicable, the actual schedule variance and the schedule variance as a percentage of the planned duration of the project; and
- information regarding the capital project's cost, such as the current dollar amount spent to date and, if applicable, the actual cost variance and the cost variance as a percentage of the baseline cost.

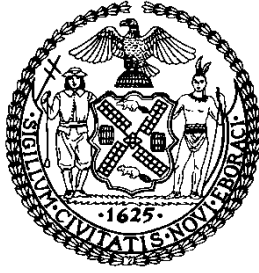
The task force and advisory board would cease to exist upon the publication of the public online capital projects database.

Section 3 of Proposed Int. No. 113-A would add new § 5-108 of the administrative code of the City of New York ("Administrative Code") to require that upon the publication of the public online capital projects database, an agency or office would be required to maintain such database on the City website, and update the information contained in such database on a triannual basis. Any agency implementing a capital project for which information or data is published in the public online capital projects database would be required to include a link to the public online capital projects database on that agency's website.

Section 4 of Proposed Int. No. 113-A would repeal § 18-145 of the Administrative Code, which relates to reporting on capital project expenditures in parks under DPR's jurisdiction.

Section 5 of Proposed Int. No. 113-A would require that such local law take effect immediately, except, section two requiring the creation and implementation of the public online capital projects database would be repealed after the database is published and section four, which relates to the annual report on park maintenance and capital expenditures in DPR's jurisdiction that is published on the agency's website, would be repealed provided that the public online capital projects database contains information and data regarding the DPR's capital projects.

**(The following is the text of the Fiscal Impact Statement for Int. No. 113-A:)**



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

**FISCAL IMPACT STATEMENT  
PROPOSED INTRO. NO: 113-A**

**COMMITTEE: Finance**

**TITLE:** A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the creation of a database to track capital projects citywide, and to repeal section 18-145 of such administrative code.

**SPONSORS:** Council Members Lander, Brannan, Rosenthal, Gibson, Kallos, Reynoso, Powers, Van Bramer, Ayala, Menchaca, Rose, Perkins, Rivera, Richards, Levin, the Public Advocate (Mr. Williams), Ampry-Samuel, Holden, Chin, Levine, Constantinides, Adams, Cumbo, Koo, Moya, Treyger, Grodenchik, Yeger, Deutsch, Cohen, Cabrera, Barron, Maisel, and Ulrich.

**SUMMARY OF LEGISLATION:** Proposed Int. No. 113-A would require the establishment of an interagency task force consisting of representatives of at least seven Mayoral agencies and offices to create and implement a public online capital projects database. The database would consist of an interactive and searchable public database (updated on a triannual basis) containing information about capital projects citywide. The bill would also require an advisory board, consisting of representatives from the Mayor's office, the Council, and the Comptroller, that would advise the task force on the development of the public online capital projects database. To the extent deemed practicable by the task force, the database would include information for each project including the name, location and current phase, as well as information related to the project schedule and cost. Upon publication of the database, this bill would require any agency implementing a capital project for which information or data is published in the database to include a link to the public online capital projects database on that agency's website.

**EFFECTIVE DATE:** This local law would take effect immediately, except, section two requiring the creation and implementation of the public online capital projects database would be repealed after the database is published and section four, which relates to the annual report on park maintenance and capital expenditures in the Department of Parks and Recreation's (DPR) jurisdiction that is published on the agency's website, would be repealed provided that the public online capital projects database contains information and data regarding the DPR's capital projects.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2021

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY20</b>	<b>FY Succeeding Effective FY21</b>	<b>Full Fiscal Impact FY21</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$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 minimal to no impact on expenditures resulting from the enactment of this legislation because agencies would use existing resources to comply with this law. In addition, the City will most likely release an RFP for software to manage the required database; however, the cost of this software and the timeframe for its procurement is unknown at this time.

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

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

**ESTIMATE PREPARED BY:** Luke Zangerle, Financial Analyst

**ESTIMATE REVIEWED BY:** Stephanie Ruiz, Assistant Counsel  
Chima Obichere, Unit Head

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on January 31, 2018 as Int. No. 113 and was referred to the Committee on Finance (Committee). A hearing was held by the Committee, jointly with the Subcommittee on Capital Budget, on February 12, 2019, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 113-A, will be considered by the Committee on February 11, 2020. Upon a successful vote by the Committee, Proposed Int. No. 113-A will be submitted to the full Council for a vote on February 11, 2020.

**DATE PREPARED:** February 7, 2020.

*Accordingly, this Committee recommends its adoption, as adopted.*

**(The following is the text of Int. No. 113-A:)**

Int. No. 113-A

By Council Members Lander, Brannan, Rosenthal, Gibson, Kallos, Reynoso, Powers, Van Bramer, Ayala, Menchaca, Rose, Perkins, Rivera, Richards, Levin, the Public Advocate (Mr. Williams), Ampry-Samuel, Holden, Chin, Levine, Constantinides, Adams, Cumbo, Koo, Moya, Treyger, Grodenchik, Yeger, Deutsch, Cohen, Cabrera, Barron, Maisel and Ulrich.

**A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the creation of a database to track capital projects citywide, and to repeal section 18-145 of such administrative code**

*Be it enacted by the Council as follows:*

Section 1. Subdivision d of section 219 of the New York city charter, as amended by a vote of the electors on November 7, 1989, is amended to read as follows:

d. The mayor shall require each agency to prepare and submit periodic reports in regard to the progress of its capital projects, including schedules and clear explanations of any delays for particular projects and summary information on each agency's record on such matters. Such reports shall be published at least three times each year: [within ninety] *no later than 120 days* [of] *after* the adoption of the capital budget; [with] *no later than 30 days after submission of* the preliminary capital budget; and [with] *no later than 30 days after submission of* the

executive capital budget. Copies of such reports shall be transmitted by the mayor to the council, the city planning commission, [and] the community boards, the borough boards and borough presidents, *and posted online on the website of the office of management and budget in a machine-readable format*. Such reports shall include, for each project, the dates set in the adopted capital budget for the completion of scope, design, and construction and any changes in such dates.

§ 2. a. Definition. For purposes of this section, the term “public online capital projects database” means a public online searchable and interactive database that contains information relating to capital projects undertaken by the city and located within the boundaries of the city and that is located on a website maintained and operated by a city agency selected by the mayor.

b. There shall be an interagency task force consisting of representatives from the office of management and budget, the mayor’s office of operations, the department of parks and recreation, the department of environmental protection, the department of transportation, the department of design and construction, the department of information technology and telecommunications, and any other agencies or offices that the mayor deems appropriate. Such task force shall create and implement a public online capital projects database.

c. There shall be a public online capital projects database advisory board that shall advise the task force provided for in subdivision b of this section on the development of the public online capital projects database. The advisory board shall meet biannually, or as the advisory board deems appropriate, to receive any updates from the task force regarding its progress in developing the public online capital projects database and to provide feedback and recommendations to the task force, as appropriate. The advisory board shall have seven members who shall be:

1. one member appointed by the mayor;
2. the director of management and budget, or his or her designee;
3. the director of the office of operations, or his or her designee;
4. the commissioner of design and construction, or his or her designee;
5. the comptroller, or his or her designee; and
6. two council members appointed by the speaker of the council, or their designees.

d. The task force shall initiate coordination of development of the public online capital projects database no later than 60 days after the local law that added this section takes effect.

e. The task force provided for in subdivision b shall:

1. develop a data dictionary for the public online capital projects database that includes, but is not limited to, standardized terms, data elements, labels and fields, and phase of the capital construction process;
2. review and assess existing capital management systems and databases at all agencies that manage capital projects, including the useful lifespan of any tangible or intangible assets supporting such systems and databases;
3. develop and implement a plan to review the accuracy of data included in existing capital management systems and databases, and enter such data as the task force deems to be accurate and appropriate into the public online capital projects database, provided that such data shall include, but not be limited to, information that the task force deems relevant and appropriate contained in the reports required pursuant to subdivision d of section 219 of the New York city charter;
4. make recommendations for new or improved integrated capital management systems and databases;
5. establish mechanisms to merge and transfer data, including but not limited to, data contained in existing capital management systems and databases, into the public online capital project database; and
6. take other steps deemed necessary by the task force to create and implement the public online capital projects database.

f. To the extent deemed practicable by the task force, the public online capital project database developed by the taskforce with advice and recommendations from the advisory board, as appropriate, shall include for each pending capital project undertaken by the city and located within the boundaries of the city:

1. the name of the capital project and the borough in which such project will be located;
2. the agency implementing the capital project and any agencies contributing capital funds for such capital project;
3. the current phase of the capital project;
4. information regarding the capital project's schedule, such as the baseline project schedule and, if applicable, the actual schedule variance and the schedule variance as a percentage of the planned duration of the project; and
5. information regarding the capital project's cost, such as the current dollar amount spent to date and, if applicable, the actual cost variance and the cost variance as a percentage of the baseline cost.

§ 3. Chapter 1 of title 5 of the administrative code of the city of New York is amended by adding a new section 5-108 to read as follows:

*§ 5-108. Public online capital project database. Upon the publication of the public online capital projects database created by the taskforce established by section two of the local law that added this section, an agency or office designated by the mayor shall maintain such public online capital projects database on the city website, and update the information contained in such database on a triannual basis pursuant to a schedule determined by such agency or office, and may otherwise modify the database as deemed appropriate by such agency or office consistent with the substantial continuation of the content of the database. Any agency implementing a capital project for which information or data is published in the public online capital projects database shall include a link to the website containing the public online capital projects database on such agency's website.*

§ 4. Section 18-145 of the administrative code of the city of New York is REPEALED.

§ 5. This local law takes effect immediately, except that section two of this local law expires and is deemed repealed after the publication of the public online capital projects database developed pursuant to such section and section four takes effect upon such publication, provided that such database contains information and data, consistent with the content and format of such database, regarding the capital projects within the jurisdiction of the department of parks and recreation. Upon publication of the public online capital projects database, including such information and data in relation to the department of parks and recreation, the mayor's office of operations shall notify the corporation counsel, who shall notify the New York state legislative bill drafting commission, so that the commission may maintain an accurate and timely effective database of the official text of the administrative code of the city of New York in furtherance of effectuating the provisions of section 70-b of the public officers law, and relevant publishers in furtherance of effectuating the provisions of section 7-111 of such code. The failure to provide the notifications described in this section shall not affect the effective date of any section of this local law.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, MARK GJONAJ, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, STEVEN MATTEO; Committee on Finance, February 11, 2020. *Other Council Members Attending: Council Member Lander.*

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 Finance and had been favorably reported for adoption

Report for L.U. No. 611

**Report of the Committee on Finance in favor of a Resolution approving 528 East 11th Street HDFC, Block 404, Lot 18; Manhattan, Community District No.3, Council District 2.**

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on February 11, 2020 and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

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

February 11, 2020

TO: Hon. Daniel Dromm  
Chair, Finance Committee  
Members of the Finance Committee

FROM: Rebecca Chasan, Senior Counsel, Finance Division  
Noah Brick, Assistant Counsel, Finance Division

RE: Finance Committee Agenda of February 11, 2020 – Resolution approving a tax exemption for two Land Use items (Council Districts 2 and 39)

**Item 1: 528 East 11th Street**

538 East 11th Street Housing Development Fund Corporation (HDFC) acquired its 33-unit residential building from the City in 1981. These units include 25 two-bedroom apartments and eight three-bedroom apartments. Since the 1981 acquisition, the HDFC has encountered various delays reincorporating and converting from affordable rental to affordable limited-equity homeownership. The HDFC is now assisted in this effort by the Brooklyn Law School Corporate and Real Estate Clinic.

The New York City Department of Housing Preservation and Development (HPD) is requesting that the Council approve a full, 40-year Article XI exemption, retroactive to July 1, 1998. The HDFC's Division of Alternative Management (DAMP) tax partial abatement, in place since March 20, 1989, would be terminated as of June 30, 1998.

HPD and the HDFC would enter into a regulatory agreement that would restrict the sales of shares corresponding to each unit to households with income at or below 120% of the Area Median Income (AMI). While current renters who exceed the 120% AMI income threshold would be permitted to purchase shares, resale of their shares would be restricted by the terms of the agreement.

Summary:

- Borough – Manhattan
- Block 404, Lot 18
- Council District – 2
- Council Member – Rivera
- Council Member approval –Yes
- Number of buildings – 1
- Number of units – 33
- Type of exemption – Article XI, 40 years
- Population – affordable homeownership
- Sponsor – 538 East 11th Street HDFC, Urban Property Management Corp, Brooklyn Law School
- Purpose – preservation
- Cost to the city - \$5.6 million
- Housing Code Violations
  - Class A – 13
  - Class B – 37
  - Class C – 3
- AMI target – 120%

**Item 2: Carroll Gardens Portfolio**

The Carroll Gardens Portfolio is a 31-unit project across three buildings (361 Court Street, 239 Carroll Street, and 213 Sackett Street) in Carroll Gardens. Of the 31 units, three are studios, 22 are one-bedroom units, and six are two-bedroom units.

Court Carroll Sackett HDFC acquired this portfolio in August 2019 with a Community Preservation Corporation acquisition bridge loan. At acquisition closing, the HDFC and HPD entered into a regulatory agreement. At permanent closing, the HDFC will replace its bridge debt with a loan from the New York City Housing Development Corporation (HDC) and receive HPD subsidy to complete moderate rehabilitation work, including roof replacement, window replacement, electric upgrades, and boiler replacement.

HPD is requesting that Council approve a full, 40-year Article XI exemption. HPD, HDC and the HDFC would enter into a superseding 40-year regulatory agreement that would require that 10 units be leased to households with incomes up to 60% of AMI, 15 units be leased to households with incomes up to 80%, and six units be leased to household with incomes up to 135%. Half of each tranche of units would remain permanently affordable. Ten of the units would be reserved for referrals of formerly homeless families.

Summary:

- Borough – Brooklyn
- Block 332, Lot 52; Block 435, Lot 1; Block 449, Lot 12
- Council Districts – 39
- Council Members – Lander
- Council Members approval – Yes
- Number of buildings – 3
- Number of units – 31
- Type of exemption – Article XI, full, 40 years

- Population – affordable rental
- Sponsor – ELH Management LLC
- Purpose – preservation
- Cost to the city - \$1.9 million
- Housing Code Violations
  - Class A – 5
  - Class B – 13
- AMI targets – 10 units at 60% AMI, 15 units at 80% AMI, 6 units at 135% AMI

**(For text of the coupled resolution for L.U. No. 612, please see the Report of the Committee on Finance for L.U. No. 612, printed in these Minutes; for the coupled resolution for L.U. No. 611, please see below:)**

*Accordingly, this Committee recommends the adoption of L.U. Nos. 611 and 612.*

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

Res. No. 1242

**Resolution approving an exemption from real property taxes for property located at (Block 404, Lot 18) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 611).**

By Council Member Dromm

**WHEREAS**, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated January 22, 2020 that the Council take the following action regarding a housing project located at (Block 404, Lot 18) Manhattan (“Exemption Area”):

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

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

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

**RESOLVED:**

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
  - a. “Effective Date” shall mean July 1, 1998.
  - b. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 404, Lot 18 on the Tax Map of the City of New York.

- c. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
  - d. “HDFC” shall mean 528 East 11th Street Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
  - e. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
  - f. “New Exemption” shall mean the exemption from real property taxation provided hereunder with respect to the Exemption Area.
  - g. “Owner” shall mean the HDFC.
  - h. “Prior Exemption” shall mean the exemption from real property taxation for the Exemption Area approved by the Board of Estimate on March 30, 1989 (Cal. No. 56).
  - i. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area on or after the date such Regulatory Agreement is executed.
2. The Prior Exemption shall terminate with respect to the Exemption Area upon the Effective Date.
  3. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
  4. Notwithstanding any provision hereof to the contrary:
    - a. The New Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the New Exemption shall prospectively terminate.
    - b. The New Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.

- c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
  - d. All previous resolutions, if any, providing an exemption from or abatement of real property taxation with respect to the Exemption Area are hereby revoked as of the Effective Date.
5. In consideration of the New Exemption, the owner of the Exemption Area shall (a) execute and record the Regulatory Agreement, and (b) for so long as the New Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, MARK GJONAJ, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, STEVEN MATTEO; Committee on Finance, February 11, 2020. *Other Council Members Attending: Council Member Lander.*

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 Finance and had been favorably reported for adoption

Report for L.U. No. 612

**Report of the Committee on Finance in favor of a Resolution approving Carroll Gardens Portfolio, Block 332, Lot 52, Block 435, Lot 1, Block 449, Lot 12; Brooklyn, Community District No. 6, Council District 39.**

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on February 11, 2020 and which same Land Use item was coupled with the resolution shown below, respectfully

#### **REPORTS:**

**(For text of report, please see the Report of the Committee on Finance for L.U. No. 611 printed in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

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



## Res. No. 1243

**Resolution approving an exemption from real property taxes for property located at (Block 332, Lot 52; Block 435, Lot 1; Block 449, Lot 12) Brooklyn, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 612).**

By Council Member Dromm.

**WHEREAS**, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated October 28, 2019 that the Council take the following action regarding a housing project located at (Block 332, Lot 52; Block 435, Lot 1; Block 449, Lot 12) Brooklyn (“Exemption Area”):

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

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

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

**RESOLVED:**

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
  - a. “Company” shall mean CG Trio, LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
  - b. “Effective Date” shall mean August 14, 2019.
  - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
  - d. “Exemption Area” shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 332, Lot 52, Block 435, Lot 1, and Block 449, Lot 12 on the Tax Map of the City of New York.
  - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
  - f. “HDC” shall mean the New York City Housing Development Corporation.
  - g. ”HDFC” shall mean Court Carroll Sackett Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.

- h. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
  - i. “Owner” shall mean, collectively, the HDFC and the Company.
  - j. “Regulatory Agreement” shall mean the regulatory agreement between HDC, HPD and the Owner executed on or after October 1, 2019 establishing certain controls upon the operation of the Exemption Area on or after the date such Regulatory Agreement is executed.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
  3. Notwithstanding any provision hereof to the contrary:
    - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
    - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
    - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
  4. In consideration of the Exemption, the owner of the Exemption Area shall (a) execute and record the Regulatory Agreement, and (b) for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or person with disabilities.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, JAMES VAN BRAMER, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, VANESSA L. GIBSON, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, MARK GJONAJ, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, STEVEN MATTEO; Committee on Finance, February 11, 2020. *Other Council Members Attending: Council Member Lander.*

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 General Welfare**

Report for Int. No. 1650-A

### **Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the provision of information regarding the health bucks program and farmers' markets.**

The Committee on General Welfare, to which the annexed proposed amended local law was referred on August 14, 2019 (Minutes, page 2719), respectfully

#### **REPORTS:**

##### **I. INTRODUCTION**

On February 10, 2020, the Committee on General Welfare, chaired by Council Member Stephen Levin, will hold a hearing on Proposed Int. No. 1650-A, Proposed Int. 1659-A, Proposed Res. No. 1024-A, and Res. No. 1025. The Committee previously held a hearing on the above legislation as part of a legislative package containing bills related to food governance; hunger; food waste; school food and nutrition education; equitable access to healthy food; and urban agriculture on September 18, 2019, jointly with the Committee on Economic Development, chaired by Council Member Paul A. Vallone, and the Committee on Education, chaired by Council Member Mark Treyger,

##### **II. BACKGROUND**

On August 1, 2019, New York City Council Speaker Corey Johnson released the report *Growing Food Equity in New York City: A City Council Agenda* ("*Growing Food Equity*").<sup>1</sup> The report outlines budget and legislative proposals to build food equity in the areas of food governance; hunger; food waste; school food and nutrition education; equitable access to healthy food; and urban agriculture. Every person regardless of their income, race, gender, education, age, birthplace, or neighborhood should have equitable access to healthy food, which can come from many sources such as supermarkets, small grocers, non-profit stores, bodegas, restaurants, green carts, farmers' markets, Community Supported Agriculture (CSA) programs, fresh food boxes, and community gardens. Yet many New Yorkers experience food insecurity and food-related illnesses, and there is inequitable access to fresh and healthy food options in many neighborhoods throughout the city, particularly in low-income communities of color.<sup>2</sup>

There are numerous areas in our food system where more and improved interventions are needed to tackle food inequities. Many low-income areas continue to be underserved by affordable full-service grocery stores, and some gentrifying neighborhoods are losing affordable stores and gaining higher-priced ones. Farm-to-city programs like farmers' markets, CSAs, and food box programs can struggle to compete in the food market with a growing influx of grocery and meal-delivery businesses and without growth in local farm businesses, who are

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<sup>1</sup> New York City Council, "Growing Food Equity in New York City: A City Council Agenda" (August 2019), <http://council.nyc.gov/data/wp-content/uploads/sites/73/2019/08/growing-food-equity-1.pdf>

<sup>2</sup> Id. at 4-6

themselves combatting low profit margins as they try to have competitive prices with other food retailers.<sup>3</sup> Additionally, our food system has the opportunity to increase access to healthier, fresh, scratch-cooked meals to New York City's 1.1 million school children. School food menus and kitchen and cafeteria infrastructure need significant investments to increase the participation rates and access to healthy food for our school-age children.

Further, New York City continues to face a “meal gap”—the number of missing meals that result from insufficient household resources to purchase food—of nearly 208 million meals.<sup>4</sup> An estimated 1.09 million New Yorkers are “food insecure,” meaning that they had difficulty at some time during the year accessing enough food due to a lack of resources.<sup>5</sup> New York City's food insecurity rate is 12% higher than the national rate, and 21% higher than New York State's.<sup>6</sup> While New York City's current rate of food insecurity is declining, it is still higher than prior to the 2008 recession.<sup>7</sup> From 2015-2017, 18% of all children, almost 9% of working adults, and almost 11% of seniors experienced food insecurity.<sup>8</sup> Moreover, food insecurity is a significant challenge among college students. A March 2019 survey of 22,000 CUNY students across 19 campuses found almost half (48%) of respondents indicated that they experienced food insecurity in the previous 30 days.<sup>9</sup>

Meanwhile, the inefficiency of our food system is staggering. While almost 41 million Americans do not have enough to eat, we also paradoxically waste food at alarming rates.<sup>10</sup> Approximately 40% of all food grown in the U.S. is thrown away before it is eaten.<sup>11</sup> Saving just one-third of food from becoming waste would feed the 41 million Americans who face hunger.<sup>12</sup> On average, a New York City household wastes 8.7 pounds of food every week, despite that six pounds of this food is edible at the time it is thrown out.<sup>13</sup> Food waste at individual and institutional levels can be curbed. Each year, 11 City agencies serve almost 240 million meals and snacks in a variety of settings, including schools, after school programs, public hospitals, and correctional facilities.<sup>14</sup> Not only is this buying power an opportunity to reduce food waste, but to advance good food purchasing standards that help ensure that city-procured food advances goals that support five value areas: local economies, nutrition, valued workforce, animal welfare, and environmental sustainability.

The City also needs equitable access to green spaces, including through urban agriculture. Urban agriculture in New York City includes a rich history of community gardens, and newer food production and greening models, such as green roofs, and rooftop and vertical farms. Even after decades of existence, some community gardens still face struggles for survival against competing land interests. Urban agriculture spaces are key neighborhood assets in terms of food, education, community development, environmental protection, and

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<sup>3</sup> Kyle Lawson, Membership groups offering farm fresh food on Staten Island struggle with declining participation. Staten Island Live (June 11, 2019), available at <https://www.silive.com/news/2019/06/membership-groups-offering-farm-fresh-food-on-staten-island-struggle-with-declining-participation.html>; Jodi Helmer, Why Are So Many Farmers Markets Failing? Because The Market Is Saturated, NPR (March 17, 2019), available at <https://www.npr.org/sections/thesalt/2019/03/17/700715793/why-are-so-many-farmers-markets-failing-because-the-market-is-saturated>

<sup>4</sup> Food Bank For New York City, Research, Reports and Financials: Fast Facts, available at <https://www.foodbanknyc.org/research-reports>, (last visited September 10, 2019), (hereinafter, Food Bank for New York City, Fast Facts).

<sup>5</sup> Hunger Free America, The Uneaten Big Apple: Hunger's High Cost in NYC, New York City Hunger Report, 2018, Hunger Free America, available at

[https://www.hungerfreeamerica.org/sites/default/files/atoms/files/NYC%20and%20NYS%20Hunger%20Report%202018\\_0.pdf](https://www.hungerfreeamerica.org/sites/default/files/atoms/files/NYC%20and%20NYS%20Hunger%20Report%202018_0.pdf)

(hereinafter, Hunger Free America, The Uneaten Big Apple).

<sup>6</sup> Food Bank For New York City, Fast Facts, *supra* note 4.

<sup>7</sup> Hunger Free America, The Uneaten Big Apple, *supra* note 5

<sup>8</sup> *Id.*

<sup>9</sup> Sara Goldrick-Rab, Vanessa Coca, Christine Baker-Smita and Elizabeth Looker, City University of New York #RealCollege Survey, (March 2019), available at

[https://hope4college.com/wpcontent/uploads/2019/03/HOPE\\_realcollege\\_CUNY\\_report\\_final\\_webversion.pdf](https://hope4college.com/wpcontent/uploads/2019/03/HOPE_realcollege_CUNY_report_final_webversion.pdf).

<sup>10</sup> Feeding America, Food Insecurity in the United States, available at <https://map.feedingamerica.org/> (last visited September 10, 2019)

<sup>11</sup> Wasted: How America is Losing Up To 40 Percent of its food Farm to Fork to Landfill, Second Edition of NRDC's Original 2012 Report, National Resource Defense Council, (2017), available at <https://www.nrdc.org/sites/default/files/wasted-2017-report.pdf>

<sup>12</sup> *Id.*

<sup>13</sup> NRDC, Estimating Quantities and Types of Food Waste at the City Level, (Oct. 2017), available at

<https://www.nrdc.org/sites/default/files/food-waste-city-level-report.pdf>.

<sup>14</sup> NYC Food Policy, Food Metrics Report 2018, <https://www1.nyc.gov/assets/foodpolicy/downloads/pdf/2018-Food-Metrics-Report.pdf>

improved health and quality of life. They are also one important tool cities have in the fight against climate change and the myriad of public health concerns that follow rising temperatures, such as asthma attacks and heat-related illnesses. Due to the “urban heat island effect,” cities are often two to eight degrees warmer than their neighboring suburban and rural areas.<sup>15</sup> This is due to a combination of factors, including tall buildings, dark roofs and pavement that absorb heat, and lack of green space.<sup>16</sup> The heat island effect is exacerbated in low-income communities of color that have long faced disinvestment and have less access to green space.<sup>17</sup>

Government is uniquely positioned to partner with communities in the fight for a just and fair food system. Policy makers can ensure that systems are designed with food justice goals in mind to protect those most impacted by food inequities, and that more resources are reaching the communities where neighbors are engaged in this work. Government can also coordinate actions across agencies and systems, since we know that policy decisions made in areas like housing, environmental protection, climate change, criminal justice, education, transportation, and more have a direct impact on hunger, healthy food access, food business development, and green space. Yet food and agriculture work being done across many different City agencies continues without a codified, well-resourced office of food policy; a unified, comprehensive food plan with a formal community engagement strategy; or consistent and meaningful tools for measuring the impact of City agencies’ efforts to address food issues. Without governance reforms, the impact of City interventions to combat the social and economic food inequities that millions of our city’s residents combat each day remain limited.

*Growing Food Equity* includes tangible steps the City can take to make a difference in how our food system is run and ensure its risks and benefits are shared and not distributed inequitably. Along with budget priorities, *Growing Food Equity* outlines a legislative agenda to improve food equity, combat food insecurity and increase healthy food access for all New Yorkers. The following legislation is highlighted in *Growing Food Equity* and is being considered at today’s hearing.

### III. LEGISLATION

#### PROPOSED INT. NO. 1650-A

Proposed Int. No. 1650-A would require the Human Resources Administration (HRA) to provide information about the health bucks program and farmers’ markets in the city to all individuals who receive or apply to receive supplemental nutrition assistance program benefits. This local law would take effect 180 days after it becomes law.

Since introduction, this bill has not significantly changed.

#### PROPOSED INT. NO. 1659-A

Proposed Int. No. 1659-A would require the Department of Social Services (DSS), in collaboration with the Department for the Aging (DFTA), to develop a plan to identify and enroll seniors who are eligible for supplement nutritional assistance program (SNAP) benefits, but who are not yet enrolled to receive such benefits, and to assist enrolled seniors with SNAP recertification. This local law would take effect immediately.

Since introduction, this bill has been amended to additionally include that, beginning on April 1, 2021, and annually thereafter, DSS and DFTA would be required to provide a report to the Council regarding the method of SNAP enrollment and recertification, an overview of the public campaign for seniors eligible for SNAP, and year-over-year comparison of senior SNAP enrollment versus eligible seniors.

<sup>15</sup> Calma, Justine, How New York City Is Tackling Extreme Heat in a Warming World, *Grist* (July 16, 2018), available at <https://www.wired.com/story/how-new-york-city-is-tackling-extreme-heat-in-a-warming-world/>.

<sup>16</sup> *Id.*

<sup>17</sup> Richard Florida, The Inequality of America’s Parks and Green Space, *CityLab* (Mar. 19, 2019), available at <https://www.citylab.com/equity/2019/03/inequality-parks-and-green-space-income-race-research/585166/>.

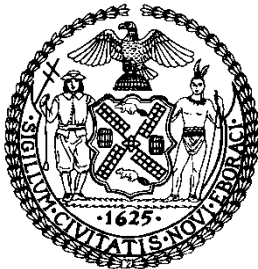
**PROPOSED RES. NO. 1024-A**

Proposed Res. No. 1024-A calls upon the New York State Office of Temporary and Disability Assistance (OTDA) to expand eligibility for the Supplemental Nutrition Assistance Program (SNAP) to public college students. In 2011, researchers at the City University of New York (CUNY) estimated that 39 percent of CUNY students were food insecure. Due to federal law, most able-bodied students who are enrolled in college at least half-time are not eligible for SNAP unless they work 20 hours a week. However, states can expand the regulations by exempting students in certain college and training programs from the work requirement. New York should join Pennsylvania, Massachusetts, Illinois, and New Jersey in taking state action to increase college students' eligibility for SNAP.

**RES. NO. 1025**

Res. No. 1025 calls upon the New York State Legislature to pass, and the Governor to sign, legislation to opt into the SNAP Restaurant Meals Program to allow disabled, elderly and homeless SNAP recipients to use their benefits on hot meals and other prepared foods at participating grocery stores, delis and restaurants. Some disabled, elderly, or homeless SNAP recipients cannot easily cook meals or do not have access to needed kitchen facilities. Currently in New York State, SNAP recipients cannot use their benefits to purchase prepared foods. However, any state can allow for the purchase of prepared food by opting into the Restaurant Meals Program authorized under the 1977 Farm Bill. Currently Illinois, Arizona, 11 counties in California and one county in Rhode Island participate in the program.

**(The following is the text of the Fiscal Impact Statement for Int. No. 1650-A:)**



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

**PROPOSED INT. NO. 1650-A**

**COMMITTEE:** General Welfare

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to the provision of information regarding the health bucks program and farmers' markets.

**Sponsors:** Council Members Adams, Kallos, Ayala, Gibson, Lander, Rivera, Constantinides, Powers, Reynoso, Cabrera, Richards, Koslowitz, Brannan, Chin, Torres, Rodriguez, Cohen, Van Bramer, Rosenthal, Dromm, Holden, Vallone, Levine, Yeger, Gjonaj, Perkins, Grodenchik, Salamanca, Treyger, Cornegy, Eugene, Levin, Deutsch, Barron, Maisel, Cumbo, Moya, Lancman, Rose, Ampy-Samuel, Miller, Menchaca, Koo, and Ulrich.

**SUMMARY OF LEGISLATION:** Proposed Int. No. 1650-A would require the Human Resources Administration (HRA) to provide information about the health bucks program and farmers' markets in the city to all individuals who receive or apply to receive supplemental nutrition assistance program benefits.

**EFFECTIVE DATE:** This local law would take effect 180 days after it becomes law.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2021

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**FISCAL IMPACT STATEMENT:**

	<b>Effective FY20</b>	<b>FY Succeeding Effective FY21</b>	<b>Full Fiscal Impact FY21</b>
<b>Revenues (+)</b>	\$0	\$0	\$0
<b>Expenditures (-)</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because HRA would utilize existing resources to fulfill the requirements of this legislation.

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

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

**ESTIMATE PREPARED BY:** Julia K. Haramis, Financial Analyst

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director  
Dohini Sompura, Unit Head  
Stephanie Ruiz, Assistant Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on August 14, 2019 as Int. No. 1650, and was referred to the Committee on General Welfare (Committee). A hearing was held by the Committee jointly with the Committee on Education and the Committee on Economic Development on September 18, 2019, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 1650-A, will be voted on by the Committee at a hearing on February 10, 2020. Upon a successful vote by the Committee, Proposed Int. No. 1650-A will be submitted to the full Council for a vote on February 11, 2020.

**DATE PREPARED:** February 4, 2020.

**(For text of Int. No. 1659-A and its Fiscal Impact Statement, please see the Report of the Committee on General Welfare for Int. No. 1659-A printed in these Minutes; for text of Res. Nos. 1024-A and 1025, please see the Reports of the Committee on General Welfare for Res. Nos. 1024-A and 1025, respectively, printed in the voice-vote Resolutions section of these Minutes; for text of Int. No. 1650-A, please see below)**

*Accordingly, this Committee recommends the adoption of Int. Nos. 1650-A, 1659-A, and Res. Nos. 1024-A and Res. No. 1025.*

**(The following is the text of Int. No. 1650-A:)**

## Int. No. 1650-A

By Council Members Adams, Kallos, Ayala, Gibson, Lander, Rivera, Constantinides, Powers, Reynoso, Cabrera, Richards, Koslowitz, Brannan, Chin, Torres, Rodriguez, Cohen, Van Bramer, Rosenthal, Dromm, Holden, Vallone, Levine, Yeger, Gjonaj, Perkins, Grodenchik, Salamanca, Treyger, Cornegy, Eugene, Levin, Deutsch, Barron, Maisel, Cumbo, Moya, Lancman, Rose, Ampy-Samuel, Miller, Menchaca, Koo, King and Ulrich.

**A Local Law to amend the administrative code of the city of New York, in relation to the provision of information regarding the health bucks program and farmers' markets**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-131.2 to read as follows:

§ 21-131.2 *Information regarding health bucks and farmers' markets. a. Definitions. For purposes of this section, the term "health bucks" means coupons issued by the department of health and mental hygiene that are redeemable for fruits and vegetables at farmers' markets in the city.*

*b. The department, in collaboration with the department of health and mental hygiene, shall provide information regarding health bucks and farmers' markets in the city to individuals who receive or apply to receive supplemental nutrition assistance program benefits. Such information may be provided on paper or electronically and shall include, but need not be limited to, how to receive health bucks, how health bucks may be spent and the location of farmers' markets in the city.*

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

STEPHEN T. LEVIN, *Chairperson*; BRADFORD S. LANDER, VANESSA L. GIBSON, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, BARRY GRODENCHIK, ROBERT F. HOLDEN; Committee on General Welfare, February 10, 2020. *Other Council Members Attending: Council Member Louis.*

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

Report for Int. No. 1659-A

**Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to a plan to identify and enroll seniors eligible for supplemental nutrition assistance benefits.**

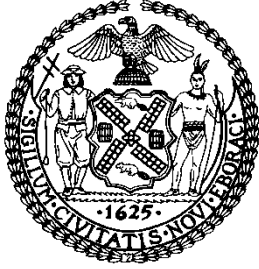
The Committee on General Welfare, to which the annexed proposed amended local law was referred on August 14, 2019 (Minutes, page 2730), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on General Welfare for Int. No. 1650-A printed above in these Minutes)**



*The following is the text of the Fiscal Impact Statement for Int. No. 1659-A:*



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

**PROPOSED INT. NO. 1659-A**

**COMMITTEE:** General Welfare

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to a plan to identify and enroll seniors eligible for supplemental nutrition assistance benefits.

**Sponsors:** Council Members Chin, Kallos, Ayala, Gibson, Lander, Powers, Rivera, and Yeger.

**SUMMARY OF LEGISLATION:** Proposed Int. No. 1659-A would require the Department of Social Services (DSS), in collaboration with the Department for the Aging (DFTA), to develop a plan to identify and enroll seniors who are eligible for supplement nutritional assistance program (SNAP) benefits, but who are not yet enrolled to receive such benefits, and to assist enrolled seniors with SNAP recertification. Additionally, beginning on April 1, 2021, and annually thereafter, DSS and DFTA would be required to provide a report to the Council regarding the method of SNAP enrollment and recertification, an overview of the public campaign for seniors eligible for SNAP, and year-over-year comparison of senior SNAP enrollment versus eligible seniors.

**EFFECTIVE DATE:** This local law would take effect immediately after it becomes law.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2021

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY20</b>	<b>FY Succeeding Effective FY21</b>	<b>Full Fiscal Impact FY21</b>
<b>Revenues (+)</b>	\$0	\$0	\$0
<b>Expenditures (-)</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because DSS and DFTA would utilize existing resources to fulfill the requirements of this legislation.

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

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

**ESTIMATE PREPARED BY:** Julia K. Haramis, Financial Analyst

**ESTIMATE REVIEWED BY:** Regina Poreda Ryan, Deputy Director  
Dohini Sompura, Unit Head  
Stephanie Ruiz, Assistant Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the Council on August 14, 2019 as Int. No. 1659, and was referred to the Committee on General Welfare (Committee). A hearing was held by the Committee on jointly with the Committee on Education and the Committee on Economic Development on September 18, 2019, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 1659-A, will be voted on by the Committee at a hearing on February 10, 2020. Upon a successful vote by the Committee, Proposed Int. No. 1659-A will be submitted to the full Council for a vote on February 11, 2020.

**DATE PREPARED:** February 4, 2020.

*Accordingly, this Committee recommends its adoption, as adopted.*

**(The following is the text of Int. No. 1659-A:)**

Int. No. 1659-A

By Council Members Chin, Kallos, Ayala, Gibson, Lander, Powers, Rivera, Yeger, Cohen, King, Rosenthal, Vallone, Holden, Levin and Eugene.

**A Local Law to amend the administrative code of the city of New York, in relation to a plan to identify and enroll seniors eligible for supplemental nutrition assistance benefits**

*Be it enacted by the Council as follows:*

Section 1. Subdivision d of section 21-131.1 of the administrative code of the city of New York, as added by local law number 134 for the year 2017, is amended to read as follows:

d. Beginning *April 1, 2021*[February 1, 2018], and annually thereafter, the department, in coordination with the department for the aging, shall submit a report to the speaker of the city council regarding the department's activities with respect to supplemental nutrition assistance enrollment and recertification for seniors. Such report shall provide an overview of the department's activities with respect to supplemental nutrition assistance enrollment and recertification for seniors, including the public campaign and the enrollment and recertification program, and shall include (i) the number of seniors enrolled in the supplemental nutrition assistance program in the previous calendar year; (ii) the number of seniors recertified for the supplemental nutrition assistance program in the previous calendar year; [and] (iii) a comparison of the annual rate of enrollment for seniors versus the number of seniors in the city that the department estimates are likely to be eligible based on readily available community data such as census data; (iv) *identification of specific barriers to enrolling and recertifying eligible seniors who would benefit from participation in the supplemental nutrition assistance program, with particular consideration given to seniors who are unable to travel to senior centers, whether due to physical limitation or lack of access to transportation or other reasons, and seniors who are not receiving other social services; and* (v) *a plan, developed in collaboration with the department for the aging, to overcome such barriers to enrollment and recertification to reach eligible seniors who are unable to travel to senior centers and who are not receiving other social services.* [Beginning on February 1, 2019, the] *Such* report shall also indicate how the data required by this subdivision compares to the previous year. The report shall further indicate the method by which seniors

enrolled in or recertified for the supplemental nutrition assistance program, whether online, by mobile application, by telephone, by paper application, or by other means.

§ 2. This local law takes effect immediately.

STEPHEN T. LEVIN, *Chairperson*; BRADFORD S. LANDER, VANESSA L. GIBSON, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, BARRY GRODENCHIK, ROBERT F. HOLDEN; Committee on General Welfare, February 10, 2020. *Other Council Members Attending: Council Member Louis.*

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. 597

**Report of the Committee on Land Use in favor of approving Application No. 20205054 HIK (N 200195 HIK, DL 515/LP-2640) submitted by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter, for the historic landmark designation of the Somers Brothers Tinware Factory (later American Can Company), located at 238-246 3rd Street, 365-379 3rd Avenue, and 232-236 3rd Street (aka 361-363 3rd Avenue) (Block 980, p/o Lot 8), Borough of Brooklyn, Council District 39, Community District 6.**

The Committee on Land Use, to which the annexed Land Use item was referred on January 8, 2020 (Minutes, page 17) and which same Land Use item was coupled with the resolution shown below, respectfully

#### **REPORTS:**

#### **SUBJECT**

**BROOKLYN CB - 6**

**20205054 HIK (N 200195 HIK)**

Designation by the Landmarks Preservation Commission [DL-515/LP-2640] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Somers Brothers Tinware Factory (later American Can Company) located at 238-246 3<sup>rd</sup> Street, 365-379 3<sup>rd</sup> Avenue, and 232-236 3<sup>rd</sup> Street (a/k/a 361-363 3<sup>rd</sup> Avenue) (Tax Map Block 980, p/o Lot 8), as an historic landmark.

#### **PUBLIC HEARING**

**DATE:** January 14, 2020

**Witnesses in Favor:** Three

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION****DATE:** January 30, 2020

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

**In Favor:**

Adams, Barron, Koo, Miller, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** February 4, 2020

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Salamanca, Gibson, Barron, Deutsch, Koo, Lancman, Miller, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

**Against:**

None

**Abstain:**

None

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

Res. No. 1244

**Resolution affirming the designation by the Landmarks Preservation Commission of the Somers Brothers Tinware Factory (later American Can Company) located at 238-246 3<sup>rd</sup> Street, 365-379 3<sup>rd</sup> Avenue, and 232-236 3<sup>rd</sup> Street (a/k/a 361-363 3<sup>rd</sup> Avenue) (Tax Map Block 980, p/o Lot 8), Borough of Brooklyn, Designation List No. 515, LP-2640 (L.U. No. 597; 20205054 HIK; N 200195 HIK).**

By Council Members Salamanca and Adams.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on September 9, 2019 a copy of its designation report dated October 29, 2019 (the "Designation"), designating the Somers Brothers Tinware Factory (later American Can Company) located at 238-246 3<sup>rd</sup> Street, 365-379 3<sup>rd</sup> Avenue, and 232-236 3<sup>rd</sup> Street (a/k/a 361-363 3<sup>rd</sup> Avenue), Community District 6, Borough of Brooklyn, as a landmark and Tax Map Block 980, p/o Lot 8, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

**WHEREAS,** the City Planning Commission submitted to the Council on December 20, 2019, its report on the Designation dated December 18, 2019 (the "Report");

**WHEREAS,** upon due notice, the Council held a public hearing on the Designation on January 14, 2020; and

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

**RESOLVED:**

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

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, CHAIM M. DEUTSCH, RORY I. LANCMAN, I. DANEEK MILLER, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, February 4, 2020.

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

Report for L.U. No. 598

**Report of the Committee on Land Use in favor of approving Application No. 20205055 HIK (N 200196 HIK, DL 515/LP-2639) submitted by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter, for the historic landmark designation of the Brooklyn Rapid Transit Company Central Power Station Engine House, located at 153 Second Street (Block 967, p/o Lot 1), Borough of Brooklyn, Council District 39, Community District 6.**

The Committee on Land Use, to which the annexed Land Use item was referred on January 8, 2020 (Minutes, page 17) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BROOKLYN CB - 6**

**20205055 HIK (N 200196 HIK)**

Designation by the Landmarks Preservation Commission [DL-515/LP-2639] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Brooklyn Rapid Transit Company Central Power Station Engine House located at 153 2<sup>nd</sup> Street (a/k/a 322 Third Avenue and 340 Third Avenue) (Tax Map Block 967, p/o Lot 1), as an historic landmark.

**PUBLIC HEARING**

**DATE:** January 14, 2020

**Witnesses in Favor:** Three

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** January 30, 2020

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

**In Favor:**

Adams, Barron, Koo, Miller, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** February 4, 2020

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Salamanca, Gibson, Barron, Deutsch, Koo, Lancman, Miller, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

**Against:**

None

**Abstain:**

None

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

Res. No. 1245

**Resolution affirming the designation by the Landmarks Preservation Commission of the Brooklyn Rapid Transit Company Central Power Station Engine House located at 153 2<sup>nd</sup> Street (a/k/a 322 Third Avenue and 340 Third Avenue) (Tax Map Block 967, p/o Lot 1), Borough of Brooklyn, Designation List No. 515, LP-2639 (L.U. No. 598; 20205055 HIK; N 200196 HIK).**

By Council Members Salamanca and Adams.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on September 9, 2019 a copy of its designation report dated October 29, 2019 (the "Designation"), designating the Brooklyn Rapid Transit Company Central Power Station Engine House located at 153 2<sup>nd</sup> Street (a/k/a 322 Third Avenue and 340 Third Avenue), Community District 6, Borough of Brooklyn, as a landmark and Tax Map Block 967, p/o Lot 1, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

**WHEREAS**, the City Planning Commission submitted to the Council on December 20, 2019, its report on the Designation dated December 18, 2019 (the "Report");

**WHEREAS**, upon due notice, the Council held a public hearing on the Designation on January 14, 2020; and

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

**RESOLVED:**

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

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, CHAIM M. DEUTSCH, RORY I. LANCMAN, I. DANEEK MILLER, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, February 4, 2020.

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

Report for L.U. No. 599

**Report of the Committee on Land Use in favor of approving Application No. 20205056 HIK (N 200197 HIK, DL 515/LP-2641) submitted by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter, for the historic landmark designation of the Montauk Paint Manufacturing Company Building, located at 170 Second Avenue (Block 1025, Lot 49), Borough of Brooklyn, Council District 39, Community District 6.**

The Committee on Land Use, to which the annexed Land Use item was referred on January 8, 2020 (Minutes, page 18) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BROOKLYN CB - 6**

**20205056 HIK (N 200197 HIK)**

Designation by the Landmarks Preservation Commission [DL-515/LP-2641] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Montauk Paint Manufacturing Company Building located at 170 Second Avenue (a/k/a 75 13<sup>th</sup> Street) (Tax Map Block 1025, Lot 49), as an historic landmark.

**PUBLIC HEARING**

**DATE:** January 14, 2020

**Witnesses in Favor:** Three

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** January 30, 2020

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

**In Favor:**

Adams, Barron, Koo, Miller, Treyger,

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** February 4, 2020

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Salamanca, Gibson, Barron, Deutsch, Koo, Lancman, Miller, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

**Against:**

None

**Abstain:**

None

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

Res. No. 1246

**Resolution affirming the designation by the Landmarks Preservation Commission of the Montauk Paint Manufacturing Company Building located at 170 Second Avenue (a/k/a 75 13<sup>th</sup> Street) (Tax Map Block 1025, Lot 49), Borough of Brooklyn, Designation List No. 515, LP-2641 (L.U. No. 599; 20205056 HIK; N 200197 HIK).**

By Council Members Salamanca and Adams.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on September 9, 2019 a copy of its designation report dated October 29, 2019 (the "Designation"), designating the Montauk Paint



Manufacturing Company Building located at 170 Second Avenue (a/k/a 75 13<sup>th</sup> Street), Community District 6, Borough of Brooklyn, as a landmark and Tax Map Block 1025, Lot 49, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

**WHEREAS**, the City Planning Commission submitted to the Council on December 20, 2019, its report on the Designation dated December 18, 2019 (the "Report");

**WHEREAS**, upon due notice, the Council held a public hearing on the Designation on January 14, 2020; and

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

**RESOLVED:**

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

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, CHAIM M. DEUTSCH, RORY I. LANCMAN, I. DANEEK MILLER, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, February 4, 2020.

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

Report for L.U. No. 600

**Report of the Committee on Land Use in favor of approving Application No. 20205057 HIK (N 200198 HIK, DL 515/LP-2638) submitted by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter, for the historic landmark designation of the Gowanus Canal Flushing Tunnel Pumping Station and Gate House, located at 201 Douglass Street (Block 411, Lot 14), Borough of Brooklyn, Council District 33, Community District 6.**

The Committee on Land Use, to which the annexed Land Use item was referred on January 8, 2020 (Minutes, page 18) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BROOKLYN CB - 6**

**20205057 HIK (N 200198 HIK)**

Designation by the Landmarks Preservation Commission [DL-515/LP-2638] pursuant to Section 3020 of the New York City Charter of the landmark designation of the Gowanus Canal Flushing Tunnel Pumping Station and Gate House located at 201 Douglass Street (a/k/a 196 Butler Street) (Tax Map Block 411, p/o Lot 14), as an historic landmark.

**PUBLIC HEARING**

**DATE:** January 14, 2020

**Witnesses in Favor:** Three

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** January 30, 2020

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

**In Favor:**

Adams, Barron, Koo, Miller, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** February 4, 2020

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Salamanca, Gibson, Barron, Deutsch, Koo, Lancman, Miller, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera

**Against:**

None

**Abstain:**

None

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

Res. No. 1247

**Resolution affirming the designation by the Landmarks Preservation Commission of the Gowanus Canal Flushing Tunnel Pumping Station and Gate House located at 201 Douglass Street (a/k/a 196 Butler Street) (Tax Map Block 411, p/o Lot 14), Borough of Brooklyn, Designation List No. 515, LP-2638 (L.U. No. 600; 20205057 HIK; N 200198 HIK).**

By Council Members Salamanca and Adams.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on September 9, 2019 a copy of its designation report dated October 29, 2019 (the "Designation"), designating the Gowanus Canal Flushing Tunnel Pumping Station and Gate House located at 201 Douglass Street (a/k/a 196 Butler Street), Community District 6, Borough of Brooklyn, as a landmark and Tax Map Block 411, Lot 14, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

**WHEREAS**, the City Planning Commission submitted to the Council on December 20, 2019, its report on the Designation dated December 18, 2019 (the "Report");

**WHEREAS**, upon due notice, the Council held a public hearing on the Designation on January 14, 2020; and

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

**RESOLVED:**

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

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, CHAIM M. DEUTSCH, RORY I. LANCMAN, I. DANEEK MILLER, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, February 4, 2020.

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

Report for L.U. No. 601

**Report of the Committee on Land Use in favor of approving Application No. 20205058 HIK (N 200199 HIK, DL 515/LP-2637) submitted by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter, for the historic landmark designation of the American Society for the Prevention of Cruelty to Animals Brooklyn Office, Shelter, and Garage Building, located at 233 Butler Street (Block 405, p/o Lot 51), including a portion of the sidewalk in front of Lot 51, Borough of Brooklyn, Council District 33, Community District 6.**

The Committee on Land Use, to which the annexed Land Use item was referred on January 8, 2020 (Minutes, page 18) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT****BROOKLYN CB - 6****20205058 HIK (N 200199 HIK)**

Designation by the Landmarks Preservation Commission [DL-515/LP-2637] pursuant to Section 3020 of the New York City Charter of the landmark designation of the American Society for the Prevention of Cruelty to Animals Brooklyn Office, Shelter, and Garage Building located at 233 Butler Street (a/k/a 231-237 Butler Street) (Tax Map Block 405, p/o Lot 51) including a portion of the sidewalk in front of Lot 51, as an historic landmark.

**PUBLIC HEARING****DATE:** January 14, 2020**Witnesses in Favor:** Three**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** January 30, 2020

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

**In Favor:**

Adams, Barron, Koo, Miller, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** February 4, 2020

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Salamanca, Gibson, Barron, Deutsch, Koo, Lancman, Miller, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

**Against:**

None

**Abstain:**

None.

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

Res. No. 1248

**Resolution affirming the designation by the Landmarks Preservation Commission of the American Society for the Prevention of Cruelty to Animals Brooklyn Office, Shelter, and Garage Building located at 233 Butler Street (a/k/a 231-237 Butler Street) (Tax Map Block 405, p/o Lot 51) including a portion of the sidewalk in front of Lot 51, Borough of Brooklyn, Designation List No. 515, LP-2637 (L.U. No. 601; 20205058 HIK; N 200199 HIK).**

By Council Members Salamanca and Adams.

**WHEREAS**, the Landmarks Preservation Commission filed with the Council on September 9, 2019 a copy of its designation report dated October 29, 2019 (the "Designation"), designating the American Society for the Prevention of Cruelty to Animals Brooklyn Office, Shelter, and Garage Building located at 233 Butler Street (a/k/a 231-237 Butler Street), Community District 6, Borough of Brooklyn, as a landmark and Tax Map Block 405, p/o Lot 51, including a portion of the sidewalk in front of Lot 51, as its landmark site pursuant to Section 3020 of the New York City Charter;

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

**WHEREAS**, the City Planning Commission submitted to the Council on December 20, 2019, its report on the Designation dated December 18, 2019 (the "Report");

**WHEREAS**, upon due notice, the Council held a public hearing on the Designation on January 14, 2020; and

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

**RESOLVED:**

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

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, CHAIM M. DEUTSCH, RORY I. LANCMAN, I. DANEEK MILLER, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, February 4, 2020.

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

## Report for L.U. No. 603

**Report of the Committee on Land Use in favor of approving Application No. C 190029 ZMQ (147-40 15th Avenue Commercial Overlay Rezoning) submitted by 8850 Management, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 7d, by establishing within an existing R3A District a C1-2 District bounded by 15th Avenue, 149th Street, 15th Road, a line 100 feet westerly of 149th Street, a line 75 feet northerly of 15th Road, and a line 150 westerly of 149th Street, Borough of Queens, Council District 19, Community District 7.**

The Committee on Land Use, to which the annexed Land Use item was referred on January 23, 2020 (Minutes, page 148) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:****SUBJECT****QUEENS CB - 7****C 190029 ZMQ**

City Planning Commission decision approving an application submitted by 8850 Management, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 7d, by establishing within an existing R3A District a C1-2 District bounded by 15th Avenue, 149th Street, 15th Road, a line 100 feet westerly of 149th Street, a line 75 feet northerly of 15th Road, and a line 150 feet westerly of 149th Street, Borough of Queens, Community District 7, as shown on a diagram (for illustrative purposes only) dated August 26, 2019, and subject to the conditions of CEQR (E) Designation E-546.

**INTENT**

To approve the amendment to the Zoning Map, Section No. 7d, to establish a C1-2 commercial overlay within an existing R3A zoning district on a portion of Block 4646 which would bring into conformance several existing commercial uses in the Whitestone neighborhood of Queens, Community District 7.

**PUBLIC HEARING****DATE:** January 14, 2020**Witnesses in Favor:** Three**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** January 30, 2020

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

**In Favor:**

Moya, Levin, Grodenchik, Rivera.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** February 4, 2020

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Salamanca, Gibson, Barron, Deutsch, Koo, Lancman, Miller, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

**Against:**

None

**Abstain:**

None

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

Res. No. 1249

**Resolution approving the decision of the City Planning Commission on ULURP No. C 190029 ZMQ, a Zoning Map amendment (Preconsidered L.U. No. 603).**

By Council Members Salamanca and Moya.

**WHEREAS**, 8850 Management, 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. 7d, to establish a C1-2 commercial overlay within an existing R3A zoning district on a portion of Block 4646, Borough of Queens, Community District 7 (ULURP No. C 190029 ZMQ) (the “Application”);

**WHEREAS**, the City Planning Commission filed with the Council on January 10, 2020 its decision dated January 8, 2020 (the “Decision”) on the Application;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on January 14, 2020;

**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 August 26, 2019 (CEQR No. 19DCP141Q) which include an (E) designation to avoid the

potential for significant adverse impacts related to hazardous materials and air quality (the “E” Designation (E-546));

**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-546) 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 190029 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. 7d, by establishing within an existing R3A district a C1-2 District bounded by 15th Avenue, 149th Street, 15th Road, a line 100 feet westerly of 149th Street, a line 75 feet northerly of 15th Road, and a line 150 feet westerly of 149th Street, Borough of Queens, Community District 7, as shown on a diagram (for illustrative purposes only) dated August 26, 2019, and subject to the conditions of CEQR Declaration E-546.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, CHAIM M. DEUTSCH, RORY I. LANCMAN, I. DANEEK MILLER, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, February 4, 2020.

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

Report for L.U. No. 604

**Report of the Committee on Land Use in favor of approving, as modified, Application No. C 190267 ZMQ (22-60 46th Street Rezoning) submitted by Mega Realty Holding, LLC, and Pancyprian Association, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9c, changing from an R4 District to an R6A District, changing from an M1-1 District to an R4 District, changing from an M1-1 District to an R6A District, establishing within the proposed R4 District a C2-3 District, establishing within the proposed R6A District a C2-3 District, Borough of Queens, Council District 22, Community District 1.**

The Committee on Land Use, to which the annexed Land Use item was referred on January 23, 2020 (Minutes, page 149), respectfully

**REPORTS:**

**(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 604 & Res. No. 1252 printed in the General Order Calendar section of these Minutes)**

*Accordingly, this Committee recommends its adoption, as modified.*



RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, CHAIM M. DEUTSCH, RORY I. LANCMAN, I. DANEEK MILLER, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, February 4, 2020.

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. 605

**Report of the Committee on Land Use in favor of approving, as modified, Application No. N 190266 ZRQ (22-60 46th Street Rezoning) submitted by MEGA 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 APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Council District 22, Community District 1.**

The Committee on Land Use, to which the annexed Land Use item was referred on January 23, 2020 (Minutes, page 149) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 605 & Res. No. 1253 printed in the General Order Calendar section of these Minutes)**

*Accordingly, this Committee recommends its adoption, as modified.*

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, CHAIM M. DEUTSCH, RORY I. LANCMAN, I. DANEEK MILLER, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, February 4, 2020.

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

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

Report for L.U. No. 613

**Report of the Committee on Land Use in favor of approving Application No. 20205259 SCQ (476-Seat Primary School Q340) submitted by the New York City School Construction Authority pursuant to Section 1732 of the Public Authorities Law for approval of a site selection for a new, approximately 476-Seat Primary School Facility, Q340 located at 69-02 Queens Boulevard (Block 2432, all or p/o Lots 41, 44, and 50), Borough of Queens, Community School District 24, Council District 30, Community District 2.**

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on February 11, 2020 and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**QUEENS CB - 2**

**20205259 SCQ**

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 476-Seat Primary School Facility, Q340 located at 69-02 Queens Boulevard (Block 2432, All or p/o Lots 41, 44, and 50), Borough of Queens, Community School District No. 24.

**INTENT**

To approve the site plan for the construction of a new, approximately 476-Seat Primary School Facility, Q340 in the Woodside neighborhood of Queens to accommodate students in Community School District No. 24.

**PUBLIC HEARING**

**DATE:** January 30, 2020

**Witnesses in Favor:** One

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** January 30, 2020

The Subcommittee recommends that the Land Use Committee approve the Site Plan.

**In Favor:**

Adams, Barron, Koo, Miller, Treyger.

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** February 4, 2020

The Committee recommends that the Council approve the attached resolution.

**In Favor:**

Salamanca, Gibson, Barron, Deutsch, Koo, Lancman, Miller, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

**Against:**

None

**Abstain:**

None

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

Res. No. 1250

**Resolution approving the site plan for a new, approximately 476-Seat Primary School Facility, Q340 located at 69-02 Queens Boulevard (Block 2432, All or p/o Lots 41, 44, and 50), Community District 2, Borough of Queens (Non-ULURP No. 20205259 SCQ; Preconsidered L.U. No. 613).**

By Council Members Salamanca and Adams.

**WHEREAS**, the New York City School Construction Authority submitted to the Council on January 28, 2020, a site plan pursuant to Section 1732 of the New York State Public Authorities Law for a new, approximately 476-Seat Primary School Facility, known as P.S. Q340 located at 69-02 Queens Boulevard (Block 2432, All or p/o Lots 41, 44, and 50), Community District 2, Borough of Queens to accommodate students in Community School District No. 24 (the “Site Plan”);

**WHEREAS**, the Site Plan is subject to review and action by the Council pursuant to Section 1732 of the New York State Public Authorities Law;

**WHEREAS**, upon due notice, the Council held a public hearing on the Site Plan on January 30, 2020;

**WHEREAS**, the Council has considered the relevant environmental issues, including the statement of findings issued on January 24, 2020, (SEQR Project Number 20-0007) (the “Statement of Findings”); and

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

**RESOLVED:**

The Council finds that no significant adverse impacts related to public schools would result from the Modified Project as analyzed in Technical Memorandum #3 dated December 13, 2019, and the conclusions of the November 27, 2019 EAS remain unaltered as set forth in the Statement of Findings.

Pursuant to Section 1732 of the Public Authorities Law, the Council approves the Site Plan.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, CHAIM M. DEUTSCH, RORY I. LANCMAN, I. DANEEK MILLER, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, February 4, 2020.

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 Rules, Privileges and Elections**

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

Report for Res. No. 1235

#### **Report of the Committee on Rules, Privileges and Elections in favor of a Resolution approving a Resolution amending Rule 7.00 of the Rules of the Council in relation to changes in Chairs and Membership to the Standing Committees of the Council.**

The Committee on Rules, Privileges and Elections, to which the annexed preconsidered resolution was referred on February 11, 2020, respectfully

### **REPORTS:**

**PRECONSIDERED RES. NO. 1235:** By Council Member Karen Koslowitz

**SUBJECT:** Preconsidered Resolution amending Rule 7.00 of the Rules of the Council in relation to changes in Chairs and Membership to the Standing Committees of the Council.

**ANALYSIS:** Before the Committee, for its consideration, are proposed changes to the membership of certain Standing Committees, through changes to the Rules of the Council. Pursuant to Chapter 2 § 46 of the New York City Charter, the Council sets the rules of its proceedings at the first Stated meeting of each calendar year. These rules may be amended by a resolution introduced and passed by the Council's Committee on Rules, Privileges and Elections ("Rules Committee") followed by a majority vote of all Council Members. See Rules 7.70(a) and 10.20.

Rule 7.20 mandates that vacancies in committees shall be filled within sixty days, and vacancies in committee chairs shall be filled within ninety days, by report of this committee and adopted by the Council. This Preconsidered Resolution fills the vacancies in committee membership and the chairmanship of the Consumer Affairs and Business Licensing Committee created by the January 27, 2020 resignation of former Council Member Rafael Espinal, among other changes. Today's date, February 11, 2020 is within the 60 and 90-day windows articulated in Rule 7.20.

See attached for the changes to the membership of the Standing Committees of the Council.

(For text of the supplemental Standing Committees of the Council February 11, 2020 list, please refer to the New York City Council website at <https://council.nyc.gov> for the attachments section to the [Res. No. 1235 of 2020 file](#))

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 1235

**Resolution amending Rule 7.00 of the Rules of the Council in relation to changes in Chairs and Membership to the Standing Committees of the Council.**

By Council Member Koslowitz.

**RESOLVED**, pursuant to Rule 7.00(a) of the Rules of the Council, the Council does hereby consent to the following changes in Membership to certain Standing Committees.

**STANDING COMMITTEES**

**Aging**

[Rose]

**Consumer Affairs & Business Licensing**

[Espinal Jr., Chair]

Cohen, Chair

[Powers]

Yeger

**Contracts**

Powers

[Yeger]

**Environmental Protection**

[Espinal Jr.]

[Richards]

**Finance**

Ampry-Samuel

Ayala

**Housing & Buildings**

[Espinal Jr.]

**Land Use**

Ayala

**Mental Health, Disabilities and Addiction**Borelli

[Holden]

**Parks & Recreation**Holden**Rules, Privileges & Elections**

[Espinal Jr.]

[Gibson]

**Sanitation & Solid Waste Management**

[Espinal Jr.]

[Vallone]

**State and Federal Legislation**

[Cohen, Chair]

Maisel, Chair

[Espinal Jr.]

Treyger**Technology**

[Ayala]

Vallone**Transportation**

[Espinal Jr.]

Holden

KAREN KOSLOWITZ, *Chairperson*; MARGARET S. CHIN, VANESSA L. GIBSON, RITCHIE J. TORRES, ADRIENNE E. ADAMS, THE MINORITY LEADER (STEVEN MATTEO), THE SPEAKER (COUNCIL MEMBER COREY D. JOHNSON); Committee on Rules, Privileges and Elections, February 11, 2020.

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

Report for M-206

**Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment by the Mayor of Aloysee Heredia Jarmoszuk as a member of the New York City Taxi and Limousine Commission.**

The Committee on Rules, Privileges and Elections, to which the annexed Communication was referred on January 23, 2020 (Minutes, page 29) and which same Communication was coupled with the resolution shown below, respectfully

**REPORTS:**

**Topic : New York City Taxi and Limousine Commission – (Candidate for appointment by the Mayor upon the advice and consent of the Council as Chair)**

- **Aloysee Heredia Jarmoszuk [M-206]**

The TLC was created pursuant to Local Law 12 of 1971. Chapter 65 of section 2300 of the *Charter* states that there shall be a TLC, which shall have the purpose of further developing and improving the taxi and limousine service in New York City (“the City”). It shall also remain consistent with the promotion and protection of the public comfort and convenience, adopting and establishing an overall public transportation policy, which will govern taxi, coach, limousine, and wheelchair accessible van services, as it relates to the overall public transportation network of the City. The TLC is also responsible for establishing certain rates, standards, and criteria for the licensing of vehicles, drivers, chauffeurs, owners, and operators engaged in such services. Furthermore, the TLC provides authorization to individuals who wish to operate commuter van services within the City.

The TLC consists of nine members appointed by the Mayor, all with the advice and consent of the Council. Five of the said members must be a resident from each of the five boroughs of the City, and are recommended for appointment by a majority vote of the Council Members from the respective borough. The TLC members are appointed for seven year terms, and can serve until the appointment and qualification of a successor. Vacancies, other than those that occur due to an expiration of a term, shall be filled for the unexpired term. Furthermore, the mayor may remove any such member for cause, upon stated charges.

The mayor designates one TLC member to act as the Chairperson and Chief Executive Officer. The Chairperson shall have in-charge of the organization of his/her office, and possesses the authority to employ, assign, and superintend the duties of such officers and employees, as may be necessary to carry out the provisions of Chapter 65 of the *Charter*. The *Charter* provides that the Chairperson shall devote his/her full time to this position and as such, the Chair will receive compensation that is set by the Mayor. The Chair currently receives an annual salary of \$212,044.00. The other TLC members are not entitled to compensation.

Pursuant to the *Charter*, all TLC proceedings and all documents and records in its possession, shall be public records. Furthermore, the TLC is required to make an annual report to the Council, on or before the second Monday of January, of every year, concerning information that consists of the following; complaints received by the commission from the public, including, but is not limited to, complaints of overcharging, as well as enforcement actions undertaken by the commission, whether the enforcement action was dismissed or settled, or if a penalty was imposed by the commission on the subject of the enforcement action. The information regarding enforcement actions shall also include, but is not limited to; enforcement action relating to illegal street hails, unlicensed vehicles, overcharging, and toll lane infractions.

If Ms. Heredia Jarmoszuk, a Manhattan resident, receives the advice and consent of the Council and is subsequently appointed as Chair of the TLC, she will be eligible to complete the remainder of a seven-year term, expiring on January 31, 2024.

Copies of the following are annexed to this briefing paper: the candidate’s résumé as well as the related associated message.

*(After interviewing the candidates and reviewing the submitted material, the Committee decided to approve the appointment of the nominee **Aloysee Heredia Jarmoszuk [M-206]**.)*

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to §§ 31 and 2301 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of **Aloysee Heredia Jarmoszuk** as a member of the New York City Taxi and Limousine Commission to serve the remainder of a seven-year term that expires on January 31, 2024.

This matter was referred to the Committee on January 23, 2020.

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

Res. No. 1251

**RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF ALOYSEE HEREDIA JARMOSZUK AS A MEMBER OF THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION.**

By Council Member Koslowitz.

**RESOLVED**, that pursuant to §§ 31 and 2301 of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of **Aloysee Heredia Jarmoszuk** as a member of the New York City Taxi and Limousine Commission to serve the remainder of a seven-year term that expires on January 31, 2024.

KAREN KOSLOWITZ, *Chairperson*; MARGARET S. CHIN, VANESSA L. GIBSON, RITCHIE J. TORRES, ADRIENNE E. ADAMS, THE MINORITY LEADER (STEVEN MATTEO), THE SPEAKER (COUNCIL MEMBER COREY D. JOHNSON); Committee on Rules, Privileges and Elections, February 11, 2020.

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 Transportation**

Report for Int. No. 971-A

**Report of the Committee on Transportation in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to a creating a dangerous vehicle abatement program.**

The Committee on Transportation, to which the annexed proposed amended local law was referred on June 7, 2018 (Minutes, page 2136), respectfully

**REPORTS:**

**INTRODUCTION**

On February 10, 2020, the Committee on Transportation, chaired by Council Member Ydanis Rodriguez, held a hearing on Int. No. 971-A, a Local Law to amend the administrative code of the city of New York, in



relation to a creating a dangerous vehicle abatement program. This was the second hearing that the Committee has held on this item. The first hearing on Int. No. 971 was held on August 15, 2018. At that hearing, the Committee heard testimony from representatives of the Department of Transportation (“DOT”), the New York City Police Department (“NYPD”), as well as other interested stakeholders and advocates.

## **BACKGROUND**

### **Speed Cameras**

In 2013, the State of New York passed a law that permitted New York City to install 20 photo speed violation monitoring systems (“speed cameras”) in school zones.<sup>1</sup> Speed cameras are devices that measure an oncoming vehicle’s speed. If the vehicle is traveling more than ten miles an hour above the speed limit, the camera will photograph the vehicle at different points of the road, proving that the vehicle is moving too fast. The penalty for a speed camera violation is a \$50 fine to the owner of the vehicle.<sup>2</sup> In 2014, the State of New York passed a law amending this provision to permit 140 speed camera zones in the city, effective until July 25, 2018.<sup>3</sup> In 2019, the State further enhanced the speed camera law to allow the City to operate up to an additional 610 camera zones, for a potential total of 750 speed camera zones citywide.<sup>4</sup> The new law also allows speed cameras to operate year round on weekdays between 6am and 10pm<sup>5</sup> and requires the City to use speed and crash data to help determine where to place the cameras.<sup>6</sup>

These speed cameras have proven to be one of the most effective means of promoting pedestrian safety. Speeding in areas with the cameras declined by more than 60 percent, with over 80 percent of violators not getting a second ticket.<sup>7</sup> Additionally, there has been a decline in crashes, injuries, and fatalities of motor vehicle occupants, pedestrians, and cyclists in areas where the speed cameras were used.<sup>8</sup> Most significantly, the number of pedestrian fatalities dropped 55 percent.<sup>9</sup>

### **Red Light Cameras**

In 1988, New York State granted the City the authority to demonstrate the effectiveness of traffic-control signal photo violation-monitoring systems.<sup>10</sup> With this authorization the City launched the Red Light Camera program in 1994.<sup>11</sup> Since that initial authorization, the State Legislature has extended the program seven times with the next expiration date set for December 2024.<sup>12</sup> The program has been determined to deter drivers from

<sup>1</sup> L.2013, c. 189, § 10.

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

<sup>3</sup> L.2014, c. 43, § 11.

<sup>4</sup> Clayton Guse, “Cuomo signs bill to add 600 new speed cameras near NYC schools,” New York Daily News, May 12, 2019, available at <https://www.nydailynews.com/new-york/ny-speed-camera-bill-passage-cuomo-20190512-wtiryoakjnda5ovy6hthjnk7iu-story.html>

<sup>5</sup> See “Vision Zero: Mayor de Blasio Announces New Speed Camera Law is now in Effect,” July 11, 2019 available at <https://www1.nyc.gov/office-of-the-mayor/news/340-19/vision-zero-mayor-de-blasio-new-speed-camera-law-now-effect>

<sup>6</sup> See “On Mother’s Day, Governor Cuomo Signs Legislation Reinstating and Expanding New York City Speed Zone Camera Program to Save Lives,” May 12, 2019, available at <https://www.governor.ny.gov/news/mothers-day-governor-cuomo-signs-legislation-reinstating-and-expanding-new-york-city-speed-zone>

<sup>7</sup> See “Vision Zero: Mayor de Blasio Announces New Speed Camera Law is now in Effect,” July 11, 2019 available at <https://www1.nyc.gov/office-of-the-mayor/news/340-19/vision-zero-mayor-de-blasio-new-speed-camera-law-now-effect>

<sup>8</sup> Automated Speed Enforcement Program Report: 2014-2017, at 12. Department of Transportation, [www.nyc.gov/html/dot/downloads/pdf/speed-camera-report-june2018.pdf](http://www.nyc.gov/html/dot/downloads/pdf/speed-camera-report-june2018.pdf).

<sup>9</sup> *Id.* at 11.

<sup>10</sup> New York City Red Light Camera Program, Program Review 1994-2015, 2016 Report, available at <http://www.nyc.gov/html/dot/downloads/pdf/nyc-red-light-camera-program.pdf>

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

<sup>12</sup> N.Y. Veh. & Traf. Law § 1111-a.

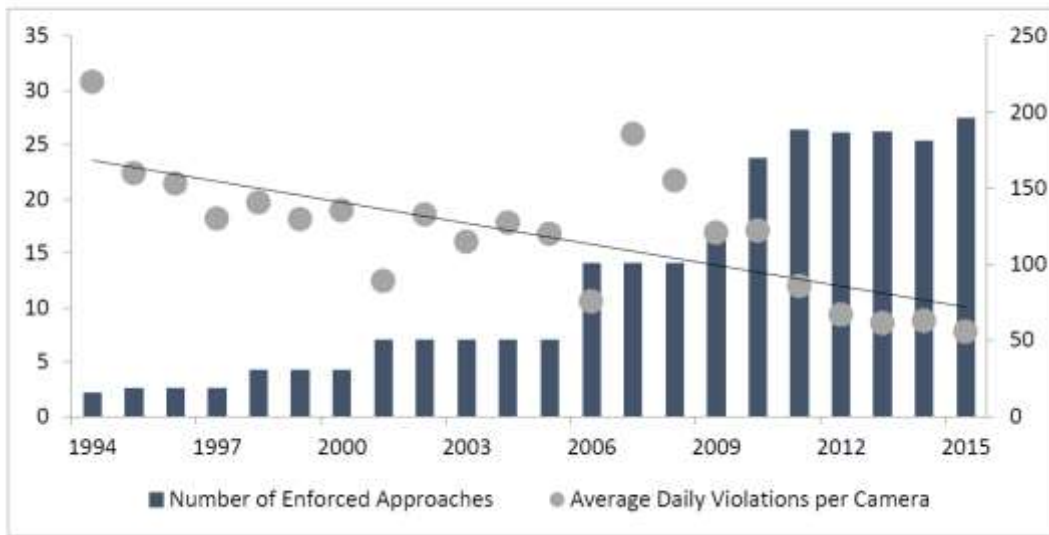
running through red lights.<sup>13</sup> In 2015, there were 184 red light cameras spread out through 150 intersections in the city.<sup>14</sup> Below is a breakdown of where the cameras were situated in 2015:

Borough	Number of Red Light Camera Enforced Intersections
Bronx	24
Brooklyn	60
Manhattan	16
Queens	64
Staten Island	20

Source: New York City Department of Transportation

According to data from DOT, in 1994 the average camera issued 31.8 notices of liability on a daily basis. That number had dropped to an average of 7.8 notices of liability by 2015, which is a 75% drop during that time span.<sup>15</sup> Below is a chart detailing the change in the number of daily notices of liability issued from 1994-2015.

Change in Daily Average NOL per Camera



Source: New York City Department of Transportation

Penalties for Speed Camera and Red Light Violations

Under New York State law,<sup>16</sup> the penalty for any violation by a red light or speed camera is limited to \$50, and issued to a vehicle, based on the license number of the vehicle that the camera captures, regardless of the

<sup>13</sup> New York City Red Light Camera Program, at 5.  
<sup>14</sup> *Id.*  
<sup>15</sup> *Id.*  
<sup>16</sup> N.Y. Veh. & Traf. Law § 1111-a(e); N.Y. Veh. & Traf. Law § 1180-b(e).

number of prior violations or how many miles per hour (“MPH”) above the speed limit that vehicle was traveling. For a speed camera violation, the vehicle must have been traveling more than 10 MPH above the posted school speed limit.<sup>17</sup> The DMV may not use red light or speed camera violations to assess points to a driver’s license and insurers may not use such violations to set rates.<sup>18</sup>

### Penalties for Other Than Speed and Red Light Camera Enforcement

When a police officer stops a driver for speeding and issues a moving traffic violation directly to the driver, there is an entirely different penalty scheme than the violations issued for red light or speed camera infractions. In those situations, when a vehicle exceeds the applicable speed limit by less than 10 MPH, the driver may be fined between \$45 and \$150. Such driver may also receive three driver penalty points. When a vehicle exceeds the applicable speed limit by more than 10 MPH but less than 30 MPH, the driver may be fined between \$90 and \$300 and is subject to 15 days of imprisonment. Such driver may also receive four to six driver penalty points. When a vehicle exceeds the applicable speed limit by more than 30 MPH, the driver may be fined between \$180 and \$600, and is subject to 30 days of imprisonment. Such driver may also receive eight to eleven driver penalty points. In New York State, a driver’s license is suspended after the accumulation of 11 points in 18 months.<sup>19</sup>

Further, if a vehicle is traveling at a speed greater than what is considered “reasonable and prudent under the conditions”—even if within the speed limit—the driver could be stopped by a police officer, fined an amount between \$45 and \$150 and is subject to 15 days imprisonment. Fines increase if a driver is convicted of more than one speeding violation in 18 months. A driver’s license is revoked after three convictions in 18 months. Fines may vary for speeding in school zones or restricted highways. Fines are also doubled in work zones.<sup>20</sup>

In New York State, the Department of Motor Vehicles (“DMV”) administers the Driver Violation Point System in order to identify high risk drivers.<sup>21</sup> Under this system, the DMV assigns points to drivers charged with certain traffic violations. If a driver accumulates a total of 11 points within an 18 month period, the DMV may suspend their license.<sup>22</sup> The number of points a driver can accumulate for speeding can range from three points for speeding between one to ten miles per hour over the speed to limit, to eleven points for speeding forty miles per hour over the posted speed limit.<sup>23</sup> Drivers also incur three points on their license for disobeying a traffic control signal, like a red light.<sup>24</sup>

### Number of Points Assigned for Common Traffic Violations

<b>VIOLATION</b>	<b>POINTS</b>
Speeding (MPH over posted limit)	
1 to 10	3
11 to 20	4
21 to 30	6

<sup>17</sup> N.Y. Veh. & Traf. Law § 1180-b(b).

<sup>18</sup> N.Y. Veh. & Traf. Law § 1111-a(f); N.Y. Veh. & Traf. Law § 1180-b(f).

<sup>19</sup> <https://dmv.ny.gov/brochure/traffic-violations-bureau>

<sup>20</sup> “Speeding and Speed Limits.” Governor’s Traffic Safety Committee. <http://www.safeny.ny.gov/spee-ndx.htm#strategy>.

<sup>21</sup> See “About the New York State Driver Point System” at <https://dmv.ny.gov/tickets/about-nys-driver-point-system>

<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

**Number of Points Assigned for Common Traffic Violations**

<b>VIOLATION</b>	<b>POINTS</b>
31 to 40	8
Over 40	11
Reckless driving	5
Failed to stop for school bus	5
Followed too closely (tailgating)	4
Inadequate brakes (private car)	4
Inadequate Brakes (employer's vehicle)	2
Failed to yield right-of-way	3
Disobeying traffic control signal, STOP sign or YIELD sign	3
Railroad crossing violation	5
Improper passing, changing lane unsafely	3
Driving left of center, in wrong direction	3
Leaving scene of property damage incident	3
Child safety restraint violation	3
Improper cell phone use	5
Use of portable electronic device ("texting")	5
Any other moving violation	2

Source: New York State Department of Motor Vehicles

DMV also administers the Point and Insurance Reduction Program (“PIRP”) that allows drivers at risk of losing their license to take a DMV-approved driver safety course that will allow four points to be subtracted from their point total for the purposes of “calculating” a suspension if they have accumulated 11 or more points on their license.<sup>25</sup> PIRP approved courses are administered by private companies and organizations all over the

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<sup>25</sup> *Id.*

State and provide drivers with 320 minutes of comprehensive classroom instruction on techniques for safe and lawful driving.<sup>26</sup>

### Driver Accountability Program

In 2015, the Center for Court Innovation launched the Driver Accountability Program at the Red Hook Community Justice Center to help improve traffic safety by increasing accountability among those who have committed criminal driving offenses.<sup>27</sup> As part of the curriculum, participants engage in exercises and discussions on the principles of restorative justice, self-reflection and self-empowerment.<sup>28</sup> Participants are also required to identify certain driving behaviors about themselves that they are willing to change.<sup>29</sup>

The Driver Accountability Program was expanded in 2019 to serve the criminal courts in Brooklyn, The Bronx, Staten Island and Manhattan.<sup>30</sup> Since 2015 there have been more than 2,000 people who have participated in the program's sessions.<sup>31</sup> According to the Center for Court Innovation's website, 40 percent of the participants in the Driver Accountability Program are less likely to be rearrested for traffic related offenses and 86 percent have reported that their driving behavior had changed.<sup>32</sup>

### Dangerous Vehicle Abatement Program

Int. No. 971-A is designed to abate the public nuisance of dangerous vehicles. These are vehicles that have become "dangerous instruments" because they regularly exceed the posted speed limits near schools by more than ten miles per hour, or which regularly go through red lights. These vehicles have a detrimental effect on public health, safety and welfare because they are more likely to be involved in crashes, causing injuries or death to pedestrians, bicyclists, and vehicle occupants.

The City has a long history of taking action against public nuisances. Although the models for this bill have involved buildings or property that are a threat to public health, safety and welfare because of illegal activities occurring within such buildings or on such property, vehicles driven with disregard for traffic regulations are similarly a threat to public health, safety and welfare – if not more so.

## **UPDATE**

On February 10, 2020, the Committee on Transportation passed Int. No. 971-A by a vote of eight in the affirmative, one in the negative, and one abstention.

## **ANALYSIS OF INT. NO. 971-A**

Int. No. 971-A creates a "dangerous vehicle abatement program" that requires vehicle owners to take a safe vehicle operation course or risk having their vehicle impounded. Vehicles covered by the program include any vehicle that has accumulated five or more red light camera violations or 15 or more school speed camera violations within a twelve-month period, provided that these violations must be determined by the Department of Transportation to be finally adjudicated. Safe vehicle operation courses must be approved by DOT. If the vehicle is owned by an organization such as a corporation, that corporation will be required to identify a natural person who will be responsible for attending the safe vehicle operation course. DOT will determine the amount of time within which owners must complete the safe vehicle operation course.

<sup>26</sup> See "How to reduce your points and insurance rate," at <https://dmv.ny.gov/tickets/how-reduce-your-points-and-insurance-rate>

<sup>27</sup> See "Driver Accountability Program," Center for Court Innovation, at <https://www.courtinnovation.org/programs/driver-accountability-program>

<sup>28</sup> See <https://www.courtinnovation.org/programs/driver-accountability-program/more-info>

<sup>29</sup> *Id.*

<sup>30</sup> See <https://www.courtinnovation.org/programs/driver-accountability-program>

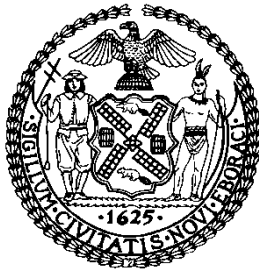
<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

Any person who receives a red light camera violation or a school speed camera violation will receive written notice by mail that each violation counts towards the dangerous vehicle abatement program. Any owner of a vehicle that has been determined to be covered by the dangerous vehicle abatement program will receive written notice of this determination by mail. Owners may contest this determination before the Office of Administrative Trials and Hearings (“OATH”) and raise defenses that include, but are not limited to the following: (1) another person was driving the vehicle and will take the course; (2) the vehicle has not accrued a sufficient number of tickets; (3) the owner was not able to enroll in the course, through no fault of their own; and (4) personal circumstances beyond the control of the owner would cause undue hardship and prevent them from completing the course.

Covered vehicles may be impounded if owners fail to complete the safe vehicle operation course within the timeframe designated by DOT. Before a vehicle is impounded, the owner will receive an order to certify completion of the course or appear before OATH and present a reason that the vehicle should not be impounded. If OATH determines that the vehicle can be impounded, DOT will direct the Sheriff to seize and impound the vehicle. The vehicle will not be released to the owner until the owner provides certification of completion of the safety course. Following successful completion of the safety course, if the owner does not incur any additional red light camera or speed camera violations for six months, owners of covered vehicles will receive a clean slate for purposes of the dangerous vehicle abatement program.

**(The following is the text of the Fiscal Impact Statement for Int. No. 971-A:)**



**THE COUNCIL OF THE CITY OF NEW YORK**

**FINANCE DIVISION**

**LATONIA MCKINNEY, DIRECTOR**

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 971-A**

**COMMITTEE: Transportation**

**TITLE:** A local law in relation to creating a dangerous vehicle abatement program.

**SPONSORS:** Council Members Lander, Torres, Reynoso, Richards, Menchaca, Adams, Levin, Van Bramer, Gibson, Treyger, Rosenthal, Powers, Brannan, Ayala, Rodriguez, Rivera, Ampy-Samuel, Holden, Koslowitz, Constantinides, Chin, the Public Advocate (Mr. Williams), Cumbo, Levine, Salamanca, Cornegy, Kallos, Dromm, Moya, Deutsch, Barron, Louis and Cohen.

**SUMMARY OF LEGISLATION:** Proposed Intro. No. 971-A would create a “dangerous vehicle abatement program” that would require owners of vehicles with five or more red light camera violations or 15 or more speed camera violations within 12 months to take a safe vehicle operation course offered by the Department of Transportation (DOT). If an owner failed to complete the course, the Sheriff would be empowered to impound the owner’s vehicle.

Owners who receive a red light or speed camera violation would be notified that those violations would count toward dangerous vehicle abatement program. After receiving notice that a vehicle is covered under the program, an owner would have the opportunity to contest.

The program would run for three years. Each year, DOT would report on the number of drivers who completed the course and the number of vehicles impounded. At least three months before its end, DOT would issue a report on how certain driving behaviors correlate with traffic crashes and on the effectiveness of the program.

**EFFECTIVE DATE:** This local law would take effect eight months after it becomes law and would remain in effect for 36 months, after which it would be deemed repealed.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2022

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY21</b>	<b>FY Succeeding Effective FY22</b>	<b>Full Fiscal Impact FY22</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$1,582,917	\$2,174,375	\$2,174,375
<b>Net</b>	(\$1,582,917)	(\$2,174,375)	(\$2,174,375)

**IMPACT ON REVENUES:** It is estimated that the enactment of this legislation would have no impact on revenues.

**IMPACT ON EXPENDITURES:** It is estimated that the enactment of this legislation would cost approximately \$2.2 million annually, of which \$950,000 is for Personal Service cost and \$1.2 million is for Other than Personal Service costs. In Fiscal Year 2021, the total cost is prorated to be \$1.6 million.

**SOURCE OF FUNDS TO COVER ESTIMATED COSTS:** General Fund

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

**ESTIMATE PREPARED BY:** John Basile, Senior Financial Analyst

**ESTIMATE REVIEWED BY:** Nathan Toth, Deputy Director  
Chima Obichere, Unit Head  
Noah Brick, Assistant Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced to the full Council as Intro. No. 971 on June 7, 2018 and was referred to the Committee on Transportation (Committee). The Committee heard the legislation on August 15, 2018 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 971-A, will be considered by the Committee on February 10, 2020. Upon a successful vote by the Committee, Proposed Intro. No 971-A will be submitted to the full Council for a vote on February 11, 2020.

**DATE PREPARED:** February 7, 2020.

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Int. No. 971-A:)**

Int. No. 971-A

By Council Members Lander, Torres, Reynoso, Richards, Menchaca, Adams, Levin, Van Bramer, Gibson, Treyger, Rosenthal, Powers, Brannan, Ayala, Rodriguez, Rivera, Ampry-Samuel, Holden, Koslowitz, Constantinides, Chin, the Public Advocate (Mr. Williams), Cumbo, Levine, Salamanca, Cornegy, Kallos, Dromm, Moya, Barron, Louis, Cohen, Rose and Eugene.

**A Local Law to amend the administrative code of the city of New York, in relation to a creating a dangerous vehicle abatement program**

*Be it enacted by the Council as follows:*

Section 1. Declaration of legislative intent and findings. The council finds and declares that more than 200 people in New York city are killed each year in traffic crashes. Being struck by a vehicle is the leading cause of injury-related death for children under 14, and the second leading cause for senior citizens. The council notes that in a recent analysis by the New York city department of transportation, vehicles with the most school speed camera violations per year or the most red light camera violations per year were more likely to be involved in injury crashes than vehicles with few or no violations. The council believes that vehicles which have been involved in multiple red light camera and school speed camera violations would be less dangerous if their registered owners were educated regarding the dangers of exceeding speed limits and failing to comply with traffic signals. The council therefore finds it necessary and appropriate to establish a program to require such education for the registered owners of such vehicles to the extent practicable.

§ 2. Chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new subchapter 4 to read as follows:

*Subchapter 4  
Dangerous Vehicle Abatement Law*

§ 19-199.2 *Definitions.* For the purposes of this subchapter, the following terms have the following meanings:

*Covered vehicle.* The term “covered vehicle” means any motor vehicle that, in accordance with the records of the department of finance, has accumulated five or more finally adjudicated red light camera violations as determined by the department, or 15 or more finally adjudicated school speed camera violations as determined by the department, within any 12-month period. Such term shall not include any vehicle owned or leased by the United States government or any state or local government.

*Person.* The term “person” means a natural person, co-partnership, firm, company, association, joint stock association, corporation or other like organization.

*Predicate violation.* The term “predicate violation” means a red light camera violation or school speed camera violation.

*Red light camera violation.* The term “red light camera violation” means the notice of liability issued for failure of a vehicle operator to comply with section 1111-a of the vehicle and traffic law or section 19-210.

*School speed camera violation.* The term “school speed camera violation” means the notice of liability issued for failure of a vehicle operator to comply with section 1180-b of the vehicle and traffic law.

*Safe vehicle operation course.* The term “safe vehicle operation course” means a course approved by the department that educates vehicle owners about the dangers resulting from vehicle operators exceeding posted speed limits and failing to comply with traffic signals, including the potential to cause injury or death, by utilizing a skilled facilitator to actively engage participants in self-reflection and discussion to identify and commit to specific safe driving practices. The goal of such course is to prevent vehicles from becoming dangerous instruments by educating owners about responsible vehicle ownership.

§ 19-199.3 *Notice to vehicle owners.* The department shall send by first-class mail, to all persons receiving a red light camera violation or a school speed camera violation, a notice that pursuant to this subchapter, a vehicle that incurs five or more red light camera violations or 15 or more school speed camera violations within any 12-month period may be determined to be a covered vehicle, and that such vehicle’s registered owner may thereafter be required to enroll in and complete a safe vehicle operation course pursuant to this subchapter and the rules of the department. Such notice shall also contain a warning that failure to enroll in and complete such course may result in the seizure and impoundment of such vehicle, pending completion of such course.

§ 19-199.4 *Covered vehicle notice.* a. The department may require a registered owner of a covered vehicle, pursuant to this subchapter, to complete a safe vehicle operation course in accordance with rules promulgated by the department and to certify completion of such course to the department within the time period set forth in such rules. The department shall serve a notice of such requirement by first-class mail to the registered owner.

b. The registered owner may request review of the notice by the department, within the time period set forth in rules promulgated by the department. The registered owner shall have the opportunity to contest such notice



from the department made pursuant to subdivision a of this section before the office of administrative trials and hearings. At such hearing, the owner may assert defenses, including but not limited to:

- (1) a person other than the registered owner was driving the vehicle when the predicate violations were issued, provided that such other person has or will complete the course on behalf of the registered owner;
- (2) there are insufficient finally adjudicated predicate violations for such covered vehicle notice;
- (3) the registered owner in good faith attempted to enroll in the safe vehicle operation course but was unable to do so, due to no fault of their own; or
- (4) employment, health or family circumstances beyond the control of the registered owner would cause undue hardship and prevent them from completing the safe vehicle operation course within the time frame required by this subchapter.

c. Notwithstanding any inconsistent provision of subdivision b of this section, where the registered owner of a covered vehicle is a person other than a natural person, the registered owner shall identify to the department the natural person who operated or is responsible for overseeing the operation of such covered vehicle. The department may require proof that such person operated or is responsible for the operation of such covered vehicle. Such person shall complete the safe vehicle operation course on behalf of the registered owner, as set forth in rules promulgated by the department.

d. If the office of administrative trials and hearings finds that such registered owner must complete the safe vehicle operation course, such registered owner shall complete such course within a period of time after such determination, as set forth in rules promulgated by the department.

§ 19-199.5 Seizure and impoundment. a. Where a registered owner fails to complete the safe vehicle operation course in accordance with this subchapter, the covered vehicle may be subject to impoundment in accordance with this section.

b. The department shall serve an order by first-class mail upon the registered owner of such covered vehicle. Such order shall require the owner to complete the safe vehicle operation course and certify to the department completion of such course within a period of time to be set forth in such order, or appear at a hearing before the office of administrative trials and hearings at a time and place set forth in such order, at which such registered owner may present reasons why their covered vehicle should not be seized and impounded until such registered owner completes the safe vehicle operation course. The determination of the office of administrative trials and hearings shall be a final determination for purposes of review, pursuant to article 78 of the civil practice law and rules.

c. If the office of administrative trials and hearings sustains the order of seizure and impoundment, the department shall direct the city sheriff, after twenty days have passed from the date of such final determination, to seize and impound the covered vehicle. Such covered vehicle shall not be released until the owner provides certification of completion of the safe vehicle operation course, in accordance with rules promulgated by the department, and pays fees in the amount of the city's expenses for the seizure and impoundment of such covered vehicle.

§ 19-199.6 Successful completion of safe vehicle operation course. If within six months after completing a safe vehicle operation course a vehicle does not accumulate any additional predicate violations, any red light camera or school speed camera violations accrued prior to the completion of such course shall not be counted as predicate violations for purposes of this subchapter.

§ 19-199.7 Program evaluation. The department shall publish on its website and report to the mayor and the speaker of the city council on the implementation of this subchapter and the department's efforts to reduce dangerous driving, which shall contain, at a minimum, the following information:

- a. no later than 13 months after the effective date of the local law that added this subchapter, and every year thereafter, a report on the number of individuals who registered for the safe vehicle operation course and the number of individuals who completed such program, during the previous 12-month period;
- b. no later than 13 months after the effective date of the local law that added this subchapter, and every year thereafter, a report on the number of vehicles impounded pursuant to this subchapter, within the previous 12-month period;
- c. no less than three months prior to the expiration of the program established by the local law that added this subchapter, an evaluation of the effectiveness of the safe vehicle operation course, including, but not limited to, the number of individuals who completed such course found liable for a predicate violation following completion of such course and the number of such violations;

*d. no less than three months prior to the expiration of the program established by the local law that added this subchapter, a study of driving behavior to identify specific behaviors indicating a pattern of dangerous driving associated with traffic crashes, injuries, and fatalities, including, but limited to, and to the extent feasible, an analysis of hit-and-run police reports, convictions for traffic-related violations or crimes, including convictions pursuant to section 19-190 and section 1212 of the vehicle and traffic law; MV104AN crash reports attributing dangerous conduct to the driver, driving activity of vehicles registered to people with suspended or revoked licenses; and*

*e. no less than three months prior to the expiration of the program established by the local law that added this subchapter, changes in patterns of dangerous driving and any additional interventions undertaken by the department or another city agency designed to address dangerous driving.*

§ 3. This local law takes effect eight months after it becomes law and applies to red light camera and school speed camera violations, as defined in section 19-199.2 of subchapter 4 of chapter 1 of title 19 of the administrative code of the city of New York, as added by section two of this local law, committed on and after such effective date, provided that:

(i) section 19-199.4, 19-199.5 and 19-199.6 of subchapter 4 of chapter 1 of title 19 of the administrative code of the city of New York, as added by section two of this local law, shall take effect twelve months after it becomes law;

(ii) that the department of transportation, the department of finance, the office of administrative trials and hearings, and the city sheriff shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such date; and

(iii) this local law shall remain in effect for 36 months, after which it is deemed repealed.

Notwithstanding the repeal of this local law, the provisions of this local law shall remain in effect for any registered owner required to take a safe vehicle operation course pursuant to subchapter 4 of chapter 1 of title 19 of the administrative code of the city of New York, as added by this local law, prior to such repeal.

YDANIS A. RODRIGUEZ, *Chairperson*; FERNANDO CABRERA, ANDREW COHEN, PETER A. KOO, STEPHEN T. LEVIN, CHAIM M. DEUTSCH, MARK D. LEVINE, RUBEN DIAZ, Sr.; Committee on Transportation, February 10, 2020. *Other Council Members Attending: Council Member Lander.*

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

Report for L.U. No. 604 & Res. No. 1252

**Report of the Committee on Land Use in favor of approving, as modified, Application No. C 190267 ZMQ (22-60 46th Street Rezoning) submitted by Mega Realty Holding, LLC, and Pancyprian Association, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9c, changing from an R4 District to an R6A District, changing from an M1-1 District to an R4 District, changing from an M1-1 District to an R6A District, establishing within the proposed R4 District a C2-3 District, establishing within the proposed R6A District a C2-3 District, Borough of Queens, Council District 22, Community District 1.**

The Committee on Land Use, to which the annexed Land Use item was referred on January 23, 2020 (Minutes, page 149) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

**REPORTS:**

**SUBJECT**

**QUEENS CB-1 - TWO APPLICATIONS RELATED TO 22-60 46<sup>TH</sup> STREET  
REZONING**

**C 190267 ZMQ (Pre. L.U. No. 604)**

City Planning Commission decision approving an application submitted by Mega Realty Holding, LLC and Pancyprian Association, Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9c:

1. changing from an R4 District to an R6A District property bounded by 45th Street, Ditmars Boulevard, 46th Street, and a line 525 feet southwesterly of Ditmars Boulevard;
2. changing from an M1-1 District to an R4 District property bounded by 45th Street, a line 100 feet northeasterly of 23rd Avenue, a line midway between 45th Street and 46th Street, a line 125 feet northeasterly of 23rd Avenue, 46th Street, Astoria Boulevard North, and 23rd Avenue;
3. changing from an M1-1 District to an R6A District property bounded by 45th Street, a line 525 feet southwesterly of Ditmars Boulevard, 46th Street, a line 125 feet northeasterly of 23rd Avenue, a line midway between 45th Street and 46th Street, and a line 100 feet northeasterly of 23rd Avenue;
4. establishing within the proposed R4 District a C2-3 District bounded by 45th Street, a line 100 feet northeasterly of 23rd Avenue, a line midway between 45th Street and 46th Street, and 23rd Avenue; and
5. establishing within the proposed R6A District a C2-3 District bounded by 45th Street, a line 275 feet northeasterly of 23rd Avenue, a line midway between 45th Street and 46th Street, and a line 100 feet northeasterly of 23rd Avenue;

as shown on a diagram (for illustrative purposes only) dated August 26, 2019, and subject to the conditions of CEQR Declaration E-549.

**N 190266 ZRQ (Pre. L.U. No. 605)**

City Planning Commission decision approving an application submitted by Mega Realty Holding, LLC and Pancyprian Association, Inc., 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 an amendment to rezone the project area Block 769 from an R4 and M1-1 zoning districts to R4, R4/C2-3, R6A, and R6A/C2-3 districts; and amend zoning text to modify Appendix F to designate a portion of the Project Area within the proposed R6A district as a Mandatory Inclusionary Housing (MIH) Area (Option 2 and the Workforce Option) to facilitate the construction of an eight-story mixed-use building at 22-60 46<sup>th</sup> Street in Astoria, Queens, Community District 1.

### **PUBLIC HEARING**

**DATE:** January 14, 2020

**Witnesses in Favor:** Thirteen

**Witnesses Against:** None

### **SUBCOMMITTEE RECOMMENDATION**

**DATE:** January 30, 2020

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on Pre. L.U. No. 604, and approve with modifications the decision of the City Planning Commission on Pre. L.U. No. 605.

#### **In Favor:**

Moya, Levin, Grodenchik, Rivera.

#### **Against:**

None

#### **Abstain:**

None.

### **COMMITTEE ACTION**

**DATE:** February 4, 2020

The Committee recommends that the Council approve the attached resolutions.

#### **In Favor:**

Salamanca, Gibson, Barron, Deutsch, Koo, Lancman, Miller, Treyger, Grodenchik, Adams, Diaz, Moya, Rivera.

#### **Against:**

None

#### **Abstain:**

None.

**FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSIONS**

The City Planning Commission filed a letter dated February 5, 2020, with the Council on February 7, 2020, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 1252

**Resolution approving the decision of the City Planning Commission on ULURP No. C 190267 ZMQ, a Zoning Map amendment (Preconsidered L.U. No. 604).**

By Council Members Salamanca and Moya.

**WHEREAS**, Mega Realty Holding, LLC and Pancyprian Association, Inc., 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. 9c, changing from an R4 District to an R6A District, changing from an M1-1 District to an R4 District, changing from an M1-1 District to an R6A District, establishing within the proposed R4 District a C2-3 District, and establishing within the proposed R6A District a C2-3 District, which in conjunction with the related actions would facilitate the construction of an eight-story mixed-use building at 22-60 46<sup>th</sup> Street in Astoria, Queens, Community District 1 (ULURP No. C 190267 ZMQ) (the "Application");

**WHEREAS** the City Planning Commission filed with the Council on January 10, 2020, its decision dated January 8, 2020 (the "Decision") on the Application;

**WHEREAS**, the Application is related to application N 190266 ZRQ (Pre. L.U. No. 605), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on January 14, 2020;

**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 August 26<sup>th</sup>, 2019 (CEQR No. 19DCP145Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to air quality and hazardous materials (E-549) (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-549) 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 190267 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. 9c:

1. changing from an R4 District to an R6A District property bounded by 45th Street, Ditmars Boulevard, 46th Street, and a line 525 feet southwesterly of Ditmars Boulevard;
2. changing from an M1-1 District to an R4 District property bounded by 45th Street, a line 100 feet northeasterly of 23rd Avenue, a line midway between 45th Street and 46th Street, a line 125 feet northeasterly of 23rd Avenue, 46th Street, Astoria Boulevard North, and 23rd Avenue;
3. changing from an M1-1 District to an R6A District property bounded by 45th Street, a line 525 feet southwesterly of Ditmars Boulevard, 46th Street, a line 125 feet northeasterly of 23rd Avenue, a line midway between 45th Street and 46th Street, and a line 100 feet northeasterly of 23rd Avenue;
4. establishing within the proposed R4 District a C2-3 District bounded by 45th Street, a line 100 feet northeasterly of 23rd Avenue, a line midway between 45th Street and 46th Street, and 23rd Avenue; and
5. establishing within the proposed R6A District a C2-3 District bounded by 45th Street, a line 275 feet northeasterly of 23rd Avenue, a line midway between 45th Street and 46th Street, and a line 100 feet northeaster of 23rd Avenue;

as shown on a diagram (for illustrative purposes only) dated August 26, 2019, and subject to the conditions of CEQR Declaration E-549, Community District 1, Borough of Queens.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, CHAIM M. DEUTSCH, RORY I. LANCMAN, I. DANEEK MILLER, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA; Committee on Land Use, February 4, 2020.

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

Report for L.U. No. 605 & Res. No. 1253

**Report of the Committee on Land Use in favor of approving, as modified, Application No. N 190266 ZRQ (22-60 46th Street Rezoning) submitted by MEGA 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 APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Council District 22, Community District 1.**

The Committee on Land Use, to which the annexed Land Use item was referred on January 23, 2020 (Minutes, page 150) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

**REPORTS:**

**(For text of updated report, please see the Report of the Committee on Land Use for L.U. No. 604 printed above in the General Order Calendar section of these Minutes)**

*Accordingly, this Committee recommends its adoption.*

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

Res. No. 1253

**Resolution approving with modifications the decision of the City Planning Commission on Application No. N 190266 ZRQ, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 605).**

By Council Members Salamanca and Moya.

**WHEREAS**, Mega Realty Holding, LLC and Pancyprian Association, Inc., filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related actions would facilitate the construction of an eight-story mixed-use building at 22-60 46th Street in Astoria, Queens, Community District 1 (Application No. N 190266 ZRQ), (the “Application”);

**WHEREAS**, the City Planning Commission filed with the Council on January 10, 2020 its decision dated January 8, 2020 (the “Decision”), on the Application;

**WHEREAS**, the Application is related to application C 190267 ZMQ (Pre. L.U. No. 604), a zoning map amendment from R4 and M1-1 to R4, R4/C2-3, R6A, and R6A/C2-3;

**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 January 14, 2020;

**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 August 26<sup>th</sup>, 2019 (CEQR No. 19DCP145Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to air quality and hazardous materials (E-549) (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-549) and Negative Declaration.

Pursuant to Section 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 190266 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 1**

\* \* \*

Map 7 – [date of adoption]



[PROPOSED MAP]



Mandatory Inclusionary Housing area (see Section 23-154(d)(3))  
Area 7 – [date of adoption], MIH Program Option 2 and ~~Workforce~~-Option 1

Portion of Community District 1, Borough of Queens

\* \* \*

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON,  
 CHAIM M. DEUTSCH, RORY I. LANCMAN, I. DANEEK MILLER, MARK TREYGER, BARRY S.  
 GRODENCHIK, ADRIENNE E. ADAMS, RUBEN DIAZ, Sr., FRANCISCO P. MOYA, CARLINA RIVERA;  
 Committee on Land Use, February 4, 2020.

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).

**Resolution approving various persons Commissioners of Deeds**

By the Presiding Officer –

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

*Approved New Applicants*

<i>Name</i>	<i>Address</i>	<i>District #</i>
Andy Ledesma	559 West 164th St, Apt 6B New York, New York 10032	7
Ira Heppard	200 West 136th Street, Apt 2B New York, New York 10030	9
Kathryne Robinson	444 Manhattan Ave, Apt 3P New York, New York 10026	9
Meilie Velez	1230 Arnow Ave Bronx, New York 10469	13
Heydy Rodriguez King	2001 University Ave Bronx, New York 10453	14
Hydea Minor	343 E. 173rd Street, Apt.15 Bronx, New York 10457	15
Gilberto Alvarado	40-05 30th Ave, Apt. 6 Queens, New York 11103	22
Mayra Evelin Lopez	43-22 45th Street Sunnyside, New York 11104	26
George Canela	97-56 108 St, Apt. 3 Queens, New York 11419	28
Ketty Pena	82-22 Austin St. Queens, New York 11415	29
Emma Kaisla	480 Madison Street, Apt 4 Brooklyn, New York 11221	36
John Patrick Jeffrey	168 Stuyvesant Ave, Apt 4F Brooklyn, New York 11221	36

Amanda Field	51 3rd Street, Apt 1L Brooklyn, New York 11231	39
Sam Feldman	132 St. Marks Pl. #2R Brooklyn, New York 11217	39
Paul Friedman	246 Lincoln Road Brooklyn, New York 11225	40
Robin Beck	105 E 16th St, Apt. 5J Brooklyn, New York 11226	40
Candice Clarke	271 Wortman Ave, #6C Brooklyn, New York 11207	42

*Approved Reapplicants*

<i>Name</i>	<i>Address</i>	<i>District #</i>
Fernando DeLeon	50 Avenue D #2H New York, New York 10009	2
Lucy Eng-D'Andrilli	40 First Avenue #11C New York, New York 10009	2
Robert Castro	77 Columbia Street #9G New York, New York 10002	2
Mark K. Steinhauer	345 8th Avenue #14J New York, New York 10001	3
Bruce Brandwen	20 West 76th Street #5A New York, New York 10023	3
Cherrelle Riddick	307 West 117th Street #3B New York, New York 10026	9
Yolanda S. Wilson	140 Casals Place #3C Bronx, New York 10475	12
Belkis Perez	250 Hosmer Avenue #1FL Bronx, New York 10465	13
Elizabeth Jimenez	2845 University Avenue #2B Bronx, New York 10468	14
Lilian Ruiz	160 West Kingsbridge Road #5A Bronx, New York 10463	14
Desmond Carlo	905 Tinton Avenue #10B Bronx, New York 10456	16

Wanda Herndon	500 East 171st Street #14E Bronx, New York 10457	16
Wayne Cunningham	800 Concourse Village West #24L Bronx, New York 10451	16
Lillian Robles	2015 Marmion Avenue Bronx, New York 10460	17
Rena Broome	599 Morris Avenue #3G Bronx, New York 10451	17
Yvette A. Welsh	1468 Vyse Avenue Bronx, New York 10460	17
Darlyne Joseph	33-32 96th Street Queens, New York 11368	21
Aisha Padgett	72-49 153rd Street #3F Flushing, New York 11367	24
Ann Gobioff	64-20 185th Street Fresh Meadows, New York 11365	24
Debra Henderson	80-25 Parsons Blvd #L7 Jamaica, New York 11432	24
Ameena M. Hanif	94-11 59th Avenue #C23 Elmhurst, New York 11373	25
Gregory Finch	83-21 Cornish Avenue #3 Elmhurst, New York 11373	25
Noemi Rodriguez	91-47 195th Street Bstm Hollis, New York 11423	27
Noreen Hollingsworth	119-09 180th Street Jamaica, New York 11434	27
Ollie M. Bowens	119-05 234th Street Queens, New York 11411	27
Veronica Smith	104-04 219th Street, 2nd Fl Queens Village, New York 11429	27
Astrid Beza	109-12 Jamaica Ave Richmond Hill, New York 11418	28
Myrna Ortiz	62-09 62nd Avenue Queens, New York 11379	30

Michele D. Adams	222-03 141st Avenue Queens, New York 11413	31
Donna Leak	320 Beach 100th Street #10H Rockaway Park, New York 11694	32
Emily Otero	91-18 91st Avenue Woodhaven, New York 11421	32
Shari Lopez	243 Beach 135th St Bell Harbor, New York 11694	32
Ada Torres	1091-1103 Gates Avenue Brooklyn, New York 11221	34
Charlene S. Lamar	55 North Elliot Place #10G Brooklyn, New York 11205	35
Lilia Dwyer	1047 President Street Brooklyn, New York 11225	35
Paulette Daniels	770 Fulton Street #3B Brooklyn, New York 11238	35
Jean-Paul Lozada	442 Gates Avenue #2 Brooklyn, New York 11216	36
Kemeshia Horrell	1046 Park Place Brooklyn, New York 11213	36
Leo A. Morris	712 Hancock Street Brooklyn, New York 11233	36
Maria McLoud	66 15th Street #1 Brooklyn, New York 11215	39
Denise DeLagarde	1411 Linden Blvd #9F Brooklyn, New York 11212	42
Ina Freeman	373 Wyona Street Brooklyn, New York 11207	42
Teresa Mills	212 Crown Street #2C Brooklyn, New York 11225	42
Retoria Estaphan	917 Euclid Avenue Brooklyn, New York 11208	42
Thomasina White	733 Vandalia Avenue Brooklyn, New York 11239	42
Trevor S. Williams	1326 Blake Avenue #2 Brooklyn, New York 11208	42

Irving Jacobs	129 Bayridge Parkway Brooklyn, New York 11209	43
Robert J. Romano	7201 15th Avenue Brooklyn, New York 11228	43
Anthony Macca	1063 East 2nd Street Brooklyn, New York 11230	44
Jacqueline J. Jackson	1489 East 46th Street Brooklyn, New York 11234	45
Mary Carbonaro	2073 East 38th Street Brooklyn, New York 11234	46
Anna Berlin	3903 Nostrand Avenue #5B Brooklyn, New York 11235	48
Marvario Ulmasova	1414 East 14th Street #4D Brooklyn, New York 11230	48
Tanya Litochevsky	2665 Homecrest Avenue #2W Brooklyn, New York 11235	48
Latonya Ashley	131 Jersey Street #4K Staten Island, New York 10301	49
Robert O. Reeves	32 Woodchrest Road #1 Staten Island, New York 10303	49
Anatoly Petrikovsky	1169 Father Capodanno Blvd Staten Island, New York 10306	50
Kristel Gunderson	128 Delaware Street Staten Island, New York 10304	50
Peggy Lee Endress	227 Buel Avenue #3A Staten Island, New York 10305	50
Sally Marcano	68 Fahy Avenue Staten Island, New York 10314	50
Zhanna Yakob	194 Stonegate Drive Staten Island, New York 10304	50
Cindy Marie Benenati	598 Yetman Avenue Staten Island, New York 10307	51
Joan A. Santore	684 Rensselaer Avenue Staten Island, New York 10312	51

John Stringile	298 Maybury Avenue Staten Island, New York 10308	51
Linda M. Quinn	18 Presley Street Staten Island, New York 10308	51
Sheryl F. Diamond	26 Florence Street Staten Island, New York 10308	51
Vincent DeGeorge	74 Sandalwood Drive Staten Island, New York 10308	51

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).

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

- |      |                                  |  |
|------|----------------------------------|--|
| (1)  | <b>M 206 &amp; Res 1251 -</b>    | <b>Aloysee Heredia Jarmoszuk</b> appointment as a member and chair to the New York City Taxi and Limousine Commission. |
| (2)  | <b>Int 113-A -</b>               | Creation of a database to track capital projects citywide.   |
| (3)  | <b>Int 971-A -</b>               | Creating a dangerous vehicle abatement program.  |
| (4)  | <b>Int 1650-A -</b>              | Provision of information regarding the health bucks program and farmers' markets.                                      |
| (5)  | <b>Int 1659-A -</b>              | A plan to identify and enroll seniors eligible for supplemental nutrition assistance benefits.                         |
| (6)  | <b>Int 1664-A -</b>              | The office of food policy to formulate a 10-year food policy plan.   |
| (7)  | <b>Int 1666-A -</b>              | The establishment of an office of food policy.   |
| (8)  | <b>Res 1235 -</b>                | <b>Changes in Chairs and Membership</b> to the Standing Committees of the Council.                                     |
| (9)  | <b>L.U. 597 &amp; Res 1244 -</b> | App. <b>20205054 HIK (N 200195 HIK, DL 515/LP-2640)</b> Brooklyn, Council District 39, Community District 6.           |
| (10) | <b>L.U. 598 &amp; Res 1245 -</b> | App. <b>20205055 HIK (N 200196 HIK, DL 515/LP-2639)</b> Brooklyn, Council District 39, Community District 6.           |
| (11) | <b>L.U. 599 &amp; Res 1246 -</b> | App. <b>20205056 HIK (N 200197 HIK, DL 515/LP-2641)</b> Brooklyn, Council District 39, Community District 6.           |



- (12) **L.U. 600 & Res 1247 -** App. **20205057 HIK (N 200198 HIK, DL 515/LP-2638)** Brooklyn, Council District 33, Community District 6.
- (13) **L.U. 601 & Res 1248 -** App. **20205058 HIK (N 200199 HIK, DL 515/LP-2637)** Brooklyn, Council District 33, Community District 6.
- (14) **L.U. 603 & Res 1249 -** App. **C 190029 ZMQ (147-40 15th Avenue Commercial Overlay Rezoning)** Queens, Council District 19, Community District 7.
- (15) **L.U. 604 & Res 1252 -** App. **C 190267 ZMQ (22-60 46th Street Rezoning)** Queens, Council District 22, Community District 1.
- (16) **L.U. 605 & Res 1253 -** App. **N 190266 ZRQ (22-60 46th Street Rezoning)** Queens, Council District 22, Community District 1.
- (17) **L.U. 611 & Res 1242 -** 528 East 11th Street HDFC, Block 404, Lot 18; Manhattan, Community District No.3, Council District 2.
- (18) **L.U. 612 & Res 1243 -** Carroll Gardens Portfolio, Block 332, Lot 52, Block 435, Lot 1, Block 449, Lot 12; Brooklyn, Community District No. 6, Council District 39.
- (19) **L.U. 613 & Res 1250 -** App. **20205259 SCQ (476-Seat Primary School Q340)** Queens, Community School District 24, Council District 30, Community District 2.
- (20) **Resolution approving various persons Commissioners of Deeds.**

The Public Advocate (Mr. Williams) put the question whether the Council would agree with and adopt such reports which were decided in the **affirmative** by the following vote:

**Affirmative** – Adams, Ampry-Samuel, Ayala, Barron, Borelli, Brannan, Cabrera, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Perkins, Powers, Reynoso, Richards, Rivera, Rodriguez, Rosenthal, Torres, Treyger, Ulrich, Vallone, Van Bramer, Yeger, the Minority Leader (Council Member Matteo), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **47**.

**The General Order vote recorded for this Stated Meeting was 47-0-0 as shown above with the exception of the votes for the following legislative items:**

The following was the vote recorded for **Int. No. 971-A**:

**Affirmative** – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Cabrera, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Eugene, Gibson, Gjonaj, Holden, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Louis, Maisel, Menchaca, Moya, Perkins, Powers, Reynoso, Richards, Rivera, Rodriguez, Rosenthal, Torres, Treyger, Van Bramer, Yeger, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **41**.

**Negative** – Borelli, Grodenchik, Ulrich, Vallone, and the Minority Leader (Council Member Matteo) – **5**.

**Abstention** – Miller – **1**.

The following was the vote recorded for **L.U. No. 604 & Res. No. 1252 and L.U. No. 605 & Res. No. 1253**:

**Affirmative** – Adams, Ampry-Samuel, Ayala, Barron, Borelli, Brannan, Cabrera, Chin, Cohen, Constantinides, Cornegy, Deutsch, Dromm, Eugene, Gibson, Gjonaj, Grodenchik, Holden, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Perkins, Powers, Reynoso, Richards, Rivera, Rodriguez, Rosenthal, Torres, Treyger, Ulrich, Van Bramer, Yeger, the Minority Leader (Council Member Matteo), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **46**.

**Abstention** – Vallone – **1**.

*The following Introductions were sent to the Mayor for his consideration and approval:*

*Int. Nos. 113-A, 971-A, 1650-A, 1659-A, 1664-A, and 1666-A.*

**RESOLUTIONS**

*presented for voice-vote*

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

Report for voice-vote item Res. No. 1024-A

**Report of the Committee on General Welfare in favor of approving, as amended, a Resolution calling upon the New York State Office of Temporary and Disability Assistance (OTDA) to expand eligibility for the Supplemental Nutrition Assistance Program (SNAP) to public college students.**

The Committee on General Welfare, to which the annexed resolution was referred on August 14, 2019 (Minutes, page 2748), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on General Welfare for Int. No. 1650-A printed in the Reports of the Standing Committee section of these Minutes)**

*Accordingly, this Committee recommends its adoption, as amended.*

**(The following is the text of Res. No. 1024-A:)**

Res. No. 1024-A

**Resolution calling upon the New York State Office of Temporary and Disability Assistance (OTDA) to expand eligibility for the Supplemental Nutrition Assistance Program (SNAP) to public college students.**

By Council Members Louis, Kallos, Chin, Ayala, Gibson, Reynoso, Lander, Brannan, Rosenthal, Adams, Cornegy, Lancman, Cohen, Vallone, Holden, Levin and Eugene.

**Whereas**, Students at community colleges are more likely to come from low-income families (71 percent) than students at senior colleges (54 percent); and

**Whereas**, Recent studies have suggested that food insecurity may present an impediment to students reaching their academic goals; and

**Whereas**, Food insecurity is the lack of access, at times, to enough nutritionally adequate food for an active, healthy life for all members of a household; and

**Whereas**, One recent study of basic needs insecurity among college students found that 36 percent of all university students were food insecure, while finding significantly higher percentages of 56 percent and 42 percent among community college students in the last two years of the study, respectively; and

**Whereas**, Locally, in 2011, researchers at the City University of New York (CUNY) estimated that 39 percent of CUNY students were food insecure; and

**Whereas**, A small survey of low-income students at CUNY found that 74 percent experienced “very low food security” while the remaining 26 percent experienced “low food security”; and

**Whereas**, Another recent survey study cites that one in four CUNY students, or approximately 60,000 undergraduates, experience food insecurity; and

**Whereas**, The Supplemental Nutrition Assistance Program (SNAP, formerly known as the Food Stamp Program) is the nation's largest domestic food and nutrition assistance program, providing assistance to millions of eligible low-income people; and

**Whereas**, SNAP provides assistance to recipients by offering monthly electronic benefits that can be used to purchase food at authorized stores and farmers' markets; and

**Whereas**, Benefit levels for SNAP are based on criteria including, but not limited to, household size and income levels; and

**Whereas**, To participate in SNAP, a student in college at least half time must meet the income eligibility for SNAP and be employed for an average of 20 hours per week; and

**Whereas**, If a college student is enrolled in a SNAP Employment and Training (SNAP E&T) program, they are exempt from the 20 hour work requirement; and

**Whereas**, Federal regulations allow states to determine whether certain training programs not funded under the SNAP program are comparable to a SNAP E&T activity; and

**Whereas**, Students enrolled in a training program that has been deemed comparable to a SNAP E&T activity may receive SNAP if otherwise eligible; and

**Whereas**, Some states, such as Pennsylvania and Massachusetts, have made regulatory changes to their state SNAP programs to expand eligibility to community college students by determining their enrollment in community college is comparable to a SNAP E&T activity; and

**Whereas**, As the State agency that administers SNAP, the New York State Office of Temporary and Disability Assistance (OTDA) should certify academic programs within CUNY and State University of New York (SUNY) as comparable to a SNAP E&T program so that students will be eligible for SNAP; and

**Whereas**, In January 2020, Governor Cuomo included the expansion of college student enrollment in the State of the State presentation, which would allow for community college students working at least half-time in career and technical education courses to be exempt from the 20 hour work requirement for SNAP; and

**Whereas**, As low-income public college students are elevating their job prospects and earning potential, they should not be denied access to benefits providing a basic necessity; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Office of Temporary and Disability Assistance (OTDA) to expand eligibility for the Supplemental Nutrition Assistance Program (SNAP) to public college students.

STEPHEN T. LEVIN, *Chairperson*; BRADFORD S. LANDER, VANESSA L. GIBSON, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, BARRY GRODENCHIK, ROBERT F. HOLDEN; Committee on General Welfare, February 10, 2020. *Other Council Members Attending: Council Member Louis.*

Pursuant to Rule 8.50 of the Council, the Public Advocate (Mr. Williams) called for a voice vote. Hearing no objections, the Public Advocate (Mr. Williams) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res. No. 1025

**Report of the Committee on General Welfare in favor of approving a Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation to opt into the Supplemental Nutrition Assistance Program (SNAP) Restaurant Meals Program to allow disabled, elderly and homeless SNAP recipients to use their benefits on hot meals and other prepared foods at participating grocery stores, delis and restaurants.**

The Committee on General Welfare, to which the annexed resolution was referred on August 14, 2019 (Minutes, page 2749), respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on General Welfare for Int. No. 1650-A printed in the Reports of the Standing Committee section of these Minutes)**

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 1025:)**

Res. No. 1025

**Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation to opt into the Supplemental Nutrition Assistance Program (SNAP) Restaurant Meals Program to allow disabled, elderly and homeless SNAP recipients to use their benefits on hot meals and other prepared foods at participating grocery stores, delis and restaurants.**

By Council Members Louis, Kallos, Chin, Ayala, Gibson, Reynoso, Lander, Powers, Brannan, Rosenthal, Adams, Cohen, Vallone, Holden, Levin and Eugene.

**Whereas**, According to Feeding America, the nation's leading hunger-relief organization, 1.2 million New Yorkers were food insecure in 2017; and

**Whereas**, Food insecurity is the lack of access, at times, to enough nutritionally adequate food for an active, healthy life for all members of a household; and

**Whereas**, New York City's food insecurity rate is 12 percent higher than the national rate, and 21 percent higher than the New York State rate; and

**Whereas**, The Supplemental Nutrition Assistance Program (SNAP), formerly known as the Food Stamp Program, is the cornerstone of the nation's safety net and nutrition assistance programs, providing assistance to millions of eligible low-income people; and

**Whereas**, Benefit levels for SNAP are based on criteria including, but not limited to, household size and income levels; and

**Whereas**, SNAP provides assistance to recipients by offering monthly electronic benefits that can be used to purchase food at authorized stores and farmers' markets; and

**Whereas**, SNAP not only helps low-income people purchase food, but it also provides an economic benefit to communities; and

**Whereas**, As of May 2019, over 1.5 million people were receiving SNAP benefits in New York City; and

**Whereas**, Currently in New York, SNAP recipients cannot use their benefits to purchase prepared foods; and

**Whereas**, However, any state can allow for the purchase of prepared food with SNAP by opting into the Restaurant Meals Program authorized under the United States Food and Agriculture Act of 1977 (known as the Farm Bill); and

**Whereas**, The United States Department of Agriculture, which funds and runs SNAP, allows states to make restaurants available to SNAP recipients who are aged 60 and over, have proof of disability or have a homeless certification letter from a shelter or other provider; and

**Whereas**, Currently Illinois, Arizona, 11 counties in California and one county in Rhode Island participate in the program; and

**Whereas**, Allowing the disabled and elderly to use SNAP benefits for prepared meals will help those who may have physical limitations to preparing a meal; and

**Whereas**, New Yorkers experiencing homelessness can only use their SNAP benefits on limited items that do not require cooking due to lack of access to cooking facilities; and

**Whereas**, While the Department of Homeless Services provides meals to these individuals at their homeless shelter or commercial hotel, SNAP recipients who are experiencing homelessness do not have the flexibility to buy food on the go and choose their own food; and

**Whereas**, Allowing SNAP benefits to be used on prepared foods would allow people the choice and flexibility to use their SNAP benefits to feed themselves and their families; 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, legislation to opt into the Supplemental Nutrition Assistance Program (SNAP) Restaurant Meals Program to allow disabled, elderly and homeless SNAP recipients to use their benefits on hot meals and other prepared foods at participating grocery stores, delis and restaurants.

STEPHEN T. LEVIN, *Chairperson*; BRADFORD S. LANDER, VANESSA L. GIBSON, ANTONIO REYNOSO, RITCHIE J. TORRES, MARK TREYGER, BARRY GRODENCHIK, ROBERT F. HOLDEN; Committee on General Welfare, February 10, 2020. *Other Council Members Attending: Council Member Louis.*

Pursuant to Rule 8.50 of the Council, the Public Advocate (Mr. Williams) called for a voice vote. Hearing no objections, the Public Advocate (Mr. Williams) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

## INTRODUCTION AND READING OF BILLS

Int. No. 1870

By Council Members Brannan, Louis, Kallos, Yeger, Gibson and Chin (by request of the Manhattan Borough President).

### **A Local Law to amend the administrative code of the city of New York, in relation to the provision of information about pediatric emergency rooms**

*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 17-199.12 to read as follows:

*§ 17-199.12 Information regarding pediatric emergency rooms. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Child care program. The term “child care program” means a child care program as defined in section 47.01 of the of the health code of the city of New York.*

*Pediatric emergency room. The term “pediatric emergency room” means an emergency room of a hospital that specializes in treatment of children and adolescents.*

*Student. The term “student” means any child who is enrolled in pre-kindergarten through grade eight in a school of the city school district of the city of New York, any child who is enrolled in an early education center with which the department of education contracts to provide pre-kindergarten, and any child who is enrolled in a free full-day early education program for three-year-old children offered by the department of education.*

*b. The department shall maintain, and post on the department’s website, a list of pediatric emergency rooms which includes information about such emergency rooms including their locations and available medical services. In addition, the department shall:*

*1. Provide such list to the 311 customer service center to be posted on the 311 customer service website and to be made available by operators of the 311 system to any caller requesting information about pediatric emergency rooms;*

*2. Coordinate with hospitals to provide such list to the parents of every infant born in the city whose birth has been reported to the department;*

*3. Provide such list to pediatricians practicing in the city with materials indicating that such list should be distributed to parents and guardians; and*

*4. Provide such list to the department of education and each child care program to be distributed to the parents and guardians of every student and every child enrolled in a child care program at least once a year.*

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

Referred to the Committee on Health.

Res. No. 1233

### **Resolution calling upon the New York State Legislature to introduce and pass, and the Governor to sign, legislation amending Section 1402 of the New York State Tax Law to raise the minimum threshold for imposition of the “Mansion Tax” from \$1,000,000 to \$2,000,000 in New York City and increasing the tax due on transfers exceeding \$2,000,000.**

By Council Members Brannan, Yeger, Holden, Gjonaj, Grodenchik, Borelli, Ulrich and Kallos.

**Whereas**, Section 1402-a of the New York State Tax Law, passed in 1989 and commonly referred to as the “Mansion Tax,” levies a one percent tax on residential properties in New York State that sell for \$1,000,000 or more; and

**Whereas**, Section 1402-b of the New York State Tax Law, passed in 2019, increased the Mansion Tax on transfers of residential real property in New York City with a consideration of \$2,000,000 or more by creating seven additional tax brackets with higher tax rates, and dedicated such additional revenue therefrom to the Metropolitan Transportation Authority (MTA); and

**Whereas**, While adding additional tax brackets for transfers of more expensive residential real property is progressive, common-sense tax policy and creating new revenue for the MTA is an important policy goal, such legislation left in place the 30-year-old, \$1,000,000 threshold for imposition of the Mansion Tax; and

**Whereas**, According to the Bureau of Labor Statistic's Consumer Price Index Inflation Calculator, the purchasing power of \$1,000,000 in 1989 is different from the purchasing power of \$1,000,000 in 2019 and vice versa; and

**Whereas**, \$1,000,000 in 1989 is equivalent to \$2,078,546.66 in 2019, and conversely \$1,000,000 in 2019, adjusted for inflation, is equivalent to \$481,105.39 in 1989; and

**Whereas**, According to the REBNY Residential Sales Report, the average sales price of a residence in New York City during the third quarter of 2018 was \$1,026,000; and

**Whereas**, The original law was intended to impose an additional tax on purchasers of luxury properties, however it currently is a burden on the purchaser of the average residence in New York City; and

**Whereas**, A \$1,000,000 property in today's market in New York City is no longer a luxury property; and

**Whereas**, By keeping the imposition of the tax at the \$1,000,000 threshold, prospective buyers of the average New York City residence are being forced to pay a tax that was intended to be paid only by purchasers of luxury, high-end homes; and

**Whereas**, Increasing the threshold to \$2,000,000 would reflect the economic changes of the past thirty years, more accurately reflect the current New York City real estate market, and align the law with its original intention; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Legislature to introduce and pass, and the Governor to sign, legislation amending Section 1402 of the New York State Tax Law to raise the minimum threshold for imposition of the “Mansion Tax” from \$1,000,000 to \$2,000,000.

Referred to the Committee on Finance.

Int. No. 1871

By Council Members Cabrera and Kallos.

**A Local Law to amend the New York city charter, in relation to separability of unconsolidated local laws**

*Be it enacted by the Council as follows:*

Section 1. Chapter 2 of the New York city charter is amended to add a new section 32-a to read as follows:

*§ 32-a. Separability of unconsolidated local laws. If any clause, sentence, paragraph, section or part of an unconsolidated local law, or unconsolidated section or sections of a local law, shall be adjudged invalid or ineffective by any court of competent jurisdiction, such judgement shall not affect, impair or invalidate the remainder of such unconsolidated local law, or unconsolidated section or sections of such local law, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.*



§ 2. This local law takes effect immediately.

Referred to the Committee on Governmental Operations.

Int. No. 1872

Council Members Cabrera, Kallos and Yeger.

**A Local Law to amend the administrative code of the city of New York, in relation to the online publication of unconsolidated local laws**

*Be it enacted by the Council as follows:*

Section 1. Section 7-111 of the administrative code of the city of New York, as added by local law number 37 for the year 2014, is amended to read as follows:

§ 7-111 Online publication of city laws. The corporation counsel shall make available through the city's website a true and complete compilation of the charter, the administrative code, *the unconsolidated local laws enacted after January 1, 1985* and the rules of the city of [new york]New York. *Such compilations of the charter and the administrative code shall include unconsolidated portions of local laws enacted after January 1, 1985 as annotations to relevant sections amended, provided that such annotations shall not include enactment clauses.* Such compilation shall be in a searchable, machine-readable format or formats that are capable of being downloaded in bulk, and which are chosen for the purpose of making such compilations available to the greatest number of users and for the greatest number of applications. Such compilation shall be updated to reflect changes to such compilation no later than four weeks after such changes are made.

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

Referred to the Committee on Governmental Operations.

Int. No. 1873

By Council Members Chin, Louis, Kallos and Gibson.

**A Local Law to amend the administrative code of the city of New York, in relation to mercury poisoning prevention, including the remediation of elemental mercury from contaminated properties adjacent to schools, child care facilities and facilities providing day care services**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 24 of the administrative code of the city of New York is amended by adding a new subchapter 10 to read as follows:

*SUBCHAPTER 10  
MERCURY EXPOSURE AND REMEDIATION*

*§ 24-191 Legislative purpose; applicability. The purpose of this subchapter is to protect public health and safety by minimizing the emission of mercury vapor into the air of the city when properties that contain quantities*

*of all forms of elemental mercury which are located adjacent to a school, child care facility or facility providing day care services are remediated of elemental mercury contamination.*

*§ 24-192 Definitions. Whenever used in this subchapter, the following terms have the following meanings:*

*Adjacent. The term “adjacent” means neighboring, adjoining, abutting or located directly or indirectly across a street or passageway of any kind.*

*Child. The term “child” means any person under 18 years of age.*

*Child care facility. The term “child care facility” means a building, structure, area or premises where a child care program is provided. Where a program is regulated by article 43 of the New York city health code, “child care facility” means a school facility used to provide such program.*

*Child care program. The term “child care program” means any program providing child care for five or more hours per week, for more than 30 days in a 12-month period, to three or more children under six years of age, except that such term does not include:*

*1. Any state-regulated informal child care program, group family or family day care home, school-age child care program, or foster care program;*

*2. Any kindergarten or pre-kindergarten class operated as part of or located within any elementary school, except that school programs that provide care to children younger than three years of age shall be deemed child care programs subject to article 47 of the New York city health code. “Operated as part of an elementary school” means that there is identical ownership, operation, management and control of kindergarten or pre-kindergarten classes and elementary school classes;*

*3. Any “Mommy and me” or equivalent program in which each child is accompanied by a parent or another adult escorting the child, who is not employed by the child care program;*

*4. Any children’s camp operating seasonally at any time between June and September that is required to have a permit pursuant to article 48 of the New York city health code;*

*5. Any adult physical fitness, spa or other recreational facility, or retail establishment, or other business providing supervision for children of patrons or employees of the facility, establishment or business while parents are on the premises, unless children are registered or enrolled and individual children are spending more than eight hours per week in the program; or*

*6. Any church or religious organization where children are supervised by employees or members of the congregation while parents or guardians attend services.*

*Covered property. The term “covered property” means any property (i) that is adjacent to a school, child care facility or facility providing day care services and (ii) for which an application for a foundation or earthwork permit pursuant to section 28-105.2.1 is filed with the department of buildings.*

*Day care service. The term “day care service” means a program or service regulated by article 43 or 47 of the New York city health code.*

*School. The term “school” means a public, non-public, charter or other school or school facility recognized under the education law or that has been determined by the state education department or the New York city department of education, or successor agency, as providing a compulsory education for children in grades one through 12, and where more than six children ages three through five are provided instruction.*

*§ 24-193 Exposure limit; penalties; enforcement; rulemaking. a. Where elemental mercury is discovered on a covered property:*

*1. No person on such property or an adjacent school, child care facility or facility providing day care services shall be exposed to a level of mercury vapor exposure in excess of 750 nanograms per cubic meter of air averaged over an eight-hour work shift of a 40-hour work week.*

*2. No child on such property or an adjacent school, child care facility or facility providing day care services shall be exposed to a level of mercury vapor exposure in excess of 750 nanograms per cubic meter of air during 16 hours or less per week averaged over the school year.*

*b. The owner of such covered property shall be responsible for maintaining compliance with the requirements of this subdivision.*

*c. The commissioner shall promulgate rules establishing a civil penalty of not less than \$1,000 nor more than \$25,000 for a property owner’s failure to comply with the requirements of subdivision a of this section.*

*d. The commissioner shall be responsible for enforcing the requirements of this section.*

*e. The commissioner shall promulgate such rules as may be necessary for the implementation of this section. Such rules shall include an inspection or audit procedure to secure compliance with the requirements of subdivision a of this section.*

*§ 24-194 Remediation of mercury. a. Determining presence of mercury. Before the commencement of any foundation work or earthwork requiring the filing of an application pursuant to section 28-105.2.1, the owner of the covered property that will undergo such work shall analyze available public records to determine whether any industrial or commercial activity involving a use of elemental mercury has ever taken place on the property. Such owner shall submit this determination about the likely presence of mercury in writing to the department and to the department of buildings. The department of buildings shall not issue any permit granted pursuant to section 28-105.2.1 until such determination has been made and submitted to such department, and, when required, elemental mercury remediation of the property has been completed pursuant to this section.*

*b. Testing. When the owner of a covered property has determined that industrial or commercial activity involving a use of elemental mercury has taken place on the property and has determined the likely presence of mercury on the property pursuant to subdivision a of this section, such owner shall test for the actual presence of elemental mercury on the property.*

*c. Remediation plan. Where the actual presence of elemental mercury on the covered property is determined through testing conducted pursuant to subdivision b of this section, the owner shall submit simultaneously with such determination an elemental mercury remediation plan and an application to the commissioner for approval of such plan.*

*d. Contents of remediation plan. 1. A remediation plan pursuant to this section shall comply with the rules of the department. The commissioner may approve such a plan only upon a satisfactory showing that it will effect compliance with all applicable provisions of this subchapter, rules promulgated thereunder, and applicable federal or state laws or regulations. Where a remediation plan is required by this section, the commissioner of buildings shall not issue any permit for foundation work or earthwork requiring the filing of an application pursuant to section 28-105.2.1 until after such remediation has been completed.*

*2. The commissioner, in consultation with the commissioner of buildings and the commissioner of health and mental hygiene, shall promulgate rules:*

*(a) Specifying the types of work that are exempt from the requirement to submit a remediation plan pursuant to subdivision b of this section;*

*(b) Setting standards for the remediation of all forms of elemental mercury, including but not limited to mercury vapor, from properties located adjacent to schools, child care facilities and facilities providing day care services;*

*(c) Establishing procedures for safeguarding the health and safety of the public and all persons present at or near properties where elemental mercury is present that are located adjacent to schools, child care facilities and facilities providing day care services;*

*(d) Specifying the form and manner for submission of a remediation plan; and*

*(e) Establishing a fee to be submitted with such remediation plan.*

*e. Consideration of remediation plan. 1. No later than 60 days after the submission of an application for approval of an elemental mercury remediation plan, the commissioner shall notify the applicant, in writing, of the approval or disapproval of such application. If an application is disapproved, the commissioner shall set forth a list of objections in the notice of disapproval. Within 60 days after service on the applicant of the notice of disapproval, the applicant may request that the commissioner reconsider the application by responding in writing to the stated objections. The commissioner shall consider the applicant's responses to the objections, and, within 60 days after submission of such responses, shall notify the applicant, in writing, of the approval or denial of the application. Where an applicant fails to respond to the commissioner's stated objections or to request an extension of time within 60 days after service of the notice of disapproval, denial of the application shall be deemed final, without prejudice to filing a new remediation plan and application for approval.*

*2. Following a denial of such application, the department of buildings shall deny any permit for work that requires the filing of an application pursuant to section 28-105.2.1. Denial of such permit for work shall be*

*without prejudice to the approval of any subsequent application that satisfies the requirements of this subchapter.*

*f. Stop work order. Where (i) elemental mercury is discovered on a covered property after the commencement of any foundation work or earthwork requiring the filing of an application pursuant to section 28-105.2.1 or (ii) work is being performed in violation of the provisions of this subchapter or any rules promulgated thereunder and poses a threat to human safety, health or well-being, the commissioner of buildings may issue a notice or order to stop work. Such notice or order may be given orally or in writing to the owner of the property involved, the owner's agent or the persons performing the work and may require all persons in or about the building or premises to vacate the same immediately, and also may require such work to be done as, in the opinion of the commissioner, may be necessary to remove the danger therefrom.*

*g. Variance. The commissioner may grant an individual variance from a requirement of this subchapter or rules promulgated thereunder, or from an order of the commissioner related to remediation of elemental mercury, upon presentation of adequate proof that compliance with such requirement or order would cause unreasonable hardship. In granting a variance, the commissioner may impose reasonable conditions in furtherance of the policies of this subchapter. No later than seven days after granting such a variance, the commissioner shall publish online and in the City Record a statement of the reasons the variance was granted.*

*h. Information sharing. The commissioner, in consultation with the commissioner of buildings, shall establish a procedure for sharing information about violations issued pursuant to this section, in accordance with the requirements of section 28-103.7.1.*

*i. Rules for non-remediation projects. The commissioner may promulgate any rules the commissioner deems necessary to protect the health and safety of the public in connection with work not constituting an elemental mercury remediation project in which elemental mercury is or is likely to be disturbed.*

*§ 24-195 Publication of best practices. The commissioner, in consultation with the commissioner of health and mental hygiene, shall develop, publish and make publicly available online recommendations and best practices for the protection of children attending schools, child care facilities and facilities providing day care services when adjacent properties undergo elemental mercury remediation.*

*§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of environmental protection, the commissioner of buildings and the commissioner of health and mental hygiene shall take any actions necessary for the implementation of this local law, including the promulgation of rules, before such date.*

Referred to the Committee on Environmental Protection.

Int. No. 1874

By Council Members Chin, Kallos and Yeger.

**A Local Law to amend the administrative code of the city of New York, in relation to permitting interested parties to receive notification of items published in the City Record**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-107 to read as follows:

*§ 23-107 Notification of items in City Record. The website of the City Record shall permit individuals to sign up to receive text message or e-mail notifications or both relating to information published in the City Record. Such website shall permit individuals to limit their receipt of such notifications by, at minimum, relevant agency, affected community board district and category, such as public hearings, agency rules and procurement notices. Such notification sign-up website shall include a short description of the core functions of each available agency. Such website shall automatically sign up council members and community board district managers to*

*receive the entirety of each day's City Record, but council members and community board district managers shall be permitted to opt out of such receipt. Text message notifications shall provide notice that information on a subject the receiving individual signed up for has been published, and shall direct such individual to where they can find further information at no cost.*

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

Referred to the Committee on Governmental Operations.

Res. No. 1234

**Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A.7209/S.5100, in relation to providing a tax credit for qualified caregiving expenses.**

By Council Members Chin, Ayala, Rosenthal, Louis, Yeger and Gibson.

**Whereas**, Every day, tens of millions of Americans provide unpaid care for others who are unable to care for themselves due to a mental and/or physical impairment; and

**Whereas**, According to the report on *Caregiving in the U.S. 2015* by the National Alliance for Caregiving and the AARP Public Policy Institute, there are approximately 34.2 million adults in the United States who have provided unpaid care to an adult age 50 or older; and

**Whereas**, According to the 2009 report on *Supporting and Strengthening Caregivers in New York State* by the New York State Family Caregiver Council, the New York ranks third in the nation for the highest number of unpaid caregivers with over 2.2 million caregivers statewide; and

**Whereas**, Close to one-fifth of the caregiver population in New York reported household incomes below \$20,000, according to the New York State Family Caregiver Council report; and

**Whereas**, In 2016, the New York City Council passed Local Law 97 which required the New York City Department for the Aging (DFTA) to conduct a survey of informal caregivers, public and private service providers, and service recipients within the City, to assess existing resources for informal caregivers and identify their needs, and to develop a comprehensive plan to address those needs of unpaid caregivers in the City; and

**Whereas**, According to *A Survey of Informal Caregivers in New York City* by DFTA in 2017, the economic value of the work family caregivers perform across the United States is estimated at \$470 billion a year, and the economic impact of unpaid caregiving on the families who both require and deliver those services is enormous; and

**Whereas**, Caregivers are often required to pay out of pocket for caregiving expenses, which was estimated to be an average of nearly \$7,000 a year and represented approximately 20 percent of caregivers incomes, according to DFTA's survey; and

**Whereas**, Additionally, some caregivers opt to leave the workforce early so that they can provide full-time care to a family member, which resulted on an average loss of \$304,000 in wages and benefits over the course of their lives, according to DFTA's survey; and

**Whereas**, According to DFTA's survey, the City is home to an estimated 900,000 to 1.3 million caregivers, many of whom are women or older adults who provide at least 30 hours of care each week while also working outside the home; and

**Whereas**, At least one-third of the City's caregiver population struggled financially, and many lacked the knowledge and financial resources to obtain the necessary services to care for their loved ones, according to DFTA's survey; and

**Whereas**, In April 2019, the State Senate introduced S.5100, sponsored by Senator Rachel May, and the State Assembly introduced A.7209, sponsored by Assembly Member Harry Bronson, that would provide a tax credit for qualified caregiving expenses; and

**Whereas,** The legislation would provide a tax credit to an individual with a gross annual income of \$75,000 or less, and a couple with a gross annual income of \$150,000 or less, of up to \$3,500, or for expenses for goods and services provided to or for the benefit of a qualifying family member or to assist a qualified caregiver in caring for a qualifying family member; and

**Whereas,** With one of the largest population of caregivers in the nation, the State has an obligation to provide a tax credit to caregivers as they provide a significant economic benefit to the City and State by performing a number of activities allowing those in their care to remain at home in the community, while also taking on the majority of all long-term care services to both older adults and individuals with disabilities; 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.7209/S.5100, in relation to providing a tax credit for qualified caregiving expenses.

Referred to the Committee on Finance.

Int. No. 1875

By Council Members Cumbo, Rodriguez, Louis, Yeger and Gibson

**A Local Law to amend the administrative code, in relation to extending the grace period for parking violations after a change in parking restrictions**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 19-175.2 of the administrative code is amended to read as follows:

a. Following any permanent change in parking restrictions posted by the department, the department shall post notice, in the affected areas, indicating the effective date of such change. *Within thirty days of posting notice of the effective date of such a permanent change, no vehicle may be towed for a violation pursuant to such change unless it is necessary for public safety.* An owner of a motor vehicle parked in the affected areas who receives a notice of a parking violation that occurred within [five] *fifteen* days of posting of the notice of the parking restriction change shall have an affirmative defense that the vehicle of the owner was parked in compliance with the applicable parking restriction that was in effect prior to such change. Within one business day of making a permanent change in parking restrictions, such change will be reflected on the website containing parking restrictions as required by section 19-175.1 of the code.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation.

Preconsidered Res. No. 1235

**Resolution amending Rule 7.00 of the Rules of the Council in relation to changes in Chairs and Membership to the Standing Committees of the Council.**

By Council Member Koslowitz.

**RESOLVED,** pursuant to Rule 7.00(a) of the Rules of the Council, the Council does hereby consent to the following changes in Membership to certain Standing Committees.

**STANDING COMMITTEES****Aging**

[Rose]

**Consumer Affairs & Business Licensing**

[Espinal Jr., Chair]

Cohen, Chair

[Powers]

Yeger

**Contracts**

Powers

[Yeger]

**Environmental Protection**

[Espinal Jr.]

[Richards]

**Finance**

Ampry-Samuel

Ayala

**Housing & Buildings**

[Espinal Jr.]

**Land Use**

Ayala

**Mental Health, Disabilities and Addiction**

Borelli

[Holden]

**Parks & Recreation**

Holden

**Rules, Privileges & Elections**

[Espinal Jr.]

[Gibson]

**Sanitation & Solid Waste Management**

[Espinal Jr.]

[Vallone]

**State and Federal Legislation**

[Cohen, Chair]

Maisel, Chair

[Espinal Jr.]

Treyger

**Technology**

[Ayala]

Vallone**Transportation**

[Espinal Jr.]

Holden

Adopted by the Council (preconsidered and approved by the Committee on Rules, Privileges and Elections).

Int. No. 1876

By Council Members Matteo, Yeger, Gibson and Chin.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring notice after a water main break**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 4 of chapter 3 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-368 to read as follows:

*§ 24-368 Notification of water main break. a. Within three hours of discovering or becoming aware of a city or private water main break, the department of environmental protection shall provide notice, by electronic mail, of such water main break to each council member, community board and borough president whose district is affected or is likely to be affected by the break.*

*b. The notice required pursuant to subdivision a of this section shall include, but need not be limited to, the following information:*

- 1. The location of the water main break, including cross streets and neighborhood;*
- 2. The time the water main broke;*
- 3. Road closures, if any, because of the water main break; and*
- 4. Any other major adverse effects of the break about which the department of environmental protection has information when it provides notice under this section.*

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

Referred to the Committee on Environmental Protection.

Int. No. 1877

By Council Members Matteo, Rodriguez, Louis, Yeger, Gibson and Chin.

**A Local Law to amend the administrative code of the city of New York, in relation to the replacement of pavement markings after street resurfacing work**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 1 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-115.2 to read as follows:



§ 19-115.2 Sidewalk repainting. *a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Pavement marking. The term “pavement marking” includes each line or symbol on the roadway that is intended to direct vehicular, pedestrian or cyclist movement, including, but not limited to, each line that indicates where lanes are divided, where vehicles may pass other vehicles, where vehicles may change lanes, where vehicles may turn, where pedestrian walkways are located, and where pedestrians must stop for signs and traffic signals.*

*Person. The term “person” has the same meaning as set forth in section 1-112, provided that such term does not include the department of transportation.*

*b. Any person who paves or resurfaces a street shall ensure that all pavement markings are repainted within seven days of completion of such pavement or resurfacing project.*

§ 2. Paragraph 1 of subdivision b of section 19-150 of the administrative code of the city of New York, as amended by local law number 5 for the year 2018, is amended to read as follows:

b. 1. Except as provided in subdivision c of this section, such civil penalty shall be determined in accordance with the following schedule:

Section of the Administrative Code	Maximum Civil Penalty (dollars)
19-102	10,000
19-107	10,000
19-109	10,000
19-111	5,000
19-112	5,000
19-113	5,000
19-115	5,000
19-115.2	2,500
19-116	5,000
19-117 subd(a)	10,000
19-119	10,000
19-121	10,000
19-122	5,000
19-123	10,000
19-126	10,000
19-128	5,000
19-133	5,000
19-133.1	10,000

19-135	5,000
19-137	5,000
19-138	5,000
19-139	10,000
19-141	5,000
19-144	10,000
19-145	10,000
19-146	5,000
19-147	10,000
19-148	5,000
24-521	10,000
All other Provisions of this subchapter and rules or orders relating thereto	5,000

Note: Reference to an administrative code provision is intended to encompass the penalties for violations of the rules or orders made or of the terms or conditions of permits issued pursuant to such code provision.

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

Referred to the Committee on Transportation.

Int. No. 1878

By Council Members Powers and Kallos

**A Local Law to amend the New York city charter, in relation to the city administrative procedure act**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 1043 of the New York city charter is amended to read as follows:

a. Authority. *1.* Each agency is empowered to adopt rules necessary to carry out the powers and duties delegated to it by or pursuant to federal, state or local law. No agency shall adopt a rule except pursuant to this section. Each such rule shall be simply written, using ordinary language where possible.

*2.* Each agency may adopt rules necessary to carry out the power and duties delegated to it by a local law that has not yet gone into effect, except as otherwise provided by law.

§ 2. Paragraph 1 of subdivision f of section 1043 of the New York city charter, as amended by local law number 42 for the year 1989 and relettered by local law number 46 for the year 2010, is amended to read as follows:

1. No rule shall be effective until

(a) the rule is filed by the agency with the corporation counsel for publication in the Compilation,

(b) the rule and a statement of basis and purpose is transmitted to the council for its information,  
 (c) *in the case of a rule adopted pursuant to a local law, the effective date of the provision or provisions of such local law that delegated the applicable power and duties to the promulgating agency,* and  
 [(c)] (d) the rule and a statement of basis and purpose have been published in the City Record and thirty days have elapsed after such publication. The requirement that thirty days shall first elapse after such publication shall not apply where a finding that a substantial need for the earlier implementation of a program or policy has been made by the agency in writing and has been approved by the mayor prior to the effective date of the rule and such finding and approval is contained in the notice.  
 § 3. This local law takes effect immediately.

Referred to the Committee on Governmental Operations.

Int. No. 1879

By Council Members Powers and Kallos

**A Local Law to amend the New York city charter, in relation to the designation of administering offices or agencies**

*Be it enacted by the Council as follows:*

Section 1. Chapter 49 of the New York city charter is amended to add a new section 11.1 to read as follows:  
 § 11.1. *Designation of administering offices or agencies. Whenever the mayor designates one or more offices or agencies to administer or enforce provisions of the charter or administrative code pursuant to local law, the mayor shall make such designation in writing. Within 10 days of such designation or change thereto, a copy of such writing shall be published on the city's website and on the website of such office or agency, and shall be electronically submitted to the speaker of the council.*

§ 2. This local law takes effect immediately, except that for every local law that (i) took effect before the effective date of this local law, (ii) remains in effect and (iii) requires the mayor to designate one or more offices or agencies to administer or enforce provisions of the charter or administrative code, the mayor shall make such designation in writing, publish a copy of such designation on the city's website and on the website of such office or agency, and electronically submit a copy of such designation to the speaker of the council by no later than July 1, 2021.

Referred to the Committee on Governmental Operations

Int. No. 1880

By The Public Advocate (Mr. Williams) and Council Members Cabrera, Louis, Kallos and Gjonaj.

**A Local Law to amend the administrative code of the city of New York, in relation to parental notification of unexpected absences in day care services**

*Be it enacted by the Council as follows:*

Section 1. Chapter 13 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1305.1 to read as follows:

*§ 17-1305.1 Notification of absence. a. When any child is absent without notice from a child care service, such child care service shall notify the parent or legal guardian of such child's absence within one hour of the child's scheduled time of arrival by telephone, text or email message or other means of immediate communication. When such parent or legal guardian cannot be reached or does not respond within 30 minutes of such immediate communication, the child care service must make at least three attempts to notify at least two emergency contacts listed in such child's file, and shall maintain a record of having made such attempts in the log required by section 47.29 (e) of the New York city health code.*

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner may take such actions as are necessary to implement this local law, including the promulgation of rules, before such date.

Referred to the Committee on Health.

Int. No. 1881

By The Public Advocate (Mr. Williams)

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to acquire high school and college transcripts upon request, and to report on the issuance of such transcripts**

*Be it enacted by the Council as follows:*

Section 1. Section 9-128 of the administrative code of the city of New York, as added by local law 121 of 2016, is amended to read as follows:

§ 9-128. Applications for government benefits. a. The department of correction shall make applications for government benefits available to [inmates] *incarcerated individuals* by providing such applications in areas accessible to [inmates] *incarcerated individuals* in city correctional institutions.

b. The department of correction shall provide assistance with the preparation of applications for government benefits and identification to sentenced [inmates] *incarcerated individuals* who will serve, after sentencing, thirty days or more in any city correctional institution and who receive discharge planning services from the department of correction or any social services organization under contract with the department of correction, and, in its discretion, to any other [inmate] *incarcerated individual* who may benefit from such assistance.

c. Notwithstanding any other provision of law, any *incarcerated* person born in the city of New York [and sentenced to ninety days or more in a New York city correctional facility who will serve, after sentencing, thirty days or more in a New York city correctional facility,] shall be provided by the department before or at release, or within two weeks thereafter if extenuating circumstances exist, at no cost to such person, a certified copy of his or her birth certificate to be used for any lawful purpose; provided that such person has requested a copy of [his or her] *their* birth certificate from the department at least two weeks prior to release. Upon such request, the department shall request such certificate from the department of health and mental hygiene in a form and manner approved by the commissioner of the department of health and mental hygiene. The department shall inform such person of his or her ability to receive such certificate pursuant to the provisions of this subdivision within three days of his or her admission to a sentencing facility. No person shall receive more than one birth certificate without charge pursuant to this subdivision.

e. *The department shall assist all incarcerated individuals in acquiring high school, elementary school, middle school, college, or other school transcripts upon request, and shall ensure that incarcerated individuals can obtain such items at no cost.*

§ 2. Section 9-129 of the administrative code of the city of New York, as added by local law 121 of 2016, is amended to read as follows:

§ 9-129. Reporting. The commissioner of correction shall submit a report to the mayor, *the public advocate*, [and] the council, *and publicly on its website* by October first of each year regarding implementation of sections 9-127 and 9-128 of this title and other discharge planning efforts, and, beginning October first, two thousand eight and annually thereafter, regarding recidivism among [inmates] *incarcerated individuals* receiving discharge planning services from the department of correction or any social services organization under contract with the department of correction. *Such report shall include the following:*

1. *The number of birth certificates requested by incarcerated individuals, disaggregated by whether such birth certificates were received;*

2. *The number of school transcripts requested, disaggregated by whether the transcripts were for high school, elementary school, middle school, college, or another school and by whether or not such transcripts were received.*

§ 3. Section 9-139 of the administrative code of the city of New York, as added by local law 91 of 2015, is amended to read as follows:

a. The department shall inform every [inmate] *incarcerated individual* upon admission to the custody of the department, in writing, using plain and simple language, of their rights under department policy, which shall be consistent with federal, state, and local laws, and board of correction minimum standards, on the following topics: non-discriminatory treatment, personal hygiene, recreation, religion, attorney visits, access to legal reference materials, visitation, telephone calls and other correspondence, media access, due process in any disciplinary proceedings, health services, safety from violence, and the grievance system.

b. The department shall inform every [inmate] *incarcerated individual* upon admission to the custody of the department, in writing, using plain and simple language, of their responsibilities under the department's rules governing [inmate] conduct.

c. The department shall inform every [inmate] *incarcerated individual* upon admission to the custody of the department, in writing, using plain and simple language, of available services relating to education, vocational development, drug and alcohol treatment and counseling, and mental health treatment and counseling services.

d. The department shall publish on its website any documents created pursuant to this section. Such documents shall be available in English and Spanish.

e. Within 24 hours of admission to the custody of the department, the department shall provide to each [inmate] *incarcerated individual* an oral summary of the rights and responsibilities enumerated in subdivisions a, b, and c of this section in the [inmate's] *incarcerated individual's* preferred language, if the language is accessible through the city's language access plan. The department shall make a good faith effort to provide an oral summary in languages that are not accessible through the city's language access plan as soon as practicable.

f. Upon admission to the custody of the department, each [inmate] *incarcerated individual* shall also be offered the option of being provided the Connections guidebook for formerly incarcerated people, or any similar or successor book or handbook that describes resources available to those re-entering society after being incarcerated.

g. *Upon admission to the custody of the department of correction, each incarcerated individual shall be informed of their right to receive assistance in obtaining acquiring high school, elementary school, middle school, college, or other school transcripts, and to receive such items at no cost.*

§ 4 This local law takes effect immediately.

Referred to the Committee on Justice System.

Res. No. 1236

**Resolution calling on the New York State Legislature to pass and the Governor to sign Senate Bill S6821, which would ensure all people in custody have the right to vote and require the Department of Corrections and Community Supervision to collaborate state and local board of elections to facilitate voter registration and voting among all incarcerated people.**

By The Public Advocate (Mr. Williams) and Council Members Louis and Kallos.

**Whereas**, A 2016 report from *The Sentencing Project* estimated that 6.1 million Americans are ineligible to vote as a result of felony disenfranchisement laws; and

**Whereas**, Even as a number of states have moved to extend voting rights to individuals on parole or probation and to those who have completed their sentence, people convicted of a felony remain disenfranchised while incarcerated; and

**Whereas**, New York is among the forty-eight states, as well as the District of Columbia, in which persons convicted of a felony lose their right to vote while incarcerated; and

**Whereas**, New York's felony disenfranchisement law has a disparate effects on Latinx and Black people as a result of their disproportionate felony arrest and conviction rates driven in part by the over-policing of their communities; and

**Whereas**, As a result, felony disenfranchisement reduces the scale of the Latinx and Black electorates and the political impact of those communities; and

**Whereas**, Vermont and Maine remain the only two states where incarcerated people, no matter what their conviction is for, do not lose their vote; and

**Whereas**, The right to vote is a fundamental tenet of democracy and should not be denied to any incarcerated individuals; and

**Whereas**, S.6821 introduced by State Senator Kevin Parker would repeal section 5-106 of New York Election Law, which disenfranchises incarcerated people convicted of a felony, and would require the Department of Corrections and Community Supervision, in collaboration with the state and county board of election, to establish a program to facilitate voter registration and voting among all incarcerated people, which includes access and assistance with voter registration forms and a mechanism for voting, including absentee ballots; and

**Whereas**, Lawmakers in New Mexico, Virginia, Hawaii, Massachusetts, and the District of Columbia have all introduced legislation in 2019 that would ensure all people in custody have the right to vote; and

**Whereas**, A survey published by *Laleh Ispahani* in 2009 examining disenfranchisement in Europe found that seventeen European nations imposed no bar on incarcerated people voting; and

**Whereas**, The right of incarcerated people to vote has been affirmed in constitutional court decisions in Canada, South Africa, Israel, Australia, and Kenya; and

**Whereas**, Permitting incarcerated people to participate in the electoral process improves their chances of successful reentry as it allows them to foster meaningful and positive connections with institutions in their community; 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, Senate Bill S6821, which would ensure all ensure all people in custody have the right to vote and require the Department of Corrections and Community Supervision to collaborate state and local board of elections to facilitate voter registration and voting among all incarcerated people.

Referred to the Committee on the Justice System.

## Res. No. 1237

**Resolution calling on the New York State Legislature to pass, and the Governor to sign, S6793/A8943, which would require MTA police officers to wear body-worn cameras**

By The Public Advocate (Mr. Williams) and Council Member Louis.

**Whereas**, In June 2019, Governor Andrew Cuomo announced a plan to hire 500 additional MTA police officers to patrol New York City's subway system; and

**Whereas**, In December 2019, the MTA board approved Governor Cuomo's plan, allocating an estimated \$250 million over four years to expand the MTA's police force by 64 percent to purportedly combat crime, fare evasion, and the system's homelessness population; and

**Whereas**, The increase in police presence in the subway system for the last several months has generated community outrage as it has resulted in controversial incidents, including police officers arresting two churro sellers on a subway platform, pointing their firearms inside a crowded subway car, punching teenagers in the face, and holding up an L train to remove a man seen dozing off on a bench; and

**Whereas**, The New York Police Department (NYPD) has equipped all uniformed patrol officers with body-worn cameras to record their interactions with community residents; and

**Whereas**, Because MTA police are not considered members of the NYPD, they are exempt from wearing body-worn cameras; and

**Whereas**, Research from Arizona State University shows officers with body-worn cameras have fewer complaints lodged against them; and

**Whereas**, A study conducted with Rialto Police Department in California shows decreases in civilian complaints lodged against officers wearing body-worn camera and decreases in use-of-force incidents by the police; and

**Whereas**, S6793 introduced by State Senator Jessica Ramos, and companion bill A8943 introduced by Assemblymember Karines Reyes, would require MTA police to wear body-worn cameras and directs the chief of the MTA Police Department to establish rules and regulations pertaining to body-worn cameras; and

**Whereas**, The use of body-worn cameras would increase transparency and accountability, which can help improve law enforcement legitimacy at a time when communities lack trust and confidence in law enforcement; and

**Whereas**, The use of body-worn cameras also offer the opportunity to improve training as law enforcement officials can assess police activities and behaviors captured by body-worn cameras; 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, S6793/A8943, which would require MTA police officers to wear body-worn cameras

Referred to the Committee on Public Safety.

## Int. No. 1882

By Council Member Reynoso.

**A Local Law to amend the administrative code of the city of New York, in relation to use of force incidents involving police department use of a motor vehicle**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 14-158 of the administrative code of the city of New York, as added by local law 85 for the year 2016, is amended by amending the definition of “use of force incident” to read as follows:

Use of force incident. The term "use of force incident" means any instance where a member of the department, while taking police action, responds to an incident or condition and takes action in a manner intended to have an immediate effect on the body of another person, and consists of the following categories: (i) the use of hand strikes, foot strikes, forcible take-downs or the wrestling of the subject to the ground; (ii) the discharge of oleoresin capsicum spray; (iii) the deployment of a conducted electrical weapon; (iv) the use of a mesh restraining blanket to secure an individual; (v) the intentional striking of a person with any object *other than a motor vehicle*, including a baton or other equipment; (vi) a police canine bite; [and] (vii) the use of physical force that is readily capable of causing death or serious physical injury, including the discharge of a firearm, *but not including the use of a motor vehicle; and (viii) the use of a motor vehicle to gain control of a subject.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 1883

By Council Members Richards, Adams, Louis, Gibson and Gjonaj.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to conduct an annual security assessment at each New York city housing authority building**

*Be it enacted by 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 14-183 to read as follows:

*§ 14-183 New York city housing authority building security assessments. a. Annual building assessments. Each year, the department shall provide an assessment of security for each building in a public housing development of the New York city housing authority to the chair of the New York city housing authority and the property manager of the development in which the assessed building is located. Such assessments shall be provided within 15 days of the completion of such assessment. Each assessment shall include, but need not be limited to, the date such assessment was conducted and the following information:*

- 1. The number and location of broken doors or locks on the ground floor of the building;*
- 2. The number and location of broken lights within 20 feet of the exterior of the building;*
- 3. The number and location of broken lights in any public area in the interior of the building;*
- 4. The number and location of security cameras in the building and whether such cameras are functioning properly;*
- 5. The number and location of security cameras within 20 feet of the exterior of the building and whether such cameras are functioning properly;*
- 6. Any locations on the interior or exterior of the building for which the addition of a security camera would benefit the safety of residents of the building;*
- 7. Any locations on the interior or exterior of the building for which additional lighting would benefit the safety of residents of the building; and*
- 8. Any additional security issues observed during the assessment.*

*b. Quarterly reports. Beginning April 1, 2020, and quarterly thereafter, the department shall submit to the mayor, the speaker of the council and the chair of the New York city housing authority a report on the number of annual building assessments, as required by subdivision a, the department completed in the prior quarter.*



*Such reports shall be permanently posted on the department's website, and shall include, but need not be limited to, the following information for each annual building assessment completed:*

- 1. The address of the building;*
- 2. The name of the development in which the building is located;*
- 3. The date the assessment was conducted; and*
- 4. The date the department provided the assessment to the New York city housing authority.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 1884

By Council Members Richards, Adams, Louis and Gibson.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of transportation, in consultation with the police department, to create a comprehensive plan to address problems of inadequate parking at any precinct or other building of the New York city police department**

*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 Comprehensive plan for parking at police precincts and other buildings. a. Parking plan required. The commissioner shall develop, in consultation with the police commissioner, a comprehensive plan to address the problem of inadequate parking existing at any precinct or other building of the police department. In developing such plan, the commissioner shall:*

- 1. Identify the parking needs of each individual police precinct and other building;*
- 2. Identify solutions to ensure that any bicycle lane or bus lane in the areas adjacent to a police precinct or other building is not blocked by any parked vehicle;*
- 3. Identify public parking areas that may be used by the police department; and*
- 4. Identify any property of the city that may be converted, in accordance with any procedures or requirements applicable under the law, for use for parking for the police department.*

*b. Cooperation of other agencies. The commissioner shall consult with any city agency as necessary to carry out this section, and any such city agency shall cooperate in carrying out this section upon the request of the commissioner.*

*c. Deadline for submission. The commissioner shall submit the plan required by this section to the mayor and the speaker of the council within three months after the effective date of this section.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation.

Res. No. 1238

**Resolution calling on the New York State Legislature to pass, and the Governor to sign, A4071/S870, relating to increasing membership on the public health and health planning council and directing the appointment of members representing particular areas of concern.**

By Council Member Rivera.

**Whereas**, According to Kaiser Health News, across the nation hospitals are shifting away from traditional inpatient facilities, with health care providers investing in outpatient clinics, same-day surgery centers, free-standing emergency rooms, and microhospitals; and

**Whereas**, According to the New York State Health Foundation, as the health care industry's focus shifts to community-based outpatient care, hospital transformations, including closures and consolidations, have increased in frequency; and

**Whereas**, Over the last 20 years, 41 hospitals in New York State have closed all of their inpatient services, and the overall number of community hospitals has decreased; and

**Whereas**, According to the New York State Department of Health (NYSDOH), 78 hospital mergers or acquisitions were approved or pending between 2011 and September 2017; and

**Whereas**, According to the New York State Health Foundation, 764 hospital beds were lost between 2015 and 2017 throughout the state, and now the twelve largest non-profit health systems in the state are in control of half of all acute care hospitals and 70 percent of inpatient acute care beds; and

**Whereas**, Hospital shifts and consolidations have various effects on the community; and

**Whereas**, While experts say that large health organizations can more easily manage population health and health care, facilitate electronic information exchange, accept risk in value-based purchasing arrangements, and provide support to failing community hospitals through consolidation, studies show that prices increase when hospitals consolidate, with one study finding that prices were 12 percent higher on average in areas where one hospital dominated the market versus areas with at least four competitors; and

**Whereas**, There is concern that hospital consolidation and transformation will leave people with little to no access to needed inpatient services; and

**Whereas**, According to the Independent Budget Office, New York City Health + Hospitals (H+H) has seen a significant increase in the hospitalization of patients requiring mental health services in recent years, coinciding with increased hospital consolidations; and

**Whereas**, In July of 2017, mental health hospitalizations at the 11 hospitals that comprise H+H grew roughly 20 percent while, over the same six-year period, mental health hospitalizations decreased by approximately five percent among the voluntary hospitals in New York City; and

**Whereas**, Hospital transformation also impacts the medical community and, according to the New York Times, doctors in small practices feel pressured to join large health systems; and

**Whereas**, As of 2016, large hospital groups employed 43 percent of the nation's primary care doctors; and

**Whereas**, A state-mandated review process, known as the Certificate of Need (CON) program, governs the establishment, ownership, construction, renovation, and change in service of health care facilities in New York; and

**Whereas**, According to NYSDOH, prior to establishing or constructing new facilities, renovating existing facilities or programs, adding or deleting services, modifying service areas, acquiring major medical equipment, or changing ownership of facilities, agencies, or programs, health care facilities are required to submit a CON application and obtain approval from NYSDOH or the Public Health and Health Planning Council (PHHPC); and

**Whereas**, A year-long study by MergerWatch, funded by the New York State Health Foundation, found that the CON process lacks transparency, consumer engagement, and sufficient oversight of health care providers; and

**Whereas**, For example, summaries of CON applications made available to the public often do not explain how the proposed change would meet the needs of medically-underserved people, such as those who are low income, racial and ethnic minorities, women, and people with disabilities; and

**Whereas**, A4071/S870, sponsored by Senator Brad Hoylman and Assembly Member Dick Gottfried, calls for an increase in membership on the PHHPC and directs the appointment of members representing particular areas of concern; and

**Whereas**, A4071/S870 would expand the PHHPC to include additional consumer and labor representatives and legislative appointees; and

**Whereas,** The PHHPC should aim to be more transparent and accessible to consumers, and the consumer voice needs to be represented in the decision making process; and

**Whereas,** This goal would be more achievable if advocates have more seats at the table; 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, A4071/S870, relating to increasing membership on the public health and health planning council and directing the appointment of members representing particular areas of concern.

Referred to the Committee on Health.

Res. No. 1239

**Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation making doulas more accessible to individuals with Medicaid and those without health insurance.**

By Council Members Rivera, Ampry-Samuel, Louis, Gibson and Chin.

**Whereas,** According to DONA International, a doula is a trained professional who provides continuous physical, emotional, and informational support to a pregnant person and the family before, during, and shortly after childbirth; and

**Whereas,** Doulas have proven to be beneficial to pregnant people and their health; and

**Whereas,** According to the New York City Department of Health and Mental Hygiene’s (DOHMH’s) report *The State of Doula Care in NYC 2019* (“doula report”), doula care has been associated with lower rates of Cesarean birth, preterm birth, low birthweight, and postpartum depression, as well as with increased rates of breastfeeding, and greater patient satisfaction with maternity care; and

**Whereas,** A recent report published by Cochrane reveals that people who had doula support were 39 percent less likely to have a caesarean section and 15 percent more likely to give birth without needing drugs or labor-inducing techniques; and

**Whereas,** According to Choices in Childbirth, a survey regarding doula care in New York City reveals that 72 percent of people reported that their doula helped them communicate their preferences and needs, while 80 percent of those surveyed reported that their doula helped them feel more empowered; and

**Whereas,** 83 percent of survey respondents reported having a doula made their labor and birth experience “much better” than if they had not used a doula, and it made them more relaxed before, during, and after birth; and

**Whereas,** 88 percent of this cohort reported that cost was an issue when opting to work with a doula; and

**Whereas,** According to DOHMH’s doula report, the average cost of birth-doula services was \$1,550 per client among doulas surveyed for the report, with a range of \$225 to \$5,000; and

**Whereas,** Doula services are generally not covered by Medicaid or private insurance; and

**Whereas,** Doula care should be more accessible, especially given the maternal mortality and morbidity rates in New York City as well as the inequitable health outcomes for women of color and infants of color, specifically those who are Black; and

**Whereas,** Of the 15 pregnancy-related deaths in New York City in 2016, six were of people who were Black and six were of people who were Latina, accounting for nearly every pregnancy-related death; and

**Whereas,** In New York City in 2016, the rate of severe maternal morbidity was highest among Black people (428.6 per 10,000 births), followed by people of other, multiple, or not reported races (354.5), people who are Latina (288.3), Asian/Pacific Islander (207.9), and, last, people who are White (160.8); and

**Whereas,** By expanding access to doulas, New York City could better tackle these insidious inequities; and

**Whereas**, Doulas face barriers providing care to all those who need it; and

**Whereas**, According to DOHMH's doula report, among doulas surveyed, 9 of every 10 have turned clients away, for reasons including clients' living outside their coverage area (47 percent), being already booked with other families (43 percent), and clients' being unable to afford their fee (37 percent); and

**Whereas**, Currently New York State is considering legislation to include doula services in Medicaid coverage, and, in April 2018, New York State announced the launch of a Medicaid pilot program to cover doula services; and

**Whereas**, This legislation and pilot are extremely controversial in the doula community for numerous reasons; and

**Whereas**, As of DOHMH's doula report, the Medicaid pilot program has yet to launch in Brooklyn because of lack of doula participation; and

**Whereas**, There are many flaws with the pilot program, including a reimbursement rate that would likely be lower than minimum wage; and

**Whereas**, DOHMH's doula report on doula care provides numerous recommendations for stakeholders to improve access to doulas; and

**Whereas**, Recommendations fall within four key components, including increasing access for underserved communities, making hospital environments more welcoming of doulas, amplifying community voices to help expand access to doula services, and improving data collection; and

**Whereas**, The New York State Legislature should consider these recommendations, and should develop legislation, in collaboration with doulas and people with lived experience, in order to best understand the most effective and significant ways to expand access to doula services; now, therefore, be it,

**Resolved**, The Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, legislation making doulas more accessible to individuals with Medicaid and those without health insurance

Referred to the Committee on Health.

Int. No. 1885

By Council Members Rose, Louis, Kallos, Gibson, Rosenthal and Gjonaj.

**A Local Law to amend the administrative code of the city of New York, in relation to an online portal for child care services**

*Be it enacted by the Council as follows:*

Section 1. Chapter 13 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1308 to read as follows:

*§ 17-1308 Online portal for child care services. The department shall establish an online portal, accessible to child care services, through which such child care services can submit any documentation required to comply with applicable laws regarding mandatory background checks for child care service employees, and through which such child care services can access relevant information regarding their requirements under applicable laws.*

§ 2. This local law takes effect 1 year after it becomes law, except that the commissioner may take such actions as are necessary to implement this local law, including the promulgation of rules, before such date.

Referred to the Committee on Health

## Int. No. 1886

By Council Members Rose, Kallos, Louis, Rosenthal, Gibson, Chin and Gjonaj.

**A Local Law to amend the administrative code of the city of New York, in relation to a universal summer youth program plan**

*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 *Universal summer youth program plan. a. Definitions. For the purposes of this section, the following terms have the following meanings*

*Department. The term “department” means the department of youth and community development.*

*School. The term “school” means a school of the city school district of the city of New York.*

*Youth. The term “youth” means any person under 18 years of age or under 21 years of age who does not have a high school diploma and who is enrolled in a school as school is defined in this subdivision.*

*Summer youth program. The term “summer youth program” means any organized program, under the jurisdiction of either the department, the department of education or the department of parks and recreation that occurs during the months of July and August, which allows youths to participate in expanded learning activities that include, but are not limited to, academic support, arts and cultural enrichment, recreation, sports, nutrition, youth development, and mentoring.*

*b. Subject to appropriation, no later than September 1, 2021, the department, in consultation with the department of education, the department of parks and recreation and any relevant city agency, shall make a summer youth program slot available for any youth who requests one.*

§ 2. Universal summer youth program reporting. a. No later than September 1, 2020, and annually thereafter on or before September 1, the department of youth and community development, in consultation with the department of education, the department of parks and recreation and any relevant city agency, shall submit to the mayor and speaker of the council, conspicuously post to its website and make available to youths and parents, a report detailing the implementation efforts to be undertaken by the city to achieve universal summer youth programs pursuant to section 21-414 of the administrative code of the city of New York. Such report shall include, but need not be limited to:

1. An assessment of how many summer youth programs are needed to achieve universal summer youth programs;
2. The availability and cost of creating additional capacity within existing summer youth programs and how many new summer youth programs need to be created and the cost associated with creating such programs;
3. Current methods used by the department of youth and community development, the department of education and the department of parks and recreation to make youths and parents aware of summer youth programs;
4. The number and percentage of youths, disaggregated by borough, taking part in a summer youth programs as compared with the preceding calendar year;
5. To the extent such information is available, the demographic information for youths in each after summer youth program including, but not limited to age, race, ethnicity, gender and family income as compared with the preceding calendar year;
6. Steps the department of youth and community development, the department of education and the department of parks and recreation are taking to increase enrollment in existing summer youth programs;
7. Implementation deadlines to be achieved in establishing universal summer youth programs; and
8. Any other issues related to summer youth program capacity and participation rates in the city that the department of youth and community development, the department of education and the department of parks and recreation deem appropriate.

b. Beginning with the second report required pursuant to subdivision a of this section and for every report thereafter, the department of youth and community development, in consultation with the department of education, the department of parks and recreation and any relevant city agency, shall incorporate progress made in achieving implementation deadlines required pursuant to paragraph seven of subdivision a of this section. If implementation deadlines are not able to be met in any given year, the department of youth and community development shall detail why the implementation deadline will not be met and identify remedial steps the department will take to achieve the implementation timeframe in subsequent years.

c. Upon implementation of universal after school pursuant to section 21-410 of the administrative code of the city of New York, the department of youth and community development, in consultation with the department of education the department of parks and recreation and any relevant city agency, shall certify to the mayor and the speaker of the council that a summer youth program slot is available for all youths.

§ 3. This local law takes effect immediately, except that section two of this local law is deemed repealed at the conclusion of the final calendar year during which the department of youth and community development, in consultation with the department of education, the department of parks and recreation and any relevant city agency, has certified to the mayor and speaker of the council that a summer youth program slot is available for all youth.

Referred to the Committee on Youth Services

Res. No. 1240

**Resolution calling upon Congress to ratify the United Nations Covenant on Economic, Social, and Cultural Rights, to ensure that housing is recognized as a human right.**

By Council Member Rosenthal.

**Whereas**, Housing, without discrimination and including protection from eviction, is essential for a standard of living that includes shelter, security, health and well-being; and

**Whereas**, In 2018, a New York Times investigative report entitled “Unsheltered” described how New York City has been in varying levels of a housing crisis for a century; and

**Whereas**, In 2019, a report published by the Coalition for the Homeless entitled “The Tale of Two Housing Markets,” reported that the homelessness crisis in New York City remains unabated despite Mayor de Blasio’s efforts and assertions that housing would be a top priority for his administration; and

**Whereas**, According to the Department of Homeless Services, in 2019, nearly 60,000 individuals were using shelters daily as a means for housing in New York City; and

**Whereas**, Advocates from various public interest community and housing organizations, such as Habitat for Humanity, have called on New York City and State to support families, neighborhoods, and communities by increasing investments in affordable housing; and

**Whereas**, Article 25 of the United Nation’s Universal Declaration of Human Rights (UDHR) declares housing to be a human right; and

**Whereas**, On December 16, 1966, the United Nations headquarters in New York City hosted an international conference to establish a multilateral treaty guaranteeing the rights enshrined in the UDHR, resulting in the International Covenant on Economic, Social and Cultural Rights (ICESCR); and

**Whereas**, According to the International Justice Resource Center, individuals cannot claim the legal protections of the ICESCR unless the treaty has been ratified by their respective government; and

**Whereas**, According to the United Nations Treaty Collection, 170 countries across the world have ratified the ICESCR, with the United States being a notable hold out; and

**Whereas**, All human rights are universal and to ensure that housing rights are secured for individuals struggling with income inequality, housing discrimination, and lack of access to affordable housing, the United States should take steps to follow the actions of the international community by implementing the ICESCR; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon Congress to ratify the United Nations Covenant on Economic, Social, and Cultural Rights, to ensure that housing is recognized as a human right.

Referred to the Committee on Civil and Human Rights.

Int. No. 1887

By Council Members Torres and Gibson

**A Local Law to amend the New York city charter, in relation to establishing a special inspector of labor within the department of investigation**

*Be it enacted by the Council as follows:*

Section 1. Section 803 of the New York city charter is amended by adding a new subdivision j to read as follows:

*j. The commissioner shall appoint a special inspector of labor who shall coordinate the labor enforcement activities of the department relating to city contracts. If the special inspector of labor determines, based on any investigation made pursuant to subdivision a or b of this section, that any individual or entity that contracts with the city or seeks to contract with the city is or has engaged in violations of labor or employment laws, the special inspector of labor shall make publicly available a statement or report of such findings, provided that the special inspector of labor shall exercise discretion with respect to the release of information that may affect the integrity of an ongoing investigation or may be subject to confidentiality requirements imposed by law or agreements with other law enforcement agencies.*

§ 2. Section 808 of the New York city charter, as added by local law number 43 for the year 2018, is renumbered section 809.

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

Referred to the Committee on Oversight and Investigations.

Int. No. 1888

By Council Member Treyger.

**A Local Law to amend the administrative code of the city of New York, in relation to prohibiting vehicles on boardwalks**

*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 § 18-108.2 to read as follows:

*18-108.2 Vehicles prohibited on boardwalks. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

*Authorized emergency vehicle. The term "authorized emergency vehicle" has the same meaning as provided in section 18-108.1.*

*Authorized person. The term "authorized person" means a department employee engaged in the performance of such person's assigned duties or an operator of an authorized emergency vehicle engaged in the performance of such person's assigned duties.*

*Elevated boardwalk. The term "elevated boardwalk" means a footpath, walkway or causeway built above sand or marshy ground along a beach or waterfront.*

*Motor vehicle. The term "motor vehicle" means any vehicle designed to be operated or driven upon a public highway which is propelled by any power other than muscular power, except electrically-driven mobility devices operated or driven by a person with a disability.*

*b. No person other than an authorized person may operate a motor vehicle on an elevated boardwalk under the jurisdiction of the commissioner.*

*c. Authorized persons shall use, where feasible, vehicles under 2,800 pounds when operating a motor vehicle on an elevated boardwalk.*

*d. Any person who violates subdivision b of this section shall be guilty of a misdemeanor punishable by not more than 90 days imprisonment or by a fine of not more than \$1,000 or by both such fine and imprisonment. Notwithstanding the provisions of paragraph 9 of subdivision (a) of section 533 of the New York city charter, such person shall also be liable for a civil penalty of not less than \$500 nor more than \$1,000.*

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner may take such measures as are necessary for its implementation, including the promulgation of rules, before such date.

Referred to the Committee on Parks and Recreation.

Res. No. 1241

**Resolution calling upon the Metropolitan Transit Authority (MTA) to make subways and buses fare free year round.**

By Council Member Treyger.

**Whereas**, Millions of people in the United States rely on public transportation everyday as their link to employment, education, child care and their communities; and improving access to transit can be a critical part of addressing urgencies such as climate change, rising income inequality and socioeconomic disparity; and

**Whereas**, According to TransitCenter, a foundation that works on the improvement of public transit, as of January 2019, there are 97 cities and towns across the world that provide fully fare free public transit and there is a growing movement both in the United States and abroad; and

**Whereas**, Cities such as Brussels, Seoul, Melbourne, Paris and Oslo, among others, have considered or experimented with offering temporarily free public transit programs as part of measures to address environmental concerns like air pollution and smog; and

**Whereas**, Cities in the United States offer portions of their transit systems for no cost, such as free airport transit on the Silver Line in Boston, Baltimore's bus system, the automated train Metromover in Miami; and

**Whereas**, Chapel Hill, North Carolina introduced free public transit since 2002 and has seen ridership dramatically increase; and

**Whereas**, Currently, the Department of Transportation (DOT) suspends alternate side parking on 36 legal and major holidays in New York City as of 2019, and DOT also suspends parking meter regulations on some major legal holidays including New Year's Day, Memorial Day, Independence Day, Thanksgiving, and Christmas; and

**Whereas**, Transit affordability remains an issue despite strides such as the Fair Fares program which has yet to be fully implemented and doesn't cover the full cost of the fare; and



**Whereas**, The MTA, in conjunction with enforcement from the New York City Police Department (NYPD), continue to penalize those who may be unable to afford the cost of riding, and according to the NYPD's 2018 data on fare evasion stops, 90% of arrestees and 65% of those receiving a summons were people of color; and

**Whereas**, Implementing a free public transit system in the City would help to bring equity to all riders; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the Metropolitan Transit Authority (MTA) to make subways and buses fare free year round.

Referred to the Committee on Transportation.

Preconsidered L.U. No. 611

By Council Member Dromm:

**528 East 11<sup>th</sup> Street HDFC, Block 404, Lot 18; Manhattan, Community District No.3, Council District 2.**

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 612

By Council Member Dromm:

**Carroll Gardens Portfolio, Block 332, Lot 52, Block 435, Lot 1, Block 449, Lot 12; Brooklyn, Community District No. 6, Council District 39.**

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered L.U. No. 613

By Council Member Salamanca:

**Application No. 20205259 SCQ (476-Seat Primary School Q340) submitted by the New York City School Construction Authority pursuant to Section 1732 of the Public Authorities Law for approval of a site selection for a new, approximately 476-Seat Primary School Facility, Q340 located at 69-02 Queens Boulevard (Block 2432, all or p/o Lots 41, 44, and 50), Borough of Queens, Community School District 24, Council District 30, Community District 2.**

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions).

## Preconsidered L.U. No. 614

By Council Member Salamanca:

**Application No. C 190438 ZMK (2513-2523 Avenue O Rezoning) submitted by Pulmonary and Sleep Medical, P.C. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 23b, changing from an R2 District to an R3-2 District property bounded by a line 100 feet northerly of Avenue O, East 26<sup>th</sup> Street, Avenue O, and a line midway between East 26<sup>th</sup> Street and Bedford Avenue, Borough of Brooklyn, Council District 48, Community District 14.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises (preconsidered but laid over by the Subcommittee on Zoning and Franchises).

## L.U. No. 615

By Council Member Salamanca:

**Application No. 20205150 SCK (322-Seat Primary School Facility) submitted pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 322-Seat Primary School Facility, located at 6740 3<sup>rd</sup> Avenue (Block 5853, Lot 45), Borough of Brooklyn, Council District 43, Community School District 20.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

## L.U. No. 616

By Council Member Salamanca:

**Application No. 20205258 HAM (272 East 7th Street – UDAAP/Article XI) submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law and Section 577 of Article XI of the Private Housing Finance Law for approval of an urban development action area project, waiver of the area designation requirement, waiver of the requirements of Sections 197-c and 197-d of the New York City Charter, and approval of a real property tax exemption for property located at 272 East 7<sup>th</sup> Street (Block 376, Lot 28), Borough of Manhattan, Council District 2. Community District 3.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 617

By Council Member Salamanca:

**Application No 20205278 HHR (NYC Health & Hospitals/Sea View Campus) submitted by the New York City Health and Hospitals Corporation, pursuant to Section 7385(6) of the Health and Hospitals Corporation Enabling Act, for approval to lease a parcel of land and building on the campus of NYC Health and Hospitals/Sea View to Camelot of Staten Island, Inc. for the operation of a residential Substance Use Disorder program, Borough of Staten Island, Council District 50, Community District 2.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 618

By Council Member Salamanca:

**Application No. 20195575 HIM (N 200223 HIM) the designation by the Landmarks Preservation Commission of the 47 West 28<sup>th</sup> Street Building, Tin Pan Alley located at 47 West 28<sup>th</sup> Street (Tax Map Block 830, Lot 11), as an historic landmark (DL-516/LP-2626), submitted pursuant to Section 3020 of the New York City Charter and Section 25-303 of the Administrative Code of the City of New York, Borough of Manhattan, Council District 3, Community District 5.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 619

By Council Member Salamanca:

**Application No. 20195576 HIM (N 200224 HIM) the designation by the Landmarks Preservation Commission of the 49 West 28<sup>th</sup> Street Building, Tin Pan Alley located at 49 West 28<sup>th</sup> Street (Tax Map Block 830, Lot 10), as an historic landmark (DL-516/LP-2627), submitted pursuant to Section 3020 of the New York City Charter and Section 25-303 of the Administrative Code of the City of New York, Borough of Manhattan, Council District 3, Community District 5.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 620

By Council Member Salamanca:

**Application No. 20195577 HIM (N 200225 HIM) the designation by the Landmarks Preservation Commission of the 51 West 28<sup>th</sup> Street Building, Tin Pan Alley located at 51 West 28<sup>th</sup> Street (Tax Map Block 830, Lot 9), as an historic landmark (DL-516/LP-2628), submitted pursuant to Section 3020 of the New York City Charter and Section 25-303 of the Administrative Code of the City of New York, Borough of Manhattan, Council District 3, Community District 5.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 621

By Council Member Salamanca:

**Application No. 20195578 HIM (N 200226 HIM) the designation by the Landmarks Preservation Commission of the 53 West 28<sup>th</sup> Street Building, Tin Pan Alley located at 53 West 28<sup>th</sup> Street (Tax Map Block 830, Lot 8), as an historic landmark (DL-516/LP-2629), submitted pursuant to Section 3020 of the New York City Charter and Section 25-303 of the Administrative Code of the City of New York, Borough of Manhattan, Council District 3, Community District 5.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 622

By Council Member Salamanca:

**Application No. 20195579 HIM (N 200227 HIM) the proposed designation by the Landmarks Preservation Commission of the 55 West 28<sup>th</sup> Street Building, Tin Pan Alley located at 55 West 28<sup>th</sup> Street (Tax Map Block 830, Lot 7), as an historic landmark (DL-516/LP-2630), submitted pursuant to Section 3020 of the New York City Charter and Section 25-303 of the Administrative Code of the City of New York, Borough of Manhattan, Council District 3, Community District 5.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 623

By Council Member Salamanca:

**Application No. 20205522 HIX (N 200236 HIX) the Landmarks Preservation Commission's proposed Rescission of the Landmark Designation of Public School 31 located at 425 Grand Concourse (Tax Map Block 2346, Lot 1) (DL-516/LP-1435A), submitted pursuant to Section 3020 of the New York City Charter and Section 25-303 of the Administrative Code of the City of New York, Borough of the Bronx, Council District 17, Community District 1.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 624

By Council Member Salamanca:

**Application No. 20205180 TCM (Bluestone Lane) submitted pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of BL 417 Amsterdam NY, LLC, d/b/a Bluestone Lane, for a renewal of a revocable consent to continue, maintain and operate an unenclosed sidewalk café located at 417 Amsterdam Avenue, Borough of Manhattan Council District 6, Community District 7. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant Section 11.20(c) of the Rules of the Council and Section 20-226 of the New York City Administrative Code.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L. U. No. 625

By Council Member Salamanca:

**Application No. 20205106 TCM (Trattoria Dell'Arte) submitted pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Cieli Partners, L.P., d/b/a Trattoria Dell 'Arte, for a renewal of a revocable consent to continue, maintain and operate an unenclosed sidewalk café located at 900 7<sup>th</sup> Avenue, Borough of Manhattan, Council District 4, Community District 5. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant Section 11.20(c) of the Rules of the Council and Section 20-226 of the New York City Administrative Code.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 626

By Council Member Salamanca:

**Application No. M 840260(F) LDM (46-74 Gansevoort Street) submitted by 46-50 Gansevoort Street LLC, 52-58 Gansevoort Street LLC, and 60-74 Gansevoort Street, LLC, for the modification of Restrictive Declaration D-94, originally adopted as a condition of ULURP Application No. C 840260 ZMM, to permit Use Group 3, 4, and 6B uses in addition to those presently permitted on property located at 46-74 Gansevoort Street (Block 643, Lots 43, 49, and 54), Borough of Manhattan, Council District 3, Community District 2.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 627

By Council Member Salamanca:

**Application No. C 190172 ZMK (271 Sea Breeze Avenue) submitted by 271 Sea Breeze Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28d, by establishing within an existing R6 District a C2-4 District, on property bounded by West Brighton Avenue, West 2<sup>nd</sup> Street, Sea Breeze Avenue and West 5<sup>th</sup> Street (Block 7280, Lots 89, 92, 95, 110, and 188), Borough of Brooklyn, Council District 48, Community District 13.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 628

By Council Member Salamanca:

**Application No. C 190256 ZMK (Grand Avenue and Pacific Street Rezoning) submitted by EMP Capital Group pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 16c, changing from an M1-1 District to a R7D District and establishing within the proposed R7D District a C2-4 District, for property located at Block 1125, Lot 1, and Block 1133, Lots 7, 10, 11, 12, and part of 13, Borough of Brooklyn, Council District 35, Community District 8.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 629

By Council Member Salamanca:

**Application No. N 190257 ZRK (Grand Avenue and Pacific Street 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 APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, for property located at Block 1125, Lot 1, and Block 1133, Lots 7, 10, 11, 12, and part of 13, Borough of Brooklyn, Council District 35, Community District 8.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 630

By Council Member Salamanca:

**Application No. C 190295 ZMK (8118 13th Avenue Rezoning) submitted by Stars and Stripes Holding Co. Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 22b, by establishing within an existing R5B District a C1-3 District, for property located at 8118, 8120, and 8124 13th Avenue (Block 6291, Lots 43, 45, and 47), Borough of Brooklyn, Council District 43, Community District 10.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 631

By Council Member Salamanca:

**Application No. N 190352 ZRQ (Queens Boulevard MIH Text Amendment) submitted by 64-11 QB Owner LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area for property located at Block 1341, Lot 77, and Block 2446, Lots 1, 4, 30, 31, 36 and 41, Borough of Queens, Council Districts 26 and 30, Community District 2.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 632

By Council Member Salamanca:

**Application No. C 200050 ZSM (Lenox Terrace) submitted by Lenox Terrace Development Associates pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743 of the Zoning Resolution to modify the height and setback requirements of Sections 23-60 (Height and Setback Regulations) and 35-60 (Modification of Height and Setback Regulations), and the distance between buildings requirements of Section 23- 711 (Standard minimum distance between buildings), in connection with a proposed mixed use development, within a large scale general development, on property generally bounded by West 135<sup>th</sup> Street, Fifth Avenue, West 132<sup>nd</sup> Street, and Lenox Avenue-Malcolm X. Boulevard (Block 1730, Lots 1, 7, 9, 25, 33, 36, 40, 45, 50, 52, 64, 68, and 75), in a proposed C6-2 District, Borough of Manhattan, Council District 9, Community District 10.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 633

By Council Member Salamanca:

**Application No. N 200051 ZRM (Lenox Terrace) submitted by Lenox Terrace Development Associates, 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 within a large scale general development, on property generally bounded by West 135<sup>th</sup> Street, Fifth Avenue, West 132<sup>nd</sup> Street, and Lenox Avenue-Malcolm X. Boulevard, Borough of Manhattan, Council District 9, Community District 10.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 634

By Council Member Salamanca:

**Application No C 200052 ZMM (Lenox Terrace) submitted by Lenox Terrace Development Associates pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 6a, eliminating from an existing R7-2 District a C1-4 District and changing from an R7-2 District to a C6-2 District, on property generally bounded by West 135<sup>th</sup> Street, Fifth Avenue, West 132<sup>nd</sup> Street, and Lenox Avenue-Malcolm X. Boulevard, Borough of Manhattan, Council District 9, Community District 10.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 635

By Council Member Salamanca:

**Application No. C 200054 ZSM (Lenox Terrace) submitted by Lenox Terrace Development Associates 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 waive the required number of 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, within a large scale general development, on property generally bounded by West 135th Street, Fifth Avenue, West 132nd Street, and Lenox Avenue-Malcolm X. Boulevard (Block 1730, Lots 1, 7, 9, 25, 33, 36, 40, 45, 50, 52, 64, 68, and 75), in a proposed C6-2 District. Borough of Manhattan, Council District 9, Community District 10.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 636

By Council Member Salamanca:

**Application No. C 200088 ZMX (C7 Baychester Avenue Rezoning) submitted by NYC Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 4a, by changing from a C7 District to a C8-2 District property located at Block 5141, Lots 101, 102, and part of Lot 110, Borough of the Bronx, Council District 12, Community District 10.**

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.



NEW YORK CITY COUNCIL

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

**Wednesday, February 12, 2020**

Subcommittee on Zoning & Franchises Francisco Moya, Chairperson  
**See Land Use Calendar**  
Council Chambers – City Hall.....10:00 a.m.

Committee on Cultural Affairs, Libraries & International Intergroup Relations James Van Bramer, Chairperson  
**Oversight** - Court Square Library Closure Status.  
Committee Room - City Hall.....1:00 p.m.

Committee on Governmental Operations Fernando Cabrera, Chairperson  
**Int 1091** - By Council Member Koo - **A Local Law** to amend the administrative code of the city of New York, in relation to the posting of machine readable executive orders.  
**Int 1871** - By Council Member Cabrera - **A Local Law** to amend the New York city charter, in relation to separability of unconsolidated local laws.  
**Int 1872** - By Council Member Cabrera - **A Local Law** to amend the administrative code of the city of New York, in relation to the online publication of unconsolidated local laws.  
**Int 1874** - By Council Member Chin - **A Local Law** to amend the administrative code of the city of New York, in relation to permitting interested parties to receive notification of items published in the City Record.  
**Int 1878** - By Council Member Powers - **A Local Law** to amend the New York city charter, in relation to the city administrative procedure act.  
**Int 1879** - By Council Member Powers - **A Local Law** to amend the New York city charter, in relation to the designation of administering offices or agencies.  
Committee Room – 250 Broadway, 14<sup>th</sup> Floor.....1:00 p.m.

Subcommittee on Landmarks, Public Sitings and Dispositions Adrienne Adams, Chairperson  
**See Land Use Calendar**  
Committee Room – 250 Broadway, 16<sup>th</sup> Floor.....1:00 p.m.

**Thursday, February 13, 2020**

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

Committee on Civil Service and Labor I. Daneek Miller, Chairperson  
**Int 1396** - By Council Members Adams, Lander, Moya, Ayala, Cabrera, Brannan, Lancman, Eugene, Levine, Menchaca, Rosenthal, Kallos, Reynoso, Van Bramer, Salamanca, Chin, Cohen, Rivera, Treyger, Levin, Ampry-Samuel, King, Cumbo, Holden, Torres, Koslowitz, Rodriguez, Richards, Constantinides, Gibson, Powers, Vallone, Maisel, Rose, Louis and Cornegy - **A Local Law** to amend the administrative code of the city of New York, in relation to fast food employee layoffs.

**Int 1415** - By Council Members Lander, Adams, Ayala, Cabrera, Brannan, Lancman, Eugene, Moya, Rosenthal, Menchaca, Kallos, Reynoso, Levine, Van Bramer, Salamanca, Chin, Rivera, Treyger, Levin, King, Cumbo, Holden, Torres, Rodriguez, Richards, Constantinides, Ampry-Samuel, Gibson, Powers, Maisel, Rose, Louis, Koslowitz and Cornegy - **A Local Law** to amend the administrative code of the city of New York, in relation to wrongful discharge from employment.  
 Council Chambers – City Hall.....1:00 p.m.

**Monday, February 24, 2020**

[Committee on Hospitals](#) Carlina Rivera, Chairperson  
**Oversight** - Safety of New York City Emergency Departments.  
 Committee Room – City Hall.....10:00 a.m.

[Committee on Justice System](#) jointly with the Rory Lancman, Chairperson  
[Committee on Housing and Buildings](#) Robert Cornegy, Jr., Chairperson

**Oversight** - Implementation and Expansion of Right to Counsel in Housing Court.  
**Int 1104** - By Council Members Levine, Gibson, Ayala, Constantinides, Ampry-Samuel, Powers, Chin, Rosenthal, Richards, Rivera, Lander, Menchaca, Levin, Kallos, Adams, Cornegy, Cohen, Lancman, Maisel, Reynoso, Brannan, Koslowitz, Torres, Rose, Louis, Perkins, Moya, Grodenchik, Van Bramer, Salamanca, Rodriguez, Cumbo, Eugene and the Public Advocate (Mr. Williams) - **A Local Law** to amend the administrative code of the city of New York, in relation to expanding the right to counsel for tenants.  
**Int 1529** - By Council Members Levine, Gibson, Rosenthal, Cohen, Adams, Chin, Cornegy, Ayala, Powers, Reynoso, Levin, Rivera, Richards, Constantinides, Menchaca, Brannan, Torres, Ampry-Samuel, Lander, Rose, Perkins, Grodenchik, Van Bramer, Moya, Salamanca, Koslowitz, Rodriguez, Louis, Kallos, Cumbo, Lancman, Eugene and the Public Advocate (Mr. Williams) - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the office of the civil justice coordinator to collaborate with community groups in engaging and educating tenants of their rights in housing court.  
 Council Chambers – City Hall.....10:00 a.m.

[Committee on Oversight and Investigations](#) Ritchie Torres, Chairperson  
**Oversight** – DOI Background Investigations Backlog.  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor.....10:00 a.m.

[Committee on Fire and Emergency Management](#) Joseph Borelli, Chairperson  
**Oversight** - Innovative Approaches to Improving FDNY/EMS Emergency Response.  
**Int 1561** - By Council Members Borelli, King and Yeger - **A Local Law** in relation to requiring the fire department to implement a pilot program for the deployment of motorized scooters for the transportation of emergency medical service personnel.  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor.....1:00 p.m.

[Committee on Mental Health, Disabilities & Addiction](#) Diana Ayala, Chairperson  
**Oversight** - Mental health coverage for city employees.  
**Int 64** - By Council Members Cumbo, Cohen, Brannan, Ayala and Lander - **A Local Law** to amend the administrative code of the city of New York, in relation to creating a mental health coordinator to inform city employees about mental health support and services.  
**Int 1792** - By Council Members Torres and Lander - **A Local Law** to amend the administrative code of the city of New York, in relation to providing information relating to behavioral health services.  
 Committee Room – City Hall.....1:00 p.m.

**Tuesday, February 25, 2020**

[Committee on Public Safety](#) Donovan Richards, Jr., Chairperson  
**Oversight** - DNA Collection and Storage in NYC.  
Committee Room – City Hall.....10:00 a.m.

[Committee on Technology](#) jointly with the Robert Holden, Chairperson  
[Committee on Small Business](#) Mark Gjonaj, Chairperson  
**Oversight** – Cybersecurity for Small Businesses.  
Committee Room – 250 Broadway, 14<sup>th</sup> Floor.....10:00 a.m.

★ **Addition**  
[Committee on Transportation](#) Ydanis Rodriguez, Chairperson  
**Oversight** - The Future of the BQE.  
Council Chambers – City Hall.....10:00 a.m.

★ **Note Time Change**  
[Committee on Environmental Protection](#) Costa Constantinides, Chairperson  
**Oversight** – Addressing Challenges in Meeting our Carbon Commitments  
**Int 270** - By Council Members Richards, Brannan, Kallos and Lander - **A Local Law** to amend the administrative code of the city of New York, in relation to carbon accounting.  
**Int 1720** - By Council Members Constantinides, Chin, Gibson and Lander - **A Local Law** to amend the administrative code of the city of New York, in relation to the establishment of agency-wide climate emission plan.  
Committee Room – 250 Broadway, 16<sup>th</sup> Floor..... ★10:30 a.m.

[Committee on Economic Development](#) Paul Vallone, Chairperson  
**Oversight** - NYCEDC 2020 Snapshot - Borough-by-Borough Projects: Jamaica NOW, Bronx Point, Manhattan Life Sciences Campus, Bedford Union Armory & Stapleton Waterfront.  
Committee Room – 250 Broadway, 16<sup>th</sup> Floor.....1:00 p.m.

[Committee on Parks and Recreation](#) Peter Koo, Chairperson  
**Oversight** – Examining the Parks Department’s Park Enforcement Patrol (PEP) Program.  
Committee Room – 250 Broadway, 14<sup>th</sup> Floor.....1:00 p.m.

**Wednesday, February 26, 2020**

[Committee on Higher Education](#) Inez Barron, Chairperson  
**Oversight** - Research Foundation at CUNY.  
Committee Room – 250 Broadway, 14<sup>th</sup> Floor.....10:00 a.m.

[Subcommittee on Zoning & Franchises](#) Francisco Moya, Chairperson  
**See Land Use Calendar**  
Committee Room –  
City Hall.....10:00 a.m.

★ ***Addition***

[Committee on Aging](#) jointly with the  
[Committee on Public Housing](#)  
Oversight - Rent Recertification for NYCHA Seniors.  
Committee Room – City Hall.....1:00 p.m.

Margaret Chin, Chairperson  
Alicka Ampry-Samuel, Chairperson

[Subcommittee on Landmarks, Public Sitings and Dispositions](#)  
**See Land Use Calendar**

Adrienne Adams, Chairperson

Committee Room – 250 Broadway, 16<sup>th</sup> Floor.....1:00 p.m.

**Thursday, February 27, 2020**

[Stated Council Meeting](#).....*Ceremonial Tributes – 1:00 p.m.*  
.....*Agenda – 1:30 p.m.*



**NEW YORK CITY COUNCIL**

**New York City Council Budget and Oversight Hearings on  
The Preliminary Capital Budget for Fiscal Year 2021-2024  
The Preliminary Capital Commitment Plan for Fiscal Year 2020-2024 and  
The Fiscal 2020 Preliminary Mayor's Management Report**

**Monday, March 2, 2020**

**10:00 a.m. Finance Committee jointly with the Subcommittee on Capital Budget – Council Chambers – City Hall**  
 10:00 a.m. Office of Management and Budget  
 1:00 p.m. Comptroller  
 2:00 p.m. Independent Budget Office  
 2:30 p.m. Public

**Tuesday, March 3, 2020**

**10:00 a.m. Fire and Emergency Management Committee – Council Chambers – City Hall**  
 10:00 a.m. Fire/Emergency Medical Service  
 11:00 a.m. Office of Emergency Management  
 11:45 a.m. Public

**10:00 a.m. Higher Education Committee – Committee Room – City Hall**  
 10:00 a.m. City University of New York  
 12:00 p.m. Public

**1:00 p.m. Land Use Committee – Council Chambers – City Hall**  
 1:00 p.m. Department of City Planning  
 2:00 p.m. Landmarks Preservation Commission

**3:00 p.m. Land Use Committee jointly with the Committee on Technology – Council Chambers – City Hall**  
 3:00 p.m. Department of Information, Technology & Telecommunications  
 4:00 p.m. Public

**Wednesday, March 4, 2020**

- 10:00 a.m. Parks & Recreation Committee – Council Chambers – City Hall**  
 10:00 a.m. Department of Parks & Recreation  
 12:00 p.m. Public
- 10:00 a.m. Environmental Protection Committee – Committee Room - City Hall**  
 10:00 a.m. Department of Environmental Protection  
 12:30 p.m. Public
- 1:00 p.m. Public Safety Committee – Council Chambers – City Hall**  
 1:00 p.m. Police Department  
 4:00 p.m. Civilian Complaint Review Board  
 5:00 p.m. Public
- 2:00 p.m. Sanitation & Solid Waste Management Committee – Committee Room – City Hall**  
 2:00 p.m. Department of Sanitation  
 4:00 p.m. Business Integrity Commission  
 5:00 p.m. Public

**Thursday, March 5, 2020**

- 10:00 a.m. Cultural Affairs, Libraries & International Intergroup Relations Committee – Council Chambers – City Hall**  
 10:00 a.m. Libraries  
 11:30 a.m. Department of Cultural Affairs  
 1:00 p.m. Public
- 2:00 p.m. Veterans Committee – Committee Room – City Hall**  
 2:00 p.m. Department of Veterans' Services  
 3:00 p.m. Public

**Friday, March 6, 2019**

- 10:00 a.m. Aging Committee – Council Chambers – City Hall**  
 10:00 a.m. Department for the Aging  
 11:00 a.m. Public
- 12:00 p.m. Consumer Affairs and Business Licensing Committee – Committee Room – City Hall**  
 12:00 p.m. Department of Consumer Affairs  
 1:00 p.m. Public
- 2:00 p.m. Small Business Committee – Council Chambers – City Hall**  
 2:00 p.m. Department of Small Business Services  
 3:30 p.m. Public

**3:30 p.m.**      **Immigration Committee – Committee Room – City Hall**  
 3:30 p.m.      Office of Immigrant Affairs  
 5:00 p.m.      Public

**Monday, March 9, 2020**

**10:00 a.m.**      **Transportation Committee - Council Chambers – City Hall**  
 10:00 a.m.      MTA/NYC Transit

**11:00 a.m.**      **Transportation Committee jointly with the Subcommittee on Capital Budget -  
 Council Chambers – City Hall**  
 11:00 a.m.      Department of Transportation

**1:00 p.m.**      **Transportation Committee - Council Chambers – City Hall**  
 1:00 p.m.      Taxi and Limousine Commission  
 2:00 p.m.      Public

**10:00 a.m.**      **Criminal Justice Committee– Committee Room – City Hall**  
 10:00 a.m.      Department of Probation  
 10:30 a.m.      Department of Correction  
 12:30 p.m.      Board of Correction  
 1:30 p.m.      Public

**Wednesday, March 11, 2020**

**★ Note Location Change**

**10:00 am.**      **Economic Development Committee – ★ ~~Committee Room~~ – Council Chambers - City  
 Hall**  
 10:00 a.m.      Economic Development Corporation  
 11:30 a.m.      Public

**12:00 p.m.**      **Youth Services Committee – Council Chambers – City Hall**  
 12:00 p.m.      Department of Youth and Community Development  
 1:30 p.m.      Public

**Friday, March 13, 2020**

**10:00 a.m.**      **Housing and Buildings Committee – Council Chambers – City Hall**  
 10:00 a.m.      Department of Buildings  
 11:00 a.m.      Department of Housing Preservation and Development  
 2:00 p.m.      New York City Housing Authority  
 4:30 p.m.      Public

**★ Addition**

**1:00 p.m.**      **Public Housing Committee – Committee Room – City Hall**  
 1:00 p.m.      New York City Housing Authority  
 4:00 p.m.      Public

**Monday, March 16, 2020**

**10:00 a.m. Health Committee – Council Chambers – City Hall**  
 10:00 a.m. Department of Health and Mental Hygiene  
 12:00 p.m. Medical Examiner  
 1:00 p.m. Public

**2:00 p.m. Hospitals Committee – Council Chambers – City Hall**  
 2:00 p.m. Health + Hospitals  
 4:00 p.m. Public

**Thursday, March 19, 2020**

**10:00 a.m. Education Committee – Council Chambers – City Hall**  
 10:00 a.m. Department of Education (Expense)  
 12:00 p.m. School Construction Authority (Capital)  
 1:00 p.m. Public

**2:00 p.m. Justice System Committee jointly with the Committee on Public Safety  
 – Committee Room – City Hall**  
 2:00 p.m. District Attorneys/Special Narcotics Prosecutor

**3:00 p.m. Justice System Committee – Council Chambers – City Hall**  
 3:00 p.m. Mayor’s Office of Criminal Justice  
 3:30 p.m. Office of Civil Justice (Human Resources Administration)  
 4:00 p.m. Legal Aid  
 4:30 p.m. Public

**Friday, March 20, 2020**

**10:00 a.m. Governmental Operations Committee – Council Chambers – City Hall**  
 10:00 a.m. Department of Citywide Administrative Services  
 11:00 a.m. Law Department  
 12:00 p.m. Board of Elections  
 1:00 p.m. Office of Administrative Trials and Hearings  
 2:00 p.m. Community Boards  
 3:00 p.m. Public

**Monday, March 23, 2020**

**10:00 a.m. General Welfare Committee – Council Chambers – City Hall**  
 10:00 a.m. Human Resources Administration / Department of Social Services  
 Department of Homeless Services

**1:00 p.m. General Welfare Committee jointly with the Committee on Justice System  
 – Council Chambers – City Hall**  
 1:00 p.m. Administration for Children’s Services  
 3:00 p.m. Public



**11:00 a.m. Civil and Human Rights Committee – Committee Room – City Hall**  
 11:00 a.m. Human Rights Commission  
 12:00 p.m. Equal Employment Practices Commission  
 1:00 p.m. Public

**Tuesday, March 24, 2020**

**10:00 a.m. Contracts Committee – Committee Room – City Hall**  
 10:00 a.m. Mayor’s Office of Contracts  
 11:00 a.m. Public

**12:00 p.m. Oversight & Investigations Committee – Council Chambers– City Hall**  
 12:00 p.m. Department of Investigation  
 2:00 p.m. Public

**2:00 pm. Mental Health, Disabilities & Addiction Committee –  
 Committee Room – City Hall**  
 2:00 p.m. Department of Health and Mental Hygiene  
 4:00 p.m. Public

**Wednesday, March 25, 2020**

**10:00 a.m. Finance Committee – Council Chambers – City Hall**  
 10:00 a.m. Department of Finance

**11:00 a.m. Finance Committee jointly with the Subcommittee on Capital Budget –  
 Council Chambers – City Hall**  
 11:00 a.m. Department of Design and Construction  
 12:00 p.m. Office of Management and Budget  
 2:00 p.m. Public

*Rev. 2-6-2020*

During the Communication from the Speaker segment of this Meeting, the Speaker (Council Member Johnson) acknowledged the targeted shootings of NYPD Officer Paul Stroffalino and NYPD Lieutenant Jose Gautreaux that took place over the weekend of February 8th-9th, 2020. On behalf of the Council, he expressed thanks for their recovery and gratitude for their service. He reiterated that the work of each member of the NYPD could not be underestimated or overstated. The Speaker (Council Member Johnson) emphasized that any act that incites violence against our police officers needed to be condemned. He noted that one could be for further reform but also stand against irresponsible and dangerous rhetoric that divides New Yorkers. He asked everyone to stand in appreciation for Officer Stroffalino and Lieutenant Gautreaux and to wish them well in their recovery -- in response, those assembled in the Chambers stood and applauded.

During the Communication from the Speaker segment, the Speaker (Council Member Johnson) acknowledged that February marks Black History Month when we honor and celebrate the achievements that black people have made to the country and to the city. He praised the Majority Leader (Council Member Cumbo) for her recent daily posts highlighting individuals who had not always received the recognition they had deserved. The Speaker (Council Member Johnson) noted that the Council would be committed to tackling the historic inequalities that still exist and helping New York become a national model for equity. He pledged that the Council would continue to engage in the fight for equality.

During the Communication from the Speaker segment, the Speaker (Council Member Johnson) acknowledged that February is also American Health Month. He encouraged everyone to take as many preventative measures as possible to avoid contracting heart disease -- such measures would include checking one's blood pressure and cholesterol regularly.

Whereupon on motion of the Speaker (Council Member Johnson), the Public Advocate (Mr. Williams) adjourned these proceedings to meet again for the Stated Meeting on Thursday, February 27, 2020.

MICHAEL M. McSWEENEY, City Clerk  
Clerk of the Council

*Editor's Local Law Note: Int. Nos. 420-B, 873-A, 891-A, 904-A, 919-A, and 1785, all adopted by the Council at the January 23, 2020 Stated Meeting, were signed into law by the Mayor on February 11, 2020 as, respectively, Local Law Nos. 27 to 32 of 2020.*

*Editor's Note: Upon his resignation from office, Council Member Espinal's name was duly removed as a sponsor from all pending Council legislation. For text of his resignation, please see M-220 of 2020 printed in the Petitions and Communications section of these Minutes.*