

THE COUNCIL

Minutes of the Proceedings for the STATED MEETING

of

Thursday, May 5, 2022, 1:59 p.m.
(held in a hybrid meeting format)

*The Majority Leader (Council Member Powers)
presiding as the Acting President Pro Tempore*

Council Members

Adrienne E. Adams, *Speaker*

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

Absent: Council Member Vernikov.

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

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

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

INVOCATION

The Invocation was delivered by Reverend Rashad Raymond Moore, First Baptist Church of Crown Heights, located at 450 Eastern Parkway, Brooklyn, N.Y. 11225.

Good afternoon.

Please join me for a word of prayer.

“How good it is to center down,
to sit quietly and to see our lives pass by.
The streets of our mind seethe with endless traffic,
our spirits resound with clashing with noisy silences
while something deep within this moment
hungers and thirsts for the still small moment,
a direction, a strong sure purpose
that will structure our confusion and our chaos.
How good it is to center down.”
- Howard Thurman.

Oh God, our help in ages past,
our hope for years to come.
We pause for a moment out of the daily rounds
of life and leadership to give you thanks
for the gift of life and for life itself.
For just a moment,
we hush out the noise of the world
to hear your voice again.
Please give us all that we need in this moment
to provide leadership for our city.
All that we need, you have provided,
and so we ask now for your wisdom
to make just decisions,
power to stand for what is right
even if we have to stand alone,
and the patience to tend to the cries, complaints,
concerns, and dreams of the communities
we have been elected to serve.
Give us the strength we need to serve this present age,
to continue our fight for a more just tomorrow.
A time like this demands strong minds,
great hearts, true faith, and ready hands.
A time like this demands that we stand
and bear witness on behalf of all of God’s children
whose rights are threatened and diminished
by a frightening court action that is unjust.
May the beauty of the tulips and lilies of this Eastertide
be a reminder to us, dear God,
that you never intended for us
to live our lives in boxes and closets,

neither do you intend for the laws of our land
to be controlled by distorted
or patriarchal interpretations of Christianity,
nor is it the will of your government, oh God,
to have a role in whatsoever a person decides to do
with their private healthcare decisions,
and so we ask now for your strength
to help us continue to fight,
the good fight, for a just tomorrow.
Give us the courage to speak the truth.
Give us an imagination to dream new dreams
and to see new possibilities.
Give us the sensitive ear, oh God,
to hear the cries of those
who are sick, homeless, and destitute,
and so with your Spirit and strength
we will continue to dream
and to build a new New York,
a new New York where every gender, class, and race
can bring their rainbow gifts and colors
to your limitless embrace,
a new New York where the lines that divide
become the ties that bind,
a new New York where the homeless find a home,
where no children will ever hunger,
where all people work for justice,
where gun violence will cease,
where every class will be gifted and talented,
where the broken streets will be restored,
where we can all live in dignity and peace,
and, with your wisdom and power pushing us on,
we will continue to put our hand to the plow,
to put our hands, heads, and hearts together
to build a new New York this day and forevermore.
This is our prayer.
In your many names we pray and we say amen.
Amen.

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

During the Communication from the Speaker segment of this meeting, the Speaker (Council Member Adams) acknowledged the traffic fatalities that were continuing to plague city streets. She spoke of an incident that had taken place on May 4, 2022 when 16 year old Alissa Kolenovic was fatally struck by a delivery truck as she was walking to school. The accident had taken place in the Morris Park section of Council Member Velazquez's district in The Bronx. The Speaker (Council Member Adams) emphasized that the city needed to take every precaution necessary to put an end to such deadly accidents. She also reiterated that the Council was committed to the work of legislative equity in order to right such wrongs that were impacting city residents.

At this point, the Speaker (Council Member Adams) asked for a moment of silence in memory of all the children lost to traffic fatalities during the year.

A moment of silence was observed in the Council Chambers.

* * *

ADOPTION OF MINUTES

Council Member Ayala moved that the Minutes of the Stated Meeting of April 14, 2022 be adopted as printed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-59

Communication from the Office of Management and Budget – Submitting the Annual Statement of Debt Affordability, as required by Chapter 16 of the Laws of 1997 of the State of New York.

April 26, 2022

Hon. Eric L. Adams
Mayor
City Hall
New York, NY 10007

Hon. Kathy Hochul
Governor
The Executive Chamber, Capitol
Albany, NY 12224

Hon. Adrienne Adams
Speaker of the Council
City Hall
New York, NY 10007

Hon. Brad Lander
Comptroller
Municipal Bldg., 1 Centre St.
New York, NY 10007

Hon. Thomas F. O'Mara
Ranking Minority Member
Senate Finance Committee The
Capitol
Albany, NY 12247

Hon. Edward P. Ra
Ranking Minority Member
Assembly Ways & Means Committee
The Capitol
Albany, NY 12248

Hon. Liz Krueger
Chair, Senate Finance Committee
428 Capitol
Albany, NY 12248

Hon. Helene Weinstein
Chair, Assembly Ways & Means Committee
The Capitol, LOB 923
Albany, NY 12248

Hon. Thomas P. DiNapoli
Comptroller
Gov. A.E. Smith Office Bldg.
Albany, NY 12236

Michelle McManus
NYS Financial Control Board
80 Maiden Lane, Suite 402
New York, NY 10038-3833

Re: Statement of Debt Affordability

Pursuant to Chapter 16 of the Laws of 1997 of the State of New York, which includes the New York City Transitional Finance Authority Act (the "Act"), I am providing the annual statement of debt affordability. This statement does not constitute the annual declaration of need pursuant to Section 2799-ff of the Act, which will be prepared following adoption of the City of New York's (the "City's") fiscal year 2023 Budget by the City Council.

In order to finance projects within its Capital Budget, the City currently has a capital financing need of up to \$9.1 billion, \$10.2 billion, \$11.6 billion and \$12.0 billion in fiscal years 2023 through 2026, respectively. To the extent that General Obligation Bonds are issued to finance such projects, the capital financing need to be met by the issuance of future tax-secured bonds ("FTS") of the New York City Transitional Finance Authority ("TFA") would be reduced accordingly. The City currently expects to issue General Obligation Bonds to provide funding for approximately half of such four year financing program.

There is no reserve or surplus fund held by TFA as of the date of this statement and there was none as of the end of the most recently completed fiscal year. The TFA's Debt Service Fund contained and contains amounts in excess of minimum retention requirements, which amounts are applied to make debt service payments during the City's Financial Plan period.

Schedule A shows the City's and TFA's debt-incurring power, excluding Building Aid Revenue Bond financing capacity. Schedule B presents the sources of financing for the City's four-year capital program. Schedule C specifies amounts of debt service payable on City General Obligation bonds and TFA FTS bonds, amounts expected to be outstanding in each of the Financial Plan years for General Obligation and TFA FTS bonds, and various debt service and debt ratios as required by the Act. Schedule C provides a framework for assessing the affordability to the City of the debt to be issued as described on Schedule B.

In my opinion, debt affordability is a judgment made by balancing the City's need for essential capital improvements and the costs of delaying or not implementing such improvements against the impact of debt service costs arising from the financing of those capital needs on the other competing City priorities funded through the City's operating budget. The judgment is reflected in the City's Financial Plan and in its operating budget and Capital Plan as proposed by the Mayor, which has the result, in fiscal year 2026, of debt service (including the TFA FTS and lease (conduit) debt service) requiring 9.2 percent of total revenues and 13.2 percent of total tax revenues.

Sincerely,

Jacques Jiha, Ph.D

Attachments

Received, Ordered, Printed and Filed.

M-60

Robert Hogan, a resident of Queens, Council candidate for appointment to the New York City Civilian Complaint Review Board, pursuant to § 440 (b)(1) of the New York City Charter.

(For text, please refer to the City Hall Library at 31 Chambers Street, Suite 112. New York, N.Y. 10007)

Referred to the Committee on Rules, Privileges and Elections.

LAND USE CALL-UPS

M-61

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

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 Application Nos. C 220136 ZSM, C 220137(A) ZSM, and C 220142 ZSM (ONE45/MUSEUM OF CIVIL RIGHTS) shall be subject to Council review. These items are related to Application Nos. C 220134 ZMM and N 220135 ZRM.

Coupled on Call-up vote.

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

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

At this point, the Majority Leader and the Acting President Pro Tempore (Council Member Powers) declared the aforementioned item **adopted** and referred this item to the Committee on Land Use and to the appropriate Land Use subcommittee.

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Finance

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

Report for Res. No. 154

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

The Committee on Finance, to which the annexed preconsidered resolution was referred on May 5, 2022, respectfully

REPORTS:

Introduction. The Council of the City of New York (the “Council”) annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 30, 2020, the Council adopted the expense budget for fiscal year 2021 with various programs and initiatives (the “Fiscal 2021 Expense Budget”). On June 30, 2021, the Council adopted the expense budget for fiscal year 2022 with various programs and initiatives (the “Fiscal 2022 Expense Budget”).

Analysis. In an effort to continue to make the budget process more transparent, the Council is providing a list setting forth new designations and/or changes in the designation of certain organizations receiving funding in accordance with the Fiscal 2022 and Fiscal 2021 Expense Budgets, and amendments to the description for the Description/Scope of Services of certain organizations receiving funding in accordance with the Fiscal 2022 Expense Budget.

This Resolution, dated May 5, 2022, approves the new designation and the changes in the designation of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2022 Expense Budget, approves the new designation and the change in the designation of certain organizations receiving local discretionary funding and funding for certain initiatives in accordance with the Fiscal 2021 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local and aging discretionary funding in accordance with the Fiscal 2022 Expense Budget.

This Resolution sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2022 Expense Budget, as described in Chart 1; sets forth the new designation and the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2022 Expense Budget, as described in Chart 2; sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to certain initiatives pursuant to the Fiscal 2022 Expense Budget, as described in Charts 3-12; sets forth the new designation and the change in the designation of a certain organization receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget, as described in Chart 13; sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to certain initiatives pursuant to the Fiscal 2021 Expense Budget, as described in Charts 14-17; amends the description for the Description/Scope of Services of certain organizations receiving local and aging discretionary funding pursuant to the Fiscal 2022 Expense Budget, as described in Chart 18; and sets forth the organizations that will receive equipment, specifically an automated external defibrillator, funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2022, as described in Chart 19.

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

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

Chart 3 sets forth the change in the designation of a certain organization receiving funding pursuant to Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2022 Expense Budget.

Chart 4 sets forth the change in the designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 5 sets forth the new designation and the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2022 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 6 sets forth the new designation and the change in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 7 sets forth the new designation and the change in the designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2022 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 8 sets forth the new designation of a certain organization receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2022 Expense Budget. This designation will be effectuated upon a budget modification.

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

Chart 10 sets forth the new designation and the change in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2022 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 11 sets forth the new designation of a certain organization receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 12 sets forth the new designation and the change in the designation of a certain organization receiving funding pursuant to the Children and Families in NYC Homeless System Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 13 sets forth the new designation and the change in the designation of a certain organization receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget.

Chart 14 sets forth the new designation and the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 15 sets forth the new designation and the change in the designation of a certain organization receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 16 sets forth the new designation and the change in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 17 sets forth the new designation and the change in the designation of a certain organization receiving funding pursuant to the Chamber on the Go and Small Business Assistance Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 18 amends the description for the Description/Scope of Services of certain organizations receiving local and aging discretionary funding pursuant to the Fiscal 2022 Expense Budget.

Chart 19 sets forth the organizations that will receive equipment, specifically an automated external defibrillator, funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2022.

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

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

Finally, it should be noted that funding for organizations in the attached Charts with a triple asterisk (***) are a correction and/or reversal of a change made in a previous Transparency Resolution.

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2022 and Fiscal 2021 Expense Budgets. Such Resolution would take effect as of the date of adoption.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 154:)

Preconsidered Res. No. 154

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

By Council Member Brannan.

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

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

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2022 and Fiscal 2021 Expense Budgets by approving the new designation and/or the changes in the designation of certain organizations receiving local and aging discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

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

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

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

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 6; and be it further

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

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 8; and be it further

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

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

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of a certain organization receiving funding pursuant to the Children and Families in NYC Homeless System Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of a certain organization receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 14 and be it further

Resolved, That the City Council approves the new designation and the change in the designation of a certain organization receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 15 and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of a certain organization receiving funding pursuant to the Chamber on the Go and Small Business Assistance Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the amendments of the Description/Scope of Services of certain organizations receiving local and aging discretionary funding pursuant to the Fiscal 2022 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the organizations that will receive equipment, specifically an automated external defibrillator, funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2022, as set forth in Chart 19.

(For text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 154 of 2022 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov>)

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, AMANDA FARIAS, KAMILLAH HARRIS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ; *Absent*: Gale A. Brewer; *Maternity Leave*: Julie Won; 15-0-0; Committee on Finance, May 5, 2022 (Remote Hearing).

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

Report of the Committee on Land Use

Report for L.U. No. 34

Report of the Committee on Land Use in favor of approving Application No. G 220010 TAM (Second Avenue Subway Phase 2 MTA Disposition, Manhattan) submitted by the Metropolitan Transportation Authority (MTA) pursuant to Section 1266-c(5) of the New York State Public Authorities Law requesting approval of the disposition of city-owned property located at Block 1773, Lots 4 and 72, Borough of Manhattan, Community District 11, Council District 8.

The Committee on Land Use, to which the annexed Land Use item was referred on April 14, 2022 (Minutes, page 630) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****Manhattan CB - 11****G 220010 TAM**

Application submitted by the Metropolitan Transportation Authority (MTA) pursuant to Section 1266-c(5) of the New York State Public Authorities Law requesting approval of the disposition of city-owned property located at Block 1773, Lots 4 and 72, Borough of Manhattan, Community District 11, Council District 8.

INTENT

To approve the transfer of real property currently owned by the City of New York, to the MTA, to facilitate the construction of a new station entrance and ancillary facility for the 125th Street station of the Second Avenue Subway Phase 2.

PUBLIC HEARING**DATE:** April 4, 2022**Witnesses in Favor:** Three**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** May 4, 2022

The Subcommittee recommends that the Land Use Committee approve the MTA request for approval of transfer of real property, related to Block 1773, Lots 4 and 72, in connection with the Second Avenue Subway Phase 2.

In Favor:

Louis
Feliz
De La Rosa
Marte
Nurse
Ung

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: May 4, 2022

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None

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

Res. No. 158

Resolution approving the transfer of real property located on Block 1773, Lots 4 and 72, currently owned by the City of New York, to the Metropolitan Transportation Authority (“MTA”), to facilitate the construction of a new station entrance and ancillary facility for the 125th Street station of the Second Avenue Subway Phase 2, in Community District 11, Borough of Manhattan (G 220010 TAM; Preconsidered L.U. No. 34).

By Council Members Salamanca and Louis.

WHEREAS, pursuant to the New York State Public Authorities Law (“PAL”) the Metropolitan Transportation Authority (“MTA”) submitted to Manhattan Community Board 11 on January 12, 2022, its request for the transfer of real property located on Block 1773, Lots 4 and 72, in Community District 11, Borough of Manhattan, to be used, as part of a larger site, for construction of a new station entrance and ancillary facility for the 125th Street station of the Second Avenue Subway, Phase 2 (the “Application”);

WHEREAS, Community Board 11 submitted to the Council on April 2, 2022, its recommendation respecting this transfer;

WHEREAS, PAL Section 1266(c)(5) affords the Council, as successor to the Board of Estimate, a forty-five (45) day period in which to approve or disapprove the Application;

WHEREAS, upon due notice, the Council held a public hearing on the Application on April 4, 2022;

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

RESOLVED, pursuant to Section 1266(c)(5) of the New York State Public Authorities Law, the Council approves the Application for the transfer of real property identified as Block 1773, Lots 4 and 72, Borough of Manhattan, to the Metropolitan Transit Authority.

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; *Absent*: Darlene Mealy; 12-0-0; Committee on Land Use, May 4, 2022 (Remote Hearing).

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

Report for L.U. No. 44

Report of the Committee on Land Use in favor of approving Application number G 220013 CCQ (Mount Neboh-Mount Carmel Cemetery Merger Request) submitted by Mount Carmel Cemetery pursuant to Section 1506(c) of the New York State Not-for-Profit Corporation Law requesting approval to merge the Mount Carmel Cemetery located at 83-55 Cypress Hills Street (Block 3750, Lot 655) with the Mount Neboh Cemetery located at 82-07 Cypress Hills Street (Block 3750, Lot 705), Borough of Queens, Community District 5, Council District 30.

The Committee on Land Use, to which the annexed Land Use item was referred on April 28, 2022 (Minutes, page 844) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB - 5

G 220013 CCQ

Application submitted by Mount Carmel Cemetery pursuant to Section 1506(c) of the New York State Not-for-Profit Corporation Law requesting approval to merge the Mount Carmel Cemetery located at 83-55 Cypress Hills Street (Block 3750, Lot 655) with the Mount Neboh Cemetery located at 82-07 Cypress Hills Street (Block 3750, Lot 705), Borough of Queens, Community District 5, Council District 30.

INTENT

To approve the merger and acquisition of Mount Neboh Cemetery's cemetery property in Queens by the adjacent Mount Carmel Cemetery.

PUBLIC HEARING**DATE:** April 26, 2022**Witnesses in Favor:** Two**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** May 4, 2022

The Subcommittee recommends that the Land Use Committee approve Mount Carmel Cemetery's application to merge Mount Neboh and Mount Carmel Cemetery in Queens.

In Favor:

Louis
Feliz
De La Rosa
Marte
Nurse
Ung

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** May 4, 2022

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None

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

Res. No. 159

Resolution approving the cemetery merger request of the Mount Carmel Cemetery located at 83-55 Cypress Hills Street (Block 3750, Lot 655) with the Mount Neboh Cemetery located at 82-07 Cypress Hills Street (Block 3750, Lot 705), Borough of Queens, for use as cemetery purposes (Application No. G 220013 CCQ; Preconsidered L.U. No. 44).

By Council Members Salamanca and Louis.

WHEREAS, Mount Carmel Cemetery filed with the Council on February 7, 2022 its application pursuant to Section 1506(c) of the New York State Not-for-Profit Corporation Law requesting approval to merge the Mount Carmel Cemetery located at 83-55 Cypress Hills Street (Block 3750, Lot 655) with the Mount Neboh Cemetery located at 82-07 Cypress Hills Street (Block 3750, Lot 705) in Community District 5, Borough of Queens, for use as cemetery purposes (Application No. G 220013 CCQ) (the “Application”);

WHEREAS, the Application is subject to review and action by the Council pursuant to Section 1506 of the New York State Not-for-Profit Corporation Law;

WHEREAS, upon due notice, the Council held a public hearing on the Application on April 26, 2022; and

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

RESOLVED:

Pursuant to Section 1506 of the New York State Not-for-Profit Corporation Law, the Council approves the request by Mount Carmel Cemetery to merge the Mount Carmel Cemetery located at 83-55 Cypress Hills Street (Block 3750, Lot 655) with the Mount Neboh Cemetery located at 82-07 Cypress Hills Street (Block 3750, Lot 705), Borough of Queens, Community District 5, as more particularly described as follows:

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate lying and being in the Borough of Queens, County of Queens, City and State of New York, bounded and described as follows:

83-55 Cypress Hills Street (Block 3750, Lot 655) and 82-07 Cypress Hills Street (Block 3750, Lot 705)

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; *Absent*: Darlene Mealy; 12-0-0; Committee on Land Use, May 4, 2022 (Remote Hearing).

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

Report of the Committee on Parks and Recreation

Report for Int. No. 173-A

Report of the Committee on Parks and Recreation 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 reporting on park and playground inspections conducted by the department of parks and recreation.

The Committee on Parks and Recreation, to which the annexed proposed amended local law was referred on April 14, 2022 (Minutes, page 585), respectfully

REPORTS:**INTRODUCTION**

On May 4, 2022, the Committee on Parks and Recreation, chaired by Council Member Shekar Krishnan, held a hearing to vote on Int. No. 173-A, sponsored by Council Member Krishnan, A Local Law to amend the administrative code of the city of New York, in relation to reporting on park and playground inspections conducted by the department of parks and recreation. At this hearing, the Committee voted 12 in favor, 0 opposed and 0 abstentions on the bill. This legislation was originally heard at a hearing held on April 22, 2022, during which the Committee received testimony from the New York City Department of Parks and Recreation (DPR), advocates and other interested parties. More information about this bill, along with the materials for that hearing, can be accessed [here](#).

LEGISLATION

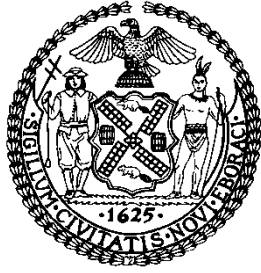
Below is a brief summary of the legislation being considered today by this Committee. This summary is intended for informational purposes only and does not substitute for legal counsel. For more detailed information, you should review the full text of the bill, which is attached below.

Int. No. 173-A, A Local Law to amend the administrative code of the city of New York, in relation to reporting on park and playground inspections conducted by the department of parks and recreation

Int. No. 173-A would require the Department of Parks and Recreation to issue a report to the Mayor and Council that would identify parks and playgrounds under its jurisdiction that have routinely failed DPR inspections and submit a plan to the Council on how the issues at such parks and playgrounds will be corrected.

This local law would take effect 90 days after becoming law.

(The following is the text of the Fiscal Impact Statement for Int. No. 173-A:)



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

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

FISCAL IMPACT STATEMENT

PROPOSED INT. NO:173-A

COMMITTEE: Parks and Recreation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to reporting on park and playground inspections conducted by the department of parks and recreation.

SPONSOR(S): By Council Members Krishnan, Cabán, Stevens, Hanif, Brewer, Narcisse, Won, Restler, Marte, Hudson, Menin, Nurse, Farías and Yeger.

SUMMARY OF LEGISLATION: Proposed Int. No. 173-A would require the Department of Parks and Recreation (DPR) to issue a report to the Mayor and the Council that would identify parks and playgrounds under its jurisdiction that have routinely failed DPR inspections and submit a plan to the Council on how the issues at such parks and playgrounds will be corrected.

EFFECTIVE DATE: This local law would take effect 90 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024.

FISCAL IMPACT STATEMENT:

	Effective FY23	FY Succeeding Effective FY24	Full Fiscal Impact FY24
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because DPR would utilize existing resources to implement the provisions of this local law.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

ESTIMATE REVIEWED BY: Eisha Wright, Deputy Director
Malcom Butehorn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on April 14, 2022 as Intro. No. 173 and was referred to the Committee on Parks and Recreation (the Committee). A hearing was held by the Committee on April 22, 2022 and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Int. No. 173-A, will be considered by the Committee on May 4, 2022. Following a successful Committee vote, Proposed Int. No. 173-A will be submitted to the full Council for a vote on May 5, 2022.

DATE PREPARED: May 3, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 173-A:)

Int. No. 173-A

By Council Members Krishnan, Cabán, Stevens, Hanif, Brewer, Narcisse, Won, Restler, Marte, Hudson, Menin, Nurse, Farías, Yeger, Dinowitz, Brooks-Powers and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on park and playground inspections conducted by the department of parks and recreation

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-158 to read as follows:

§ 18-158 *Park and playground inspections. a. Definition. For the purposes of this section, the term “park feature” means a structural or landscape element of a park or other property under the jurisdiction of the department, including, but not limited to: athletic fields; benches; fences; lawns; horticultural areas; paved surfaces; play equipment; safety surfacing; sidewalks; trees; unpaved trails; and any condition related to cleanliness, such as the presence of litter, graffiti, broken glass, ice or weeds.*

b. The department shall develop standards for grading park features through an inspection program conducted independently from agency maintenance staff. In determining a grade for a park feature, the standards shall consider whether the condition of any park feature is suitable for the intended state of such park feature. Upon the conclusion of an inspection, a grade of acceptable or unacceptable for the relevant park features shall be issued.

c. By December 31, 2022 and every six months thereafter, the department shall submit a report to the mayor and the council regarding park features under the jurisdiction of the department that were found to receive an unacceptable rating three or more times during a six month period, resulting from inspections conducted by the department.

d. The report required by subdivision c of this section shall include, but need not be limited to:

1. The date and location of each inspection performed by the department of a park feature of a park, playground, pool, beach or recreation center, where such park feature was issued an unacceptable rating during such inspection three or more times during a six-month period;

2. For each such park feature, a description of the condition that resulted in an unacceptable rating being issued;

3. A plan that describes the work deemed necessary by the department to be performed in order to bring such feature into a condition where it would be rated as acceptable pursuant to an inspection performed by the department; and

4. An estimate of the cost and timeframe required to complete such work.

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

SHEKAR KRISHNAN, *Chairperson*; ROBERT F. HOLDEN, FRANCISCO P. MOYA, ERIC DINOWITZ, LINDA LEE, CHRISTOPHER MARTE, JULIE MENIN, MERCEDES NARCISSE, LINCOLN RESTLER, SANDRA UNG, MARJORIE VELÁZQUEZ, DAVID M. CARR; 12-0-0; Committee on Parks and Recreation, May 4, 2022 (Remote Hearing).

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

GENERAL ORDERS CALENDAR

Resolution approving various persons Commissioners of Deeds

By the Presiding Officer –

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

<i>Approved New Applicants</i>		
<i>Name</i>	<i>Address</i>	<i>District #</i>
Alena Lopez	265 Cherry Street, Apt 4G New York, New York 10002	1
Raymond Pacheco	87 Columbia Street, Apt 9A New York, New York 10002	2
Taylor Freeman	622 E 11th Street, Apt 3 New, New York 10009	2
Yan Yun Li	1536 Lexington Ave, Apt 5C New York, New York 10029	5
Bernice Villagomez	431 E 139th Street New York, New York 10454	8
Kristina Smith	255 E 20th Street, Apt 5C Bronx, New York 10467	11
Joel Purser	2275 Cruger Ave, Apt 5A Bronx, New York 10467	13
Francisco Payano	66 W 181st Street Bronx, New York 10453	14

Lillian Tirado	820 Colgate Ave, Apt 2i Bronx, New York 10473	17
Gene Lo	12-58 150th Street Queens, New York 11357	19
Alesha Bovell-John	21026 Nashville Blvd Queens, New York 11411	27
Marilynn Rosado	95-16 110th Street, Apt 1 Queens, New York 11419	28
Elisa Victoria Gamarra	59-57 71st Street, 2nd Floor Queens, New York 11378	30
Jose Santiago	1277 Madison Street Brooklyn, New York 11221	37
Helen Tumolo	4243 Richmond Ave, Apt 3 Staten Island, New York 10312	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) Int. 173-A - | Reporting on park and playground inspections conducted by the department of parks and recreation. |
| (2) Res. 154 - | New designation and changes in the designation of certain organizations to receive funding in the Expense Budget (Transparency Resolution). |
| (3) L.U. 34 & Res. 158 - | App. G 220010 TAM (Second Avenue Subway Phase 2 MTA Disposition, Manhattan) Borough of Manhattan, Community District 11, Council District 8. |
| (4) L.U. 44 & Res. 159 - | App. G 220013 CCQ (Mount Neboh-Mount Carmel Cemetery Merger Request) Borough of Queens, Community District 5, Council District 30. |
| (5) Resolution approving various persons Commissioners of Deeds. | |

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

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

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

The following was the vote recorded for **L.U. No. 34 & Res. No. 158**:

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

Abstention – Barron – **1**.

The following Introduction was sent to the Mayor for his consideration and approval: Int. No. 173-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. 21

Report of the Committee on Veterans in favor of approving a Resolution reaffirming New York City's status as a Purple Heart City and calling on the State Legislature to pass, and the Governor to sign A.7961/S.2279, designating the State of New York a Purple Heart State.

The Committee on Veterans, to which the annexed resolution was referred on February 24, 2022 (Minutes, page 216), respectfully

REPORTS:

I. INTRODUCTION

On May 4, 2022, the Committee on Veterans, chaired by Council Member Robert Holden, held a hearing on Resolution No. 21 of 2022, sponsored by Council Member Eric Dinowitz, to reaffirm New York City's status as a Purple Heart City and calling on the State Legislature to pass, and the Governor to sign A.7961/S.2279, designating the State of New York a Purple Heart State. In addition, the Committee heard Resolution No. 41 of 2022, sponsored by the Public Advocate Jumaane Williams, calling on Congress to pass, and the President to sign, legislation that allows service members, veterans and eligible surviving spouses to use the United States Department of Veteran Affairs home loans to purchase cooperative apartments.

These two resolutions were previously heard at a joint hearing of this Committee and the Committee on General Welfare held on April 4, 2022. At that hearing, the committees received testimony from the New York City Department of Veterans' Services (DVS), the New York City Department of Homeless Services (DHS), veteran service organizations, supportive housing and homeless services providers, advocates, veterans and other interested parties.

II. UPDATE

The Committee on Veterans passed Resolution 21-2022 by a vote of five in the affirmative, zero in the negative, and zero abstentions. The Committee also passed Resolution 41-2022 by a vote of five in the affirmative, zero in the negative, and zero abstentions.

III. ANALYSIS OF LEGISLATION

Resolution 21 of 2022 calls on the State Legislature to pass, and the Governor to sign A.7961/S.2279, designating the State of New York a Purple Heart State. The Purple Heart decoration is a solemn distinction and is presented to service members who have been wounded or killed while serving in the United States military. By adopting the Purple Heart designation on a statewide basis, New York State can take another critical step in ensuring our veterans are welcomed and respected.

Resolution 41 of 2022 calls on the United States Congress to pass, and the President to sign, legislation that would allow service members, veterans and eligible surviving spouses to use the home loans backed by the United States Department of Veteran Affairs to purchase cooperatively owned apartments, or co-ops. Currently, the VA loans cannot be used to purchase co-ops, which can pose a significant problem for veterans and military members looking to become homeowners in large cities, such as New York, where co-ops often account for a sizable share of housing.

(For text of Res. No. 41, please see the Report of the Committee on Veterans for Res. No. 41 printed below in this voice-vote Resolutions Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 21:)

Res. No. 21

Resolution reaffirming New York City's status as a Purple Heart City and calling on the State Legislature to pass, and the Governor to sign A.7961/S.2279, designating the State of New York a Purple Heart State.

By Council Members Dinowitz, Yeager, Brooks-Powers, Menin and Holden.

Whereas, According to the Military Order of the Purple Heart, an organization for combat wounded veterans, the Purple Heart Medal is the oldest and among the most venerated military decorations in present use; and

Whereas, The Purple Heart is awarded in the name of the President of the United States to those wounded or killed in combat by enemy action, or posthumously to their next of kin; and

Whereas, On August 7, 1782, during the Revolutionary War, General George Washington issued an order establishing a badge of distinction for meritorious action, which consisted of a heart made of purple cloth; and

Whereas, The award was notable because it was a way to honor brave soldiers in the lower ranks who fought under General Washington's command for America's independence at a time when only officers were eligible for decoration in European armies; and

Whereas, Although discontinued after the Revolutionary War, the decoration was reinstated by the Department of Defense in 1932; and

Whereas, Our nation's military leaders have awarded the Purple Heart to honor an estimated 1.8 million Americans who have been wounded in battle or killed in action; and

Whereas, New York City is home to 230,000 veterans, according to the New York City Department of Veteran Services; and

Whereas, In 2015, the New York City Council issued a proclamation declaring New York City a Purple Heart City; and

Whereas, S.2279, sponsored by Senator Daphne Jordan and its companion bill A.7961, sponsored by Assembly Member Jake Ashby, would designate the State of New York a Purple Heart State, recognizing the heroic sacrifices our nation's soldiers have made in order to protect our country; now, therefore, be it

Resolved, That the Council of the City of New York reaffirms New York City's status as a Purple Heart City and calls on the State Legislature to pass, and the Governor to sign A.7961/S.2279, designating the State of New York a Purple Heart State.

ROBERT F. HOLDEN, *Chairperson*; SANDY NURSE, KRISTIN RICHARDSON JORDAN, JOANN ARIOLA, VICKIE PALADINO; 5-0-0; Committee on Veterans, May 4, 2022. *Other Council Members Attending: Council Member Dinowitz.*

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res. No. 41

Report of the Committee on Veterans in favor of approving a Resolution calling on Congress to pass, and the President to sign, legislation that allows service members, veterans and eligible surviving spouses to use the United States Department of Veteran Affairs home loans to purchase cooperative apartments.

The Committee on Veterans, to which the annexed resolution was referred on February 24, 2022 (Minutes, page 260), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Veterans for Res. No. 21 printed above in this voice-vote Resolutions Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 41:)

Res. No. 41

Resolution calling on Congress to pass, and the President to sign, legislation that allows service members, veterans and eligible surviving spouses to use the United States Department of Veteran Affairs home loans to purchase cooperative apartments.

By the Public Advocate (Mr. Williams) and Council Members Hanif, Yeger, Louis, Brooks-Powers, Dinowitz, Menin and Holden.

Whereas, The United States Department of Veteran Affairs (VA) helps service members, veterans and eligible surviving spouses to become homeowners by offering a home loan; and

Whereas, Home loans offered by the VA, known as VA loans, are provided by private lenders such as banks and mortgage companies; and

Whereas, The VA guarantees a portion of the home loan, which enables the lender to provide favorable terms; and

Whereas, The New York Times published an article titled, “A Loan Program for Veterans Comes Wrapped in Red Tape”, on June 10, 2013, which identified obstacles to using the VA loan to purchase a condominium or cooperative apartment in New York; and

Whereas, The New York Times article highlights three challenges: 1) New York real estate firms have no experience with VA loans, 2) VA loans can only be used to purchase a condominium if the entire building applies to the VA for approval and 3) cooperative buildings are excluded from the VA loan program; and

Whereas, According to the National Association of Housing Cooperatives, more than 1.2 million families in the United States live in homes owned and operated through a cooperative association and most of these units are located in major urban areas such as Chicago, San Francisco and New York City; and

Whereas, Cooperative units are often a less expensive housing option when compared to condominium units or single-family houses; and

Whereas, Veterans seeking to find a home in New York City or other major urban areas should have similar home buying support as veterans who purchase homes in suburban or rural areas; now, therefore, be it

Resolved, That the Council of the City of New York calls on Congress to pass, and the President to sign, legislation that allows service members, veterans and eligible surviving spouses to use the United States Department of Veteran Affairs home loans to purchase cooperative apartments.

ROBERT F. HOLDEN, *Chairperson*; SANDY NURSE, KRISTIN RICHARDSON JORDAN, JOANN ARIOLA, VICKIE PALADINO; 5-0-0; Committee on Veterans, May 4, 2022. *Other Council Members Attending: Council Member Dinowitz.*

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

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Res. No. 153

Resolution calling upon the Department of Education to create a Jewish Heritage Day in New York City public schools.

By Council Members Abreu, Dinowitz, Restler, Menin, Schulman, Vernikov, Yeger, Kagan, Joseph, Bottcher, Ung, Avilés, De La Rosa and Carr.

Whereas, Hate crimes, defined by the United States (U.S.) Department of Justice as “crimes committed on the basis of the victim’s perceived or actual race, color, religion, national origin, sexual orientation, gender, gender identity, or disability,” are on the rise in the U.S.; and

Whereas, According to the latest Federal Bureau of Investigation (FBI) Hate Crime Statistics report released in November 2020, 2019 had the highest level of reported hate crimes nationally in more than a decade; and

Whereas, Further, the majority of hate crimes motivated by religious bias were anti-Jewish, according to the FBI report; and

Whereas, In New York City, hate crimes also continue to grow, with a reported 76% increase in the first few months of 2022 compared to the same period last year, according to data from the New York Police Department Hate Crimes Task Force (HCTF); and

Whereas, There were 194 hate crimes in NYC between January 1 and April 10 of 2022, in comparison to the 110 hate crimes from the same dates in 2021, the HCTF report shows; and

Whereas, According to the HCTF data, crime incidents targeting Jewish people, which comprise the largest number of NYC hate crimes so far this year, increased from 28 crimes for this period last year to 86 in 2022, a rise of more than 200%; and

Whereas, Many educators and advocates maintain that schools can play an important role in helping to reduce bias in our society, as biases often develop at a young age according to *Psychology Today*; and

Whereas, Students in NYC schools learn about anti-Semitism by studying the Holocaust, the systematic, state-sponsored persecution and murder of six million Europeans of Jewish faith by the Nazi German regime and its allies and collaborators during World War II, which is required to be taught starting in 10th grade according to the New York State Grades 9-12 Social Studies Framework; and

Whereas, However, there is no requirement to teach about the more than 350-year history of Jewish Americans, who immigrated to this country in waves since colonial times in search of religious freedom and to escape oppression and persecution, according to the National Humanities Center; and

Whereas, Additionally, there is no formal mechanism or requirement to teach about Jewish contributions to America and the American culture; and

Whereas, Pursuant to a resolution passed unanimously by the U.S. Congress in February 2006, on April 20, 2006, then-President George W. Bush proclaimed that May would be Jewish American Heritage Month; and

Whereas, Each year since then, U.S. presidents have issued proclamations declaring May as Jewish American Heritage Month in order to raise awareness and appreciation of Jewish American contributions to this nation; and

Whereas, However, Jewish American Heritage Month is not formally celebrated by NYC public schools, nor is there much recognition or commemoration of the month anywhere in the U.S., according to the Jewish Telegraphic Agency; and

Whereas, The NYC Department of Education could designate a Jewish Heritage Day in City public schools to celebrate the positive contributions and achievements of Jewish Americans, and particularly Jewish New Yorkers, which would benefit all students by helping them to appreciate others’ strengths, build empathy, and reduce implicit bias; and

Whereas, The recent rise in hate crimes reinforces how important it is to raise awareness about the contributions and achievements of Jewish Americans as early as possible to help combat stereotypes and bias against Jewish people; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Department of Education to create a Jewish Heritage Day in New York City public schools.

Referred to the Committee on Education.

Preconsidered Int. No. 303

By Council Members Avilés, Ayala, Holden, Bottcher, Stevens, Ung, Marte, Restler, Abreu, Won, Hudson and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the Department of Homeless Services and the Human Resources Administration to track and report certain data regarding rental assistance programs

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-324 to read as follows:

§ 21-324 a. *Definitions. For the purposes of this section, the following terms have the following meanings:*

City Fighting Homelessness & Eviction Prevention Supplement (CityFHEPS) The term City Fighting Homelessness & Eviction Prevention Supplement (CityFHEPS) means the housing subsidy that is provided to eligible homeless families who are facing eviction for non-payment of rent.

Household. The term households means a single individual or family, including couples without dependent children who, or which, are eligible to receive transitional housing or services from the department of homeless services or the human resources administration pursuant to federal, state and local laws and such rules and regulations as may be promulgated pursuant thereto.

b. Quarterly Reports Regarding Rental Assistance Programs. Beginning no later than January 1, 2023 and no later than the last day of the month following each calendar quarter thereafter, the commissioner, in consultation with the commissioner of the human resources administration/department of social services, shall submit to the speaker of the city council, and shall make available on its website, a machine-readable report that includes, at a minimum, the following information, disaggregated by families, families with children, adult families, and single adults:

1. City Fighting Homelessness & Eviction Prevention Supplement. The following information regarding the CityFHEPS program shall be included in the quarterly report:

(a) the number of households that are currently enrolled in the program, including (i) the number that receive public assistance, (ii) the number that have employment income, as well as their average and median incomes and average and median number of hours worked per week, (iii) their average and median monthly rent, (iv) the average and median monthly subsidy provided by the program, (v) the number still residing in the housing unit in which they were living upon the start of their enrollment in the program, (vi) the number that have a head of household receiving a federal disability benefit, as well as their average and median household income, (vii) the number who are needed at home to care for another household member receiving a federal disability benefit, as well as their average and median household income;

(b) the number of households that were previously enrolled in the program, including the number that (i) no longer receive the subsidy, (ii) no longer receive the subsidy and completed at least five years of the program, (iii) are still residing in the housing unit in which they were living upon the start of their enrollment in the program, (iv) have applied for shelter, (v) have returned to shelter after having been enrolled for any length of time, (vi) have returned to shelter after having been enrolled in the program for at least five years.

2. Rental Assistance Program for Homeless Individuals and Families. The following information regarding any city-subsidized rental assistance program for homeless individuals and families shall be included in the quarterly report:

(a) the number of households that are currently enrolled in the program, including (i) the number that

receive public assistance, (ii) the number that have employment income, as well as their average and median incomes and average and median number of hours worked per week, (iii) their average and median monthly rent, (iv) the average and median monthly subsidy provided by the program, (v) the number still residing in the housing unit in which they were living upon the start of their enrollment in the program, (vi) the number that have a head of household receiving a federal disability benefit, as well as their average and median household income, (vii) the number who are needed at home to care for another household member receiving a federal disability benefit, as well as their average and median household income;

(b) the number of households that were previously enrolled in the program, including the number that (i) no longer receive the subsidy, (ii) no longer receive the subsidy and received the subsidy for the maximum period of time allowed under such program, (iii) are still residing in the housing unit in which they were living upon the start of their enrollment in the program, (iv) have applied for shelter, (v) have returned to shelter after having been enrolled for any length of time, (vi) have returned to shelter after having been enrolled in the program for the maximum period of time allowed under such program.

§ 3. This local law takes effect immediately.

Referred to the Committee on General Welfare (preconsidered but laid over by the Committee on General Welfare).

Int. No. 304

By Council Members Ayala, Louis, Hanif, Joseph, Avilés, Restler, Abreu, Won and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to requiring parks enforcement patrol officers to be equipped with opioid antagonists

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 18 of the administrative code of the city of New York is amended by adding a new section 18-159 to read as follows:

§ 18-159 Opioid antagonist administration training. *a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Opioid. The term “opioid” means an opiate as defined in section 3302 of the public health law.

Opioid antagonist. The term “opioid antagonist” means naloxone, narkan or any other medication approved by the New York state department of health and the federal food and drug administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the human body.

Opioid antagonist administration training. The term “opioid antagonist administration training” means a program with the purpose of training individuals encountering a suspected opioid overdose about the steps to take in order to prevent a fatality, including contacting emergency medical services, and administering an opioid antagonist.

b. Opioid antagonist administration. 1. Each parks enforcement patrol officer shall be equipped with an opioid antagonist when on duty.

2. The department shall ensure each such officer receives opioid antagonist administration training.

3. The department shall ensure each such officer receives opioid antagonist administration refresher training every two years.

4. No later than July 31, 2023, and by July 31 of each year thereafter, the commissioner shall submit to the mayor and the speaker of the council an annual report containing the following information from the previous fiscal year:

(a) The number of such officers who have completed opioid antagonist administration training;

(b) The number of such officers who have completed opioid antagonist administration refresher training;
and

(c) *The number of times an opioid antagonist was administered by such officers, disaggregated by borough, council district and community board.*

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

Referred to the Committee on Parks and Recreation.

Int. No. 305

By Council Members Ayala, Powers, Louis, Joseph, Stevens, Ung, Restler, Abreu and Won.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York City police department and district attorneys to report on the investigation and prosecution of domestic violence and certain known victim offenses

Be it enacted by the Council as follows:

Section 1. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-193 to read as follows:

§14-193 Investigation of allegations of domestic violence and certain known victim offenses.

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

Members of the same family or household. The term “members of the same family or household” has the same meaning as in section 530.11 of the criminal procedure law.

Reported Allegation. The term “reported allegation” means any instance in which the department is made aware of alleged criminal conduct for a specified offense.

Specified Offense. The term “specified offense” has the same meaning ascribed in section 240.75 of the penal law, provided that for the purpose of this section the term shall include all such offenses in which either the defendant or the person against whom the offense was committed had been previously subject to an arrest or an order of protection due to conduct involving the other party, regardless of whether they were members of the same family or household.

b. By January 30, 2023, and no later than 30 days after the end of each quarter thereafter, the department shall submit to the speaker of the council, and make publicly available on the department’s website, a report related to the department’s response to reported allegations of specified offenses. All data shall be submitted in a machine-readable format and stored permanently on the department’s website. Such report shall include but not be limited to the following information, in total and disaggregated by police precinct, regarding allegations of specified offenses for the preceding quarter, and shall include a comparison of the preceding quarter’s information to the average of such information for the preceding four quarters:

1. The number of such allegations in total and disaggregated by whether the defendant and victim were members of the same family or household, and further disaggregated by offense.

2. The number of arrests in total and disaggregated by whether the defendant and victim were members of the same family or household, and further disaggregated by offense.

3. The average time elapsed between the department being made aware of such allegations and any related offense in total and disaggregated by whether the defendant and victim were members of the same family or household, and further disaggregated by top arrest charge.

4. The number of individuals against whom a specified offense was committed who were injured, hospitalized, or killed subsequent to the department being made aware of such allegations, in total and disaggregated by whether the defendant and victim were members of the same family or household.

5. The number of orders of protection violated, in total and disaggregated by whether the defendant and victim were members of the same family or household.

6. The number of individuals against whom a specified offense was committed and on whose behalf an order of protection was issued who were injured, hospitalized, or killed after such order was issued, in total and

disaggregated by whether the defendant and victim were members of the same family or household, and further disaggregated by the initial offense for which such order was issued and degree of injury.

§2. Title 9 of the administrative code of the city of New York is amended by adding a new section 9-403 to read as follows:

§ 9-403 Prosecution of domestic violence and certain known victim offenses.

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

Members of the same family or household. The term “members of the same family or household” has the same meaning as in section 530.11 of the criminal procedure law.

Specified Offense. The term “specified offense” has the same meaning ascribed in section 240.75 of the penal law, provided that for the purpose of this section the term shall include all such offenses in which either the defendant or the person against whom the offense was committed had been previously subject to an arrest or an order of protection due to conduct involving the other party, regardless of whether they were members of the same family or household.

b. By January 30, 2023, and no later than 30 days after the end of each quarter thereafter, each office shall submit to the speaker of the council, and make publicly available on the office’s website, a report related to the office’s handling of reported allegations of certain criminal offenses. All data shall be submitted in a machine-readable format and stored permanently on the department’s website. Such report shall include the following information regarding prosecutions of specified offenses for the previous quarter:

1. The number of cases prosecuted disaggregated by whether the defendant and victim were members of the same family or household, and further disaggregated by the case was referred for prosecution by the New York city police department.

2. The most serious charges alleged disaggregated by whether the defendant and victim were members of the same family or household, and further disaggregated by the case outcome in the following categories: dismissed, adjourned in contemplation of dismissal, convicted of a violation, convicted of a misdemeanor, and convicted of a felony, in total and disaggregated by whether such felony was violent as defined in the penal law.

3. The most serious charges alleged in total and disaggregated by whether the defendant and victim were members of the same family or household, and further disaggregated by the case outcome in the following categories: (i) dismissed, (ii) adjourned in contemplation of dismissal, (iii) sentenced to a conditional discharge, in total and disaggregated by whether such sentence required the completion of any form of programming, (iv) sentenced to probation, (v) sentenced to a definite period of imprisonment in total and disaggregated by whether such sentence was between zero and 15 days, 15 and 45 days, 45 days and six months, and over six months, and (vi) sentenced to a determinate or indeterminate period of imprisonment, in total and disaggregated by whether such sentence was determinate or indeterminate, and also disaggregated by whether such sentence was between zero and two years, two and five years, five and fifteen years, or over fifteen years. For the purposes of this paragraph, indeterminate sentences shall be calculated using the point at which the sentenced person would be subject to a conditional release.

4. The number of cases in which a defendant pled guilty under the condition that such plea could be withdrawn upon the completion of some form of mandated programming, in total and disaggregated by whether the defendant and victim were members of the same family or household, and further disaggregated by whether such programming was successfully completed.

5. The number of cases in which the defendant had previously been charged with a specified offense, in total and disaggregated by whether the defendant and victim were members of the same family or household, and further disaggregated by whether such defendant had been convicted of any offense in such prior case, and further disaggregated by whether such conviction was for a violation, misdemeanor, or felony.

6. The number of assistant district attorneys assigned to primarily prosecute such cases.

7. The mean and median number of cases assigned to each assistant district attorney assigned to primarily prosecute such cases. If applicable, the maximum number of hours, cases, or other related metrics permitted for such attorneys.

§3. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 306

By Council Members Ayala, Louis, Hanif, Joseph, Stevens, Restler, Abreu, Won and Hudson (by request of the Queens Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the police department from collecting DNA from a minor without consent from a parent, legal guardian or attorney

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-193 to read as follows:

§ 14-193 Consent required to collect the DNA of a minor. *a. Definitions. For purposes of this section, the following terms have the following meanings:*

DNA sample. The term "DNA sample" means any amount of blood, saliva, hair or other bodily material from which deoxyribonucleic acid can be extracted.

Minor. The term "minor" means a natural person under the age of 18.

b. No member of the department or other law enforcement officer shall collect a DNA sample from a minor prior to the lawful arrest of such minor without first obtaining the written consent of such minor's parent, legal guardian or attorney, except:

1. Where the DNA sample is abandoned at the scene of an alleged criminal offense and is not collected from the minor's person; or

2. Where the DNA sample is collected from a minor who is alleged to be the victim of a criminal offense.

c. Subdivision b of this section shall not be construed to prohibit any lawful method of collecting a DNA sample from a minor pursuant to a search warrant, other court order or provision of law that authorizes the search of a minor for the purpose of collecting a DNA sample.

§ 2. This local law takes effect 90 days after it becomes law, except that the police commissioner shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Public Safety.

Int. No. 307

By Council Member Borelli.

A Local Law to amend the administrative code of the city of New York, in relation to exempting hand-rolled cigars from the price floors established in 2017

Be it enacted by the Council as follows:

Section 1. Section 11-1301 of the administrative code of the city of New York, as amended by local law 145 for the year 2017, is amended to read as follows:

§ 11-1301 Definitions. When used in this chapter the following words shall have the meanings herein indicated:

1. "Cigarette." Any roll for smoking made wholly or in part of tobacco or any other substance, irrespective of size or shape and whether or not such tobacco or substance is flavored, adulterated or mixed with any other ingredient, the wrapper or cover of which is made of paper or any other substance or material but is not made in whole or in part of tobacco.

2. "Person." Any individual, partnership, society, association, joint-stock company, corporation, estate, receiver, trustee, assignee, referee or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of individuals.

3. "Sale or purchase." Any transfer of title or possession or both, exchange or barter, conditional or otherwise, in any manner or by any means whatsoever or any agreement therefor.

4. "Use." Any exercise of a right or power, actual or constructive, and shall include but is not limited to the receipt, storage, or any keeping or retention for any length of time, but shall not include possession for sale by a dealer.

5. "Dealer." Any wholesale dealer or retail dealer as hereinafter defined.

6. "Wholesale dealer." Any person who sells cigarettes or tobacco products to retail dealers or other persons for purposes of resale only, and any person who owns, operates or maintains one or more cigarette vending machines in, at or upon premises owned or occupied by any other person.

7. "Retail dealer." Any person, other than a wholesale dealer, engaged in selling cigarettes or tobacco products. For the purposes of this chapter, the possession or transportation at any one time of more than four hundred cigarettes or little cigars, or more than fifty cigars, or more than one pound of loose tobacco, smokeless tobacco, snus or shisha, or any combination thereof, by any person other than a manufacturer, an agent, a licensed wholesale dealer or a person delivering cigarettes or tobacco products in the regular course of business for a manufacturer, an agent or a licensed wholesale or retail dealer, shall be presumptive evidence that such person is a retail dealer.

8. "Package." The individual package, box or other container in or from which retail sales of cigarettes or tobacco products are normally made or intended to be made.

9. "Agent." Any person authorized to purchase and affix adhesive or meter stamps under this chapter who is designated as an agent by the commissioner of finance.

10. "Comptroller." The comptroller of the city.

11. "Commissioner of finance." The commissioner of finance of the city.

12. "City." The city of New York.

13. "Tax appeals tribunal." The tax appeals tribunal established by 168 of the charter.

14. "Cigar." Any roll of tobacco for smoking that is wrapped in leaf tobacco or in any substance containing tobacco, with or without a tip or mouthpiece. Cigar does not include a little cigar or *hand-rolled cigar* as defined in this section.

15. "Little cigar." Any roll of tobacco for smoking that is wrapped in leaf tobacco or in any substance containing tobacco and that weighs [no more than] *less than* four pounds per thousand or has a cellulose acetate or other integrated filter.

16. "Loose tobacco." Any product that consists of loose leaves or pieces of tobacco that is intended for use by consumers in a pipe, roll-your-own cigarette, or similar product or device.

17. "Smokeless tobacco." Any tobacco product that consists of cut, ground, powdered, or leaf tobacco and that is intended to be placed in the oral or nasal cavity.

18. "Snus." Any smokeless tobacco product marketed and sold as snus, and sold in ready-to-use pouches or loose as a moist powder.

19. "Tobacco product." Any product which contains tobacco that is intended for human consumption, including any component, part, or accessory of such product. Tobacco product shall include, but not be limited to, any cigar, *hand-rolled cigar*, little cigar, chewing tobacco, pipe tobacco, roll-your-own tobacco, snus, bidi, snuff, shisha, or dissolvable tobacco product. Tobacco product shall not include cigarettes or any product that has been approved by the United States food and drug administration for sale as a tobacco use cessation product or for other medical purposes and that is being marketed and sold solely for such purposes.

20. "Shisha." Any product that contains tobacco and is smoked or intended to be smoked in a hookah or water pipe.

21. "*Hand-rolled cigar.*" Any roll of tobacco for smoking that is hand-constructed and hand-rolled; has a wrapper made entirely from whole tobacco leaf; is with or without a tip or mouthpiece; and weighs four pounds per thousand or more.

§ 2. Subdivision a of section 11-1302.1 of the administrative code of the city of New York, as amended by local law 145 for the year 2017, is amended to read as follows:

- a. In accordance with section 110 of the public housing law, an excise tax on the sale of tobacco products is hereby imposed and shall be paid on all tobacco products possessed in the city for sale, except as hereinafter provided. It is intended that the ultimate incidence of and liability for the tax shall be upon the consumer. Any dealer or distributor who pays the tax to the commissioner of finance shall collect the tax from the purchaser or consumer. Such tax shall be at the rate of ten percent of the price floor for a package of the specified category of tobacco product, exclusive of sales tax, set forth in the following table, which shall be consistent with the price floors described in subdivision d of section 17-176.1:

Tobacco Product	Price floor (excluding OTP and sales taxes)	Amount of OTP tax (excluding sales tax)
Cigar	\$8.00 per cigar sold individually; for a package, number of cigars multiplied by \$1.75 plus \$6.25	\$0.80 per cigar; for a package, \$0.80 for first cigar, plus \$0.175 for each additional cigar
<u>Hand-rolled cigar</u>	<i>\$3.00 per hand-rolled cigar</i>	<i>\$0.30 per hand-rolled cigar</i>
Little cigar	\$10.95 per pack of 20 little cigars	\$1.09 per pack
Smokeless tobacco	\$8.00 per 1.2 oz. package plus \$2.00 for each additional 0.3 oz. or any fraction thereof in excess of 1.2 oz.	\$0.80 per 1.2 oz. plus an additional \$0.20 for each 0.3 oz. or any fraction thereof in excess of 1.2 oz.
Snus	\$8.00 per 0.32 oz. package plus \$2.00 for each additional 0.08 oz. or any fraction thereof in excess of 0.32 oz.	\$0.80 per 0.32 oz. plus an additional \$0.20 for each 0.08 oz. or any fraction thereof in excess of 0.32 oz.
Shisha	\$17.00 per 3.5 oz. package plus \$3.40 for each additional 0.7 oz or any fraction thereof in excess of 3.5 oz.	\$1.70 per 3.5 oz. plus an additional \$0.34 for each 0.7 oz, or any fraction thereof in excess of 3.5 oz.
Loose tobacco	\$2.55 per 1.5 oz. package plus \$0.51 for each additional 0.3 oz. or any fraction thereof in excess of 1.5 oz.	\$0.25 per 1.5 oz. package plus an additional \$0.05 for each 0.3 oz. or any fraction thereof in excess of 1.5 oz.

§ 3. Subdivision a of section 17-176.1 of the administrative code of the city of New York, as amended by local law number 145 for the year 2017, is amended to read as follows:

- a. Definitions. For purposes of this section:

“Cigar” means any roll of tobacco for smoking that is wrapped in leaf tobacco or in any substance containing tobacco, with or without a tip or mouthpiece. Cigar does not include a little cigar or hand-rolled cigar as defined in this section.

“Cigarette” means any roll for smoking made wholly or in part of tobacco or any other substance, irrespective of size or shape and whether or not such tobacco or substance is flavored, adulterated or mixed with any other ingredient, the wrapper or cover of which is made of paper or any other substance or material but is not made in whole or in part of tobacco.

“Listed price” means the price listed for cigarettes or tobacco products on their packages or on any related shelving, posting, advertising or display at the place where the cigarettes or tobacco products are sold or offered for sale, including all applicable taxes.

“Little cigar” means any roll of tobacco for smoking that is wrapped in leaf tobacco or in any substance containing tobacco and that weighs [no more than] *less than* four pounds per thousand or has a cellulose acetate or other integrated filter.

“Loose tobacco” means any product that consists of loose leaves or pieces of tobacco that is intended for use by consumers in a pipe, roll-your-own cigarette, or similar product or device.

“Non- tobacco shisha” means any product that does not contain tobacco or nicotine and is smoked or intended to be smoked in a hookah or water pipe.

“Person” means any natural person, corporation, partnership, firm, organization or other legal entity.

“Price reduction instrument” means any coupon, voucher, rebate, card, paper, note, form, statement, ticket, image, or other issue, whether in paper, digital, or any other form, used for commercial purposes to receive an article, product, service, or accommodation without charge or at a discounted price.

“Retail dealer” means retail dealer as defined in section 20-201 of the code, and any employee or other agent of such retail dealer.

“Shisha” means any product that contains tobacco or nicotine and is smoked or intended to be smoked in a hookah or water pipe.

“Smokeless tobacco” means any tobacco product that consists of cut, ground, powdered, or leaf tobacco and that is intended to be placed in the oral or nasal cavity.

“Snus” means any smokeless tobacco product marketed and sold as snus, and sold in ready-to-use pouches or loose as a moist powder.

“Tobacco product” means any product which contains tobacco that is intended for human consumption, including any component, part, or accessory of such product. Tobacco product shall include, but not be limited to, any cigar, *hand-rolled cigar*, little cigar, chewing tobacco, pipe tobacco, roll-your-own tobacco, snus, bidi, snuff, shisha, or dissolvable tobacco product. Tobacco product shall not include cigarettes or any product that has been approved by the United States food and drug administration for sale as a tobacco use cessation product or for other medical purposes and that is being marketed and sold solely for such purposes.

“Hand-rolled cigar” means any roll of tobacco for smoking that is hand-constructed and hand-rolled, has a wrapper made entirely from whole tobacco leaf; is with or without a tip or mouthpiece, has a filler and binder made entirely of tobacco, except for adhesives or other materials used to maintain size, texture, or flavor, and weighs four pounds per thousand or more.

§ 4. Subdivision d of section 17-176.1 of the administrative code of the city of New York, as amended by local law number 145 for the year 2017, is amended to read as follows:

d. Price floors for cigarettes and tobacco products. No person shall sell or offer for sale to a consumer a package of cigarettes, tobacco products, or non-tobacco shisha, as such package is described in section 17-704, for a price less than the applicable price floor described in this subdivision. Any such price floor may be modified pursuant to paragraph 9 of this subdivision.

(1) The cigarette price floor shall be \$13 per package of cigarettes, including all applicable taxes.

(2) The little cigar price floor shall be \$10.95, excluding all applicable taxes.

(3) The cigar price floor shall be \$8 for any cigar sold individually, excluding all applicable taxes. Notwithstanding subdivision c of section 17-176.1, the price floor for any package of cigars that contains more than one cigar and that has been delivered to a retail dealer in a package described by subdivision a of section 17-704 shall be computed by multiplying the number of cigars in the package by \$1.75 and adding \$6.25 to the total, excluding all applicable taxes.

(4) The smokeless tobacco price floor shall be \$8 per 1.2 ounce package, excluding all applicable taxes. The price floor for packages larger than 1.2 ounces shall be computed by adding \$2 for each 0.3 ounces or any fraction thereof in excess of 1.2 ounces, excluding all applicable taxes.

(5) The snus price floor shall be \$8 per 0.32 ounce package, excluding all applicable taxes. The price floor for packages larger than 0.32 ounces shall be computed by adding \$2 for each 0.08 ounces or any fraction thereof in excess of 0.32 ounces, excluding all applicable taxes.

(6) The shisha price floor shall be \$17 per 3.5 ounce package, excluding all applicable taxes. The price floor for packages larger than 3.5 ounces shall be computed by adding \$3.40 for each 0.7 ounces or any fraction thereof in excess of 3.5 ounces, excluding all applicable taxes.

(7) The non- tobacco shisha price floor shall be \$17 per 3.5 ounce package, excluding all applicable taxes. The price floor for packages larger than 3.5 ounces shall be computed by adding \$3.40 for each 0.7 or any fraction thereof in excess of 3.5 ounces, excluding all applicable taxes.

(8) The loose tobacco price floor shall be \$2.55 per 1.5 ounce package, excluding all applicable taxes. The price floor for packages larger than 1.5 ounces shall be computed by adding \$0.51 for each 0.3 ounces or any fraction thereof in excess of 1.5 ounces, excluding all applicable taxes.

(9) *The hand-rolled cigar price floor shall be \$3, excluding all applicable taxes.*

[(9)] (10) The department may modify by rule the price floors described in this subdivision to account for changes in the New York--northern New Jersey--Long Island consumer price index, adjusted for inflation, or changes in taxes for any of these products.

§ 5. This local law takes effect on November 1, 2022.

Referred to the Committee on Health.

Int. No. 308

By Council Members Borelli and Joseph.

A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to fire lanes in open parking lots that can store over 100 vehicles

Be it enacted by the Council as follows:

Section 1. Article 315 of chapter 3 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-315.2.5 to read as follows:

§ 28-315.2.5 Fire lanes. *Fire lanes shall be provided and installed in accordance with section 406.7.10.5 of the New York city building code by no later than January 1, 2024.*

§ 2. Chapter 4 of the New York city building code is amended by adding a new section 406.7.10.5 to read as follows:

406.7.10.5 Fire lanes. *In an open parking lot that has the capacity for storage of more than 100 motor vehicles at any given time, one or more fire lanes shall be provided to permit access to all parts of the garage or lot.*

§ 3. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 309

By Council Members Borelli, Holden, Brannan, Yeger, Abreu and Ariola.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of consumer and worker protection to send documents related to licensing by certified mail

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-120 to read as follows:

§ 20-120 Transmittal of documents. *When transmitting any document related to business licensing to a licensee, license applicant or any other party, the department shall transmit such documents by certified mail in addition to any other means of transmittal as may be prescribed by law.*

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 310

By Council Members Borelli, Yeger and Abreu (in conjunction with the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to a standard procedure for treating students presenting with suspected tick bites

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 17-187.1 to read as follows:

§ 17-187.1 *Tick bites on students. The commissioner shall promulgate rules setting forth a procedure for how nurses that are employed by the department and are provided to a public or private school must respond to a student presenting with a suspected tick bite in accordance with medical best practices.*

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

Referred to the Committee on Health.

Int. No. 311

By Council Members Borelli, Joseph, Holden, Yeger, Abreu and Ariola (by request of the Queens Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting certain unsolicited disclosures of intimate images

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-181 to read as follows:

§ 10-181 *Unsolicited disclosure of an intimate image. a. Definitions. As used in this section, the following terms have the following meanings:*

Intent to harass, annoy or alarm. The term “intent to harass, annoy or alarm” has the same meaning as used in section 240.26 of the penal law.

Intimate body parts. The term “intimate body parts” means the genitals, pubic area or anus of any person.

Intimate image. The term “intimate image” means a photograph, film, videotape, recording or any other reproduction of an image of an individual with fully or partially exposed intimate body parts or engaged in sexual activity.

Send by electronic device. The term “send by electronic device” means to send using a cellular telephone or any other electronic communication device, including devices capable of sending text messages or e-mails.

Sexual activity. The term “sexual activity” means sexual intercourse as defined in subdivision 1 of section 130.00 of the penal law, oral sexual conduct or anal sexual conduct as those terms are defined in subdivision 2 of section 130.00 of the penal law, touching of the intimate body parts of a person for the purpose of gratifying sexual desire, sexual penetration with any object or the transmission or appearance of semen upon any part of the depicted individual’s body.

b. Unsolicited disclosure of an intimate image. It is unlawful for a person, with the intent to harass, annoy or alarm another person, to send by electronic device an unsolicited intimate image to such other person.

c. Criminal penalty. Any person who violates subdivision b of this section shall be guilty of a misdemeanor punishable by up to one year in jail, or a fine of up to \$1,000, or both.

§ 2. Section 10-181 of the administrative code of the city of New York, as added by local law number 66 for the year 2020 is renumbered as section 10-182.

§ 3. Section 10-182 of the administrative code of the city of New York, as added by local law number 22 for the year 2022, is renumbered as section 10-183.

§ 4. Section 10-183 of the administrative code of the city of New York, as added by local law number 46 for the year 2022, is renumbered as section 10-184.

§ 5. This local law takes effect immediately, except that section one of this local law takes effect 60 days after it becomes law.

Referred to the Committee on Public Safety.

Int. No. 312

By Council Members Bottcher, Ung, Lee, Brannan, Brewer, Yeger, Farías, Louis, Joseph, Velázquez, Feliz, Kagan, Schulman, Dinowitz, Stevens, Avilés, Rivera, Restler, Gennaro, Abreu, Gutiérrez, Cabán, Won, Vernikov and Paladino.

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

Be it enacted by the Council as follows:

Section 1. Table I of paragraph 5 of subdivision b of section 24-257 of the administrative code of the city of New York, as amended by local law 72 for the year 2016, is amended to read as follows:

Violations related to section and subdivision						
	First Violation		Second Violation*		Third and Subsequent Violations*	
	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum
24-216 (d)	2,625	650	5,250	1,300	7,875	1,950
24-218(a)	150	75	250	150	500	350
24-218(a-1)	1,000	350	2,000	700	3,000	1,050
24-218.1	50	50	50	50	50	50
24-220	1,400	440	2,800	880	4,200	1,320
24-222	3,500	875	7,000	1,750	10,500	2,625
24-223	3,500	875	7,000	1,750	10,500	2,625
24-224	3,500	875	7,000	1,750	10,500	2,625
24-225	1,400	440	2,800	880	4,200	1,320
24-226	1,400	440	2,800	880	4,200	1,320
24-227	875	0	1,750	440	2,625	660
24-228	1,400	440	2,800	880	4,200	1,320
24-229	1,400	440	2,800	880	4,200	1,320
24-230	1,400	440	2,800	880	4,200	1,320
24-231(a)	8,000	0	16,000	4,000	24,000	6,000
24-231(b)	1,750	440	3,500	880	5,250	1,320
24-231(c)	875	350	1,750	700	2,625	1,050

24-232	1,400	440	2,800	880	4,200	1,320
24-233(a)	175	50	350	100	525	150
24-233(b)(1)	175	50	350	100	525	150
24-233(b)(2)	350	100	700	200	1,050	300
24-234	175	50	350	100	525	150
24-235	175	50	350	100	525	150
24-236(a)	[525] 1,050	[150] 300	[1,050] 2,100	[300] 600	[1,575] 3,150	[450] 900
24-236(b)[(c)](d)	1,440	440	2,800	880	4,200	1,320
<u>24-236(c)</u>	2,160	660	4,200	1,320	6,300	1,980
24-237(a)	[1,000] 2,000	[150] 300	[2,000] 4,000	[300] 600	[3,000] 6,000	[450] 900
24-237(b)	[875] 1,325	[220] 330	[1,750] 2,625	[440] 660	[2,625] 3,950	[660] 990
24-237(c)	875	220	1,750	440	2,625	660
24-237(d)	1,000	350	2,000	700	3,000	1,050
24-238	875	220	1,750	440	2,625	660
24-239(b)	350	100	700	200	1,050	300
24-241	1,400	440	2,800	880	4,200	1,320
24-242	875	220	1,750	440	2,625	660
24-244	1,750	440	3,500	880	5,250	1,320
24-245	2,625	660	5,250	1,320	7,875	1,980
All remaining sections and subdivisions	875	220	1,750	440	2,625	660

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 313

By Council Members Brannan, Farías, Louis, Hanif, Joseph, Ayala, Restler and Abreu.

A Local Law to amend the charter of the city of New York, in relation to requiring the office of nightlife to post information on its website for nightlife establishments, including resources and trainings about harassment among patrons

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 20-d of the New York city charter, as amended by local law number 80 for the year 2020, is amended to read as follows:

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

1. Serve as a liaison to nightlife establishments in relation to city policies and procedures affecting the nightlife industry and, in such capacity, shall:

(a) Conduct outreach to nightlife establishments and provide information and assistance to such establishments in relation to existing city policies and procedures for responding to complaints, violations and other enforcement actions, and assist in the resolution of conditions that lead to enforcement actions;

(b) Serve as a point of contact for nightlife establishments and ensure adequate access to the office that is responsive to the nature of the nightlife industry; and

(c) Work with other city agencies to refer such establishments to city services that exist to help them in seeking to obtain relevant licenses, permits or approvals from city agencies;

2. Advise and assist the mayor and the heads of city agencies that have powers and duties relating to nightlife establishments including, but not limited to, the department of consumer and worker protection, the police department, the fire department, the department of health and mental hygiene, the department of city planning, the department of buildings and the department of small business services, on issues relating to the nightlife industry;

3. Review information obtained from 311 or other city agencies on complaints regarding and violations issued to nightlife establishments and develop recommendations to address recurring problems or trends, in consultation with industry representatives, advocates, city agencies, community boards and residents;

4. Serve as the intermediary between city agencies, including law enforcement agencies, residents and the nightlife industry to pursue, through policy recommendations, long-term solutions to issues related to the nightlife industry;

5. Review and convey to the office of labor standards information relating to nightlife industry workforce conditions and upon request, assist such office in developing recommendations to address common issues or trends related to such conditions;

6. Promote an economically and culturally vibrant nightlife industry, while accounting for the best interests of the city and its residents; [and]

7. *Provide information on the office's website for nightlife establishments including, but not limited to, resources and online trainings about harassment among patrons; and*

[7.] 8. Perform other relevant duties as the mayor may assign.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 314

By Council Members Brannan, Fariás, Louis, Hanif, Ung, Ayala, Restler and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to requiring nightlife establishments to post signage informing patrons about harassment and to train employees about harassment among patrons

Be it enacted by the Council as follows:

Section 1. Section 10-177 of the administrative code of the city of New York, as added by local law 214 for the year 2017, is amended to read as follows:

§ 10-177 Security measures at certain eating or drinking establishments.

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

Harassment. The term "harassment" means the offenses as defined by sections 240.25 and 240.26 of the penal law.

Nightlife establishment. The term "nightlife establishment" has the same meaning as is ascribed to such term in section 20-d of the New York city charter.

Security guard. The term "security guard" means a person as defined by subdivision 6 of section 89-f of the general business law.

Security guard company. The term "security guard company" means a company licensed to provide security guards under contract to other entities pursuant to article 7 of the general business law.

b. Digital video surveillance cameras. a. The owner of an eating or drinking establishment that (i) operates pursuant to a permitted use under use group 12, section 32-21 of the zoning resolution, as indicated in such establishment's certificate of occupancy or place of assembly certificate of operation; and (ii) is required to have a license to sell liquor at retail pursuant to the alcohol beverage control law, shall equip all entrances and exits used by patrons with digital video surveillance cameras that comply with the following provisions:

1. The video surveillance cameras shall be digital in nature and shall be of sufficient number, type, placement, and location to view and record all activity in front of and within 15 feet of either side of each entrance or exit;

2. The video surveillance cameras shall be sufficiently light sensitive and provide sufficient image resolution (supported by additional lighting if necessary) to produce easily discernible images recorded at all times;

3. The video surveillance cameras shall record at a minimum speed of [fifteen] 15 frames per second;

4. The video surveillance camera images shall be capable of being viewed through use of appropriate technology, including but not limited to, a computer screen or closed circuit television monitor;

5. The video surveillance camera or the system affiliated with such camera shall be capable of transferring the recorded images to a portable form of media, including but not limited to, compact disc, digital video disc, universal serial bus, secure digital card, or portable hard drive;

6. The video surveillance cameras shall not have an audio capability;

7. The video surveillance cameras shall be maintained in good working condition;

8. The video surveillance cameras shall be in operation and recording continuously during all hours of operation and for two hours after such establishment closes;

9. The recordings made by video surveillance cameras installed and maintained pursuant to this section shall be indexed by dates and times and preserved for a minimum of 30 days so that they may be made available to the police department and other government agencies acting in furtherance of a criminal investigation or a civil or administrative law enforcement purpose;

10. All recordings made by video surveillance cameras installed and maintained pursuant to this section while in the possession of such establishment shall be stored in a locked receptacle located in a controlled access area or, if such video recordings are in digital format, in a password-protected digital storage, to which only authorized personnel have access, or shall otherwise be secured so that only authorized personnel may access such video recordings. All personnel authorized to access such video recordings must certify in writing that they have been informed on the appropriate use and retention of recordings as set forth in this section, and on the legal issues associated with video surveillance and the use and retention of recordings. Such establishment shall keep a log of all instances of requests for, access to, dissemination and use of and recorded materials made by video surveillance cameras installed and maintained pursuant to this section; and

11. Signage shall be posted to notify the public of the use of video surveillance equipment so that the public has sufficient warning that surveillance is in operation.

c. Security guards. 1. An eating or drinking establishment that (i) operates pursuant to a permitted use under use group 12, section 32-21 of the zoning resolution, as indicated in such establishment's certificate of occupancy or place of assembly certificate of operation; (ii) is required to have a license to sell liquor at retail pursuant to the alcohol beverage control law; and (iii) employs or retains the services of one or more security guards or a security guard company, shall maintain and make available during all hours of operation, proof that each such security guard is registered pursuant to article 7-A of the general business law or that such security guard company is licensed pursuant to article 7 of the general business law.

2. Such establishment shall maintain a roster of all security guards working at any given time when such establishment is open to the public, and shall require each security guard to maintain on his or her person proof of registration at all times when on the premises.

3. There shall be a rebuttable presumption that a person employed or whose services are retained at such establishment whose job functions include (i) the monitoring or guarding of the entrance or exit of such nightclub to manage ingress and egress to such establishment for security purposes during the hours of operation of such establishment and/or (ii) protection of such establishment from disorderly or other unlawful conduct by such patrons is a security guard, provided, however, that such rebuttable presumption shall not apply to the owner of such establishment.

4. Any violation of this subdivision may be reported to the state liquor authority.

d. Signage informing patrons about harassment. 1. Every nightlife establishment shall conspicuously post signage, either behind the bar or in the establishment's bathrooms, informing patrons about harassment.

2. Such signage shall include, but not be limited to, the following:

- i. That the establishment is a harassment free space;*
- ii. That a patron subject to harassment while at the establishment may report the harassment to the establishment's security or support staff; and*
- iii. A list of government resources about harassment, as determined by the office of nightlife and the department of consumer and worker protection.*

3. The department of consumer and worker protection shall determine the signage's size and the establishment shall determine the signage's style.

e. Training regarding harassment among patrons. 1. Every nightlife establishment with five or more employees shall annually conduct a harassment training for all employees employed within the city, which shall include, but not be limited to, the following:

- (a) An explanation of harassment as a form of unlawful conduct under the penal law;*
- (b) How to identify harassment among patrons and the proper protocol to intervene;*
- (c) The responsibilities of an employee when a patron reports harassment, including the measures that an employee must take to address the report of harassment;*
- (d) Information about bystander intervention, including but not limited to, resources that explain how to engage in bystander intervention; and*
- (e) Government resources about harassment, as determined by the office of nightlife and the department of consumer and worker protection.*

2. Such training shall be required after 90 days of initial hire for all employees who work more than 80 hours in a calendar year who perform work on a full-time or part-time basis.

3. The establishment shall keep a record of all trainings, including a signed employee acknowledgment, for at least three years and make such records available for inspection by the department of consumer and worker protection upon request.

4. The office of nightlife shall make available on its website an online harassment training, which the establishment may use to satisfy the training requirement.

[d.] f. Exemptions. This section does not apply to:

- 1. Premises owned, occupied and used exclusively by a membership corporation, club society or association, provided such membership corporation, club, society or association was in actual existence prior to January 1, 1926[.];*
- 2. Premises owned, occupied and used exclusively by a religious, charitable, eleemosynary or educational corporation or institution[.]; and*
- 3. Premises licensed pursuant to subchapters one and three of chapter two of title 20.*

[e.] g. An eating or drinking establishment that is required to comply with subdivisions b and c of this section shall make available to the police department, upon request, such establishment's certificate of occupancy or place of assembly certificate of operation.

[f.] h. Penalties. Any violation of [this section] subdivisions b and c shall be subject to a civil penalty of not more than \$1,000 for each such violation, except that the use or dissemination of recordings made by video surveillance cameras installed and maintained pursuant to subdivision b of this section in violation of the penal law or section 50 of the civil rights law shall result in a civil penalty of not less than \$5,000 nor more than \$50,000. Any violation of subdivision d shall be subject to a civil penalty of not more than \$500 for each such violation, enforced by the department of consumer and worker protection.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 315

By Council Members Brannan, Louis, Hanif, Yeger, Ayala, Dinowitz, Restler and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to identifying all vacant and underutilized municipally-owned sites that would be suitable for the development of renewable energy and assessing the renewable-energy generation potential and feasibility of such sites

Be it enacted by the Council as follows:

Section 1. Chapter 8 of title 24 of the administrative code is amended by adding a new section 24-806.1 to read as follows:

§ 24-806.1 *Renewable energy generation on vacant city-owned lots.* a. *On or before December 31, 2023, and by December 31 every three years thereafter, the department shall submit to the mayor and the speaker of the council a report identifying all vacant and underutilized municipally-owned sites, including closed- and capped-solid waste landfills and brownfields, that would be suitable for the development of renewable energy. Such report shall include an assessment of the feasibility of renewable energy generation and a cost-benefit analysis of solar or wind energy generation on such sites.*

b. *The department shall submit to the mayor and speaker of the council a draft of such study no less than 90 days before the submission of the final report. If the study concludes that no greater use may be made from a particular vacant or underutilized site, the department shall explain its reasons therefor.*

c. *For each such vacant or underutilized site the department identifies would not be suitable for generating solar or wind energy, the department shall re-evaluate such site in the subsequent triennial report and determine whether generation of solar or wind energy from such site would be more feasible at that time.*

§ 2. This local law shall take effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 316

By Council Members Brannan, Louis, Holden, Yeger, Stevens, Ayala, Restler and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on contract awards made from discretionary funds allocated by a council member

Be it enacted by the Council as follows:

Section 1. Title 1 of Chapter 6 of the administrative code of the city of New York is amended to add a new section 6-147 to read as follows:

§ 6-147 *Reporting on contract awards made from discretionary funds allocated by a council member.* a. *Within 10 days of the end of each quarter of the fiscal year, the city chief procurement officer shall submit to the speaker of the council a report on the status of contract awards made from discretionary funds allocated by a council member. Such report shall be disaggregated by contracting agency, source of funding, allocating council member and entity to which the funds were allocated and shall include:*

1. *The date on which each contract was entered into or the reason why no contract had yet been entered into;*

2. *For each contract which was entered into, the date on which such contract was registered with the office of the comptroller or the reason why such contract had not yet been registered; and*

3. *For each contract entered into and registered, the dollar amount of funds reimbursed pursuant to the contract, and, where full reimbursement under the contract has not yet been made, the reason why full reimbursement has not yet been made.*

b. On December 1, 2023 and each December 1 thereafter, the city chief procurement officer shall submit to the speaker of the council a final report on the information required by paragraph three of the prior subdivision for the prior fiscal year.

c. On the day that the third report of the fiscal year is submitted, the city chief procurement officer shall provide written notification to every council member who allocated discretionary funds where pursuant to such allocation a contract was not yet entered into, not yet registered with the office of the comptroller or not yet fully reimbursed. For contracts which were not yet fully reimbursed, such notification shall include the dollar amount of funds outstanding for reimbursement.

§ 2. This local law takes effect July 1, 2023.

Referred to the Committee on Finance.

Int. No. 317

By Council Members Brannan, Louis, Yeger, Stevens, Ayala and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to requiring monthly reports on scheduled construction work on capital projects

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 5 of the administrative code of the city of New York is amended to add a new section 5-109 to read as follows:

§ 5-109 Monthly reports on capital projects. a. Definitions. As used in this section, the following terms have the following meanings:

Budget agency. The term “budget agency” means the agency from whose budget the funds for a capital project have been appropriated.

Construction phase. The term “construction phase” means the period of time between the commencement of the performance of work by the contractor as defined in the contract and when such work has reached substantial completion.

Managing agency. The term “managing agency” means the agency that is responsible for the functions and operations related to a capital project.

b. Every managing agency shall prepare a monthly report on the status of all capital projects that are or will be in the construction phase within the reporting period. Such report shall be disaggregated by project identification number and budget agency and shall include:

1. A schedule of work for the ensuing three months including the location of planned work by borough, community district and intersection; a description of the planned work; and the date or dates on which the work is scheduled; and

2. The status of all work included in the prior six reports required by paragraph one of this subdivision including the location of completed work; a description of the work completed; the date or dates on which the work was conducted; and, where applicable, an explanation why any work was not conducted or completed as scheduled.

c. The head of each managing agency shall submit the report required by subdivision b to the mayor, or an office or agency designated by the mayor. The mayor, or the office or agency designated by the mayor, shall compile the reports of the managing agencies into a citywide report. The citywide report shall be reviewed to promote coordination between managing agencies and to ensure that work on capital projects is being scheduled and conducted in an efficient and effective manner.

d. The citywide report prepared by the mayor, or the office or agency designated by the mayor, shall be submitted to the speaker of the council, any utility providing electrical or gas service within the city and any entity with a franchise from the city to build and maintain subsurface electrical conduit and manhole

infrastructure, and shall also be posted on the city's website, in a non-proprietary format that permits automated processing capable of being downloaded in bulk.

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

Referred to the Committee on Finance.

Int. No. 318

By Council Members Brannan, Joseph and Yeger.

A Local Law to amend the New York city charter, in relation to the establishment of a charitable gifts reserve fund

Be it enacted by the Council as follows:

Section 1. The New York city charter is amended by adding a new section 1529 as follows:

§ 1529. *Charitable Gifts Reserve Fund. 1. There is hereby established in the joint custody of the commissioner of finance and the comptroller a fund pursuant to section 6-t of the general municipal law to be known as the "charitable gifts reserve fund."*

2. Such fund may receive unrestricted charitable monetary contribution and the moneys in such fund shall be deposited and secured in the manner proved by section 10 of the general municipal law. The comptroller may invest the moneys in such fund in the manner provided by section 11 of the general municipal law. Any interest earned or capital gain realized on the money so deposited or invested shall accrue to and become part of such fund. The separate identity of such fund shall be maintained whether its assets consist of cash or investments or both.

3. Within 60 days of the close of the fiscal year, the funds contained within the charitable gifts reserve fund shall be transferred to the general fund so that the funds may be used for charitable purposes.

4. The department of finance shall promulgate rules establishing a procedure for contributions to the charitable gifts reserve fund, which shall include the provision of a written acknowledgement of the gift to the contributor.

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

Referred to the Committee on Finance.

Int. No. 319

By Council Members Brannan, Louis, Hanif, Yeger, Stevens, Ayala, Restler, Abreu and Won.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to make automated external defibrillators available to primary, intermediate and high schools that do not already receive such devices under any other provision of law

Be it enacted by the Council as follows:

Section 1. Chapter one of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.19 to read as follows:

§ 17-199.19 *Automated external defibrillators in schools. a. For purposes of this section, the term "automated external defibrillator" shall mean a medical device, approved by the United States food and drug administration, that: (i) is capable of recognizing the presence or absence in a patient of ventricular fibrillation and rapid ventricular tachycardia; (ii) is capable of determining, without intervention by an individual, whether*

defibrillation should be performed on a patient; (iii) upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to a patient's heart; and (iv) upon action by an individual, delivers an appropriate electrical impulse to a patient's heart to perform defibrillation.

b. The department shall provide automated external defibrillators to schools upon request in quantities deemed adequate in accordance with rules promulgated pursuant to subdivision c of this section and in accordance with section 3000-b of the New York state public health law to each primary, intermediate and high school located within the city of New York that is not eligible to receive automated external defibrillators under section 917 of the New York state education law or any other provision of law and that submits a written request to the department. Any school receiving automated external defibrillators pursuant to this subdivision shall ensure that such devices are readily accessible for use during medical emergencies. Any information regarding use of automated external defibrillators deemed necessary by the department in accordance with rules promulgated pursuant to subdivision c of this section shall accompany and be kept with each automated external defibrillator. Any automated external defibrillator provided pursuant to this subdivision shall be acquired, possessed and operated in accordance with the requirements of section 3000-b of the New York state public health law.

c. The commissioner shall promulgate such rules as may be necessary for the purposes of implementing the provisions of this section, including, but not limited to, rules regarding the quantity of automated external defibrillators to be provided to schools that request such devices, and any information on the use of automated external defibrillators that must accompany and be kept with each automated external defibrillator.

d. Nothing contained in this section shall impose any duty or obligation on any person to provide assistance with an automated external defibrillator to a victim of a medical emergency.

e. Any person who, in accordance with the provisions of this section, voluntarily and without expectation of monetary compensation renders first aid or emergency treatment using an automated external defibrillator that has been made available pursuant to this section, to a person who is unconscious, ill or injured, and any person, agency, school or other entity that acquires or makes available an automated external defibrillator pursuant to this section, shall be entitled to the limitation of liability provided in section 3000-a of the New York state public health law.

f. Standard of care. Nothing contained in this section shall be deemed to affect the obligations or liability of emergency health providers pursuant to section 3000-b of the New York state public health law.

§ 2. Severability. If any section, subsection, sentence, clause, phrase or other portion of this local law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this local law, which remaining portions shall continue in full force and effect.

§ 3. This local law shall take effect 180 days after it has been enacted, except that the commissioner shall take such measures as are necessary for its implementation, including the promulgation of rules prior to its effective date.

Referred to the Committee on Health.

Int. No. 320

By Council Members Brannan, Louis, Yeger, Stevens, Avilés, Ayala, Restler, Abreu and Won.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to provide license and permit expiration notifications electronically

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 3 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-303 to read as follows:

§ 17-303 Electronic renewal notifications. For any applicant for or holder of a license or permit issued by the department, the department shall, upon request, provide all notices relating to the expiration or renewal of such license or permit electronically, in addition to any notices sent by regular mail. Electronic notices relating to the renewal of any license or permit shall be sent at least 60 days before the date such license or permit expires.

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

Referred to the Committee on Health.

Int. No. 321

By Council Members Brannan, Louis, Stevens, Ayala, Restler and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to the promotion of health and safety at nail salons

Be it enacted by the Council as follows:

Section 1. Chapter one of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.19 to read as follows:

§ 17-199.19 Healthy nail salons a. Definitions. For the purposes of this section, the following terms shall mean:

1. "Dilution ventilation system" means any system which brings in clean air in order to dilute contaminated air, and which exhausts diluted air outside via exhaust fans.

2. "Exhaust ventilation system" means any system that captures and removes airborne contaminants at their source before they contaminate the breathing zones of salon customers and workers, including, but not limited to, downdraft ventilated tables or portable source capture exhaust ventilation systems.

3. "Mechanical ventilation unit" means either a dilution ventilation system or local exhaust ventilation system in operation during business hours.

4. "Nail salon" means any business in the practice of providing services for a fee or any consideration or exchange to cut, shape or enhance the appearance of the nails of the hands or feet, including the application and removal of sculptured or artificial nails.

5. "Nail salon employee" means individuals employed by a nail salon, including, but not limited to, technicians, and shall also include independent contractors.

6. "Nail salon product" means any chemical product used in a nail salon to enhance the appearance of the nails of the hands or feet, including the application and removal of sculptured or artificial nails.

b. Health and Safety Guidelines. The department shall develop guidelines relating to the health and safety of nail salons. Such guidelines shall cover topics including, but not limited to:

1. the danger of certain nail salon products and recommendations for the substitution of hazardous products with less hazardous alternatives, including, but not limited to, refraining from the use of nail polish thinners and using safer nail polish removers such as acetone;

2. prohibiting the use of nail polishes that contain dibutyl phthalate, toluene or formaldehyde;

3. methods and recommendations to improve air quality in nail salons and reduce the level of chemical vapors, pollutants, mist or dust within the salon. Such methods may include, but not be limited to, utilizing a mechanical ventilation unit, methods to reconfigure workstations and fans to reduce vapors, pollutants, mist, dust and odors, use of metal bin or garbage cans with lids to dispose of products used at workstations, and regularly opening windows and doors throughout the day;

4. procedures to (i) limit the spread of communicable diseases by, among other practices, washing hands, cleaning and disinfecting tools after each use, and (ii) limit the risk of harm to nail salon employees through, among other practices, taking meal and rest breaks, ensuring that such employees have regular access to fresh air and ensuring that food or beverages are not ingested where chemicals are used or stored; and

5. use of personal protective equipment for nail salon staff, including, but not limited to, respirators approved by the national institute for occupational safety and health, goggles and disposable nitrile gloves.

The department shall amend such guidelines within one year following the release of the report pursuant to subdivision k of section 17-199.19.1 of this chapter and based on such report's findings and recommendations.

c. *Certification.* The department shall establish a certification program to encourage nail salons to promote healthy standards for nail salon employees and customers; to reduce or eliminate the use of products with potentially harmful chemicals and air pollutants; to support and promote nail salons that place a high priority on customer and employee health and safety; and to help the public make more informed decisions about nail salon services. Such certification shall be for a period of two years and may be renewed upon satisfaction of the requirements enumerated in this subdivision. The department shall provide a seal to any nail salon granted a healthy nail salon certification stating such salon's status as a healthy nail salon. The department shall grant a certification to any nail salon that satisfies the following requirements:

1. submission to the department of an attestation that the nail salon is in compliance with article 27 of the New York state general business law or any regulations promulgated pursuant thereto;

2. completion of a course, provided by the department or such other entity as approved by the department, that educates nail salon owners and managers on how to protect nail salon owners, employees, customers and occupants of adjacent businesses and residences from any adverse health and safety impacts caused by nail salons, including, but not limited to, by educating on the guidelines as developed pursuant to subdivision b of this section;

3. submission to the department of a statement, signed by the owner of the nail salon, that the nail salon shall comply with the guidelines developed by the department pursuant to subdivision b of this section and train all nail salon staff on such guidelines;

4. installation of a mechanical ventilation unit;

5. posting of such sign as provided in subdivision h of this section;

6. submitting to inspection by the department, including, but not limited to, at initial certification and certification renewal; and

7. the nail salon has registered pursuant to subdivision i of this section.

d. *Revocation.* The department may revoke a nail salon's certification upon a finding that such salon has failed to comply with the certification program.

e. *Reimbursement.* The department shall develop a program to provide a reimbursement to any nail salon for expenses related to the purchase and installation of mechanical ventilation units within one year of such purchase or installation, provided, however, that such nail salon has been certified pursuant to subdivision c of this section, and applies for such funds on a form, to be approved by the department, and in accordance with rules or guidelines as developed by the department. Such reimbursement may only be given to a nail salon that is in full compliance with such certification program, and which has not had any substantiated claims or judgments against it for wage theft or violations of regulations of the United States office of occupational health and safety or violations of New York state general business law or any regulations promulgated thereto at or since the time of designation in the certification program. The department shall establish amounts and rates for such reimbursement, provided that reimbursements to individual nail salons shall not exceed five hundred dollars.

f. *Website.* The department shall post on its website a description of the department's guidelines developed pursuant to subdivision b, the certification program created pursuant to subdivision c, and the reimbursement program created pursuant to subdivision e of this section. In addition to the description of such certification program, the website shall also list the names and addresses of all nail salons participating in such certification program. The department of consumer affairs and the department of small business services shall also post on their website such list or shall provide links on their respective websites to the department's website accompanied by a conspicuous description of such certification program.

g. *Education and outreach.* The department shall educate nail salon owners, employees, customers, product suppliers or distributors, community and immigrant organizations, health and safety advocates and the general public about potential health hazards present in nail salons and methods to control, eliminate or reduce such potential hazards, including, but not limited to, information regarding the (i) potentially harmful effects of exposure to pregnant women from the chemicals found in nail salon products and (ii) symptoms and/or illnesses, including, but not limited to, allergic and irritant dermatitis, occupational asthma, eye, skin or mucous

membrane irritation, fatigue, and nausea that may be experienced by nail salon employees and customers. Such education efforts shall include, but not be limited to, distribution of educational materials, technical assistance, education workshops or forums, and public service advertisements.

h. Signs. Nail salon owners shall post signs, to be developed and provided by the department, in such owner's nail salon that detail procedures and information for nail salon employees and customers to increase safety and reduce harmful health effects from exposure to communicable diseases, nail care cosmetics and airborne dust particles. Such sign shall be based upon guidelines developed by the department pursuant to subdivision b of this section. Such signs shall be posted conspicuously in public areas in accordance with the rules of the department and shall be printed in English, Spanish, Korean, Vietnamese, Nepali, Chinese and any other languages the department deems necessary in order to communicate to nail salon employees and customers. Such sign shall include information on how to make anonymous complaints to appropriate state authorities regarding businesses suspected of violating regulations promulgated pursuant to article 27 of the New York state general business law.

i. Registration. 1. It shall be unlawful for any individual to operate a nail salon without having registered with the department. Registration shall include registrant's name, address, corporate structure and ownership, and other information as the department may require and shall be filed on forms to be prescribed by the department.

2. Any individual, partnership, corporation, limited liability company, joint venture, association, or other business entity that operates a nail salon without registering shall be subject to a civil penalty of not more than one hundred dollars per month such nail salon operates without registering.

3. Notwithstanding paragraph 2 of this subdivision, a first-time violation of paragraph one of this subdivision or any rules promulgated pursuant thereto by any individual, partnership, corporation, limited liability company, joint venture, association, or other business entity that operates a nail salon shall be mitigated to half the amount if, within thirty days of the date of the issuance of the notice of violation, or at the hearing of such notice of violation, such individual, partnership, corporation, limited liability company, joint venture, association, or other business entity submits adequate proof of having cured the violation.

§ 2. Chapter one of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.19.1 to read as follows:

§ 17-199.19.1 Nail salon task force *a. Definitions.* For the purposes of this section, the following terms shall mean:

1. "Nail salon" means any business in the practice of providing services for a fee or any consideration or exchange to cut, shape or enhance the appearance of the nails of the hands or feet, including the application and removal of sculptured or artificial nails.

2. "Nail salon product" means any chemical product used in a nail salon to enhance the appearance of the nails of the hands or feet, including the application and removal of sculptured or artificial nails.

b. There shall be a task force to study and provide recommendations for nail salon health and safety. Such task force shall examine issues including, but not limited to, facility requirements, standards of practice, prohibitions of particular products, ways to improve enforcement and/or issuance of violations, and ways to encourage and address complaints concerning nail salon health and safety from nail salon employees and customers. Such task force shall also request from the New York state department of state data for the preceding three calendar years of all inspections of nail salons located within the city of New York and any enforcement actions undertaken by the New York state department of state, including, but not limited to, notices of violation, warnings, or fines against any such nail salons.

c. Such task force shall consist of seven members as follows:

1. Four members shall be appointed by the mayor, provided that such members are representatives of advocacy groups involved in nail salon health and safety, have experience in the field of nail salon health and safety or advocate for the interests of nail salon employees and the communities they represent, provided further that at least two such members have experience in the field of nail salon health and safety;

2. Two members shall be appointed by the speaker of the council, provided such members are representatives of advocacy groups involved in nail salon health and safety or have experience in the field of nail salon health and safety or advocate for the interests of nail salon employees and the communities they represent; and

3. One member shall be appointed by the public advocate, provided that such member is a representative of an advocacy group involved in nail salon health and safety, has experience in the field of nail salon health and safety or advocates for the interests of nail salon employees and the communities they represent.

d. The commissioners of the department of health and mental hygiene and the department of consumer affairs, or their designees, shall serve *ex officio*.

e. The members shall be appointed within sixty days of the enactment of this local law.

f. At its first meeting, the task force shall select a chairperson from among its members by majority vote of the task force.

g. Each member shall serve for a term of twelve months, to commence after the final member of the task force is appointed. Any vacancies in the membership of the task force shall be filled in the same manner as the original appointment. A person filling such vacancy shall serve for the unexpired portion of the term of the succeeded member.

h. The department and the department of consumer affairs may provide staff to assist the task force.

i. No member of the task force shall be removed from office except for cause and upon notice and hearing by the appropriate appointing official.

j. Members of the task force shall serve without compensation and shall meet no less than once a month.

k. No later than twelve months from the date all seven members of the task force are appointed, the task force shall submit to the mayor, the speaker of the council and the public advocate a report that shall include the findings and recommendations of the task force and all data made available to the task force by the New York state department of state concerning inspections of and enforcement against nail salons located in the city of New York. Such report shall examine the health and safety conditions present in nail salons in the city, including but not limited to, the health problems experienced by nail salon employees that could be attributed to such employees' work and work environment in a nail salon, the prevalence of the use of nail salon products that are unsafe or unhealthy, and the use of personal protective equipment by nail salon employees and customers. Such report shall be based on anonymous surveys, onsite observations, data from health care professionals and any other methods deemed appropriate by the task force in consultation with the department. Such report shall also include demographic data on the age, race, ethnicity, gender and national origin of nail salon owners and employees. The report shall provide recommendations, if any, for improving the health and safety in nail salons.

l. The task force shall dissolve upon submission of the report required by subdivision k of this section.

§ 3. This local law shall take effect 180 days after its enactment into law, provided, however, that the commissioner of the department of health and mental hygiene shall take such actions, including the promulgation of rules, as are necessary for timely implementation of this local law, prior to such effective date, provided further that paragraph 3 of subdivision i of section 17-199.19 of the administrative code of the city of New York, as added by section one of this local law, shall be deemed repealed one year after such effective date, and provided further that subdivision e of section 17-199.19 of the administrative code of the city of New York, as added by section one of this local law, shall be deemed repealed four years after such effective date.

Referred to the Committee on Health.

Int. No. 322

By Council Members Brannan, Farías, Louis, Stevens, Ung, Avilés, Abreu and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to the installation of protective devices for seniors and persons with a disability who reside in multiple dwellings, and the provision of a tax abatement for certain related installations

Be it enacted by the Council as follows:

Section 1. Article 11 of subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York is hereby amended by adding a new section 27-2046.5 to read as follows:

§ 27-2046.5 *Protective devices for senior citizens and persons with a disability; notification to tenants.* a. It shall be the duty of the owner, lessee, agent or other person who manages or controls a multiple dwelling to:

1. Provide, install and maintain in a safe manner grab bars on the walls of shower and bathtub stalls and adjacent to each toilet or water closet in each residential unit when requested by a senior citizen or tenant residing therein who is a person with a disability, or by a tenant residing therein with a senior citizen or person with a disability;

2. Provide, install and maintain in a safe manner treads on the floors of showers and bathtub stalls in each residential unit when requested by a senior citizen or tenant residing therein who is a person with a disability, or by a tenant residing therein with a senior citizen or person with a disability; and

3. Cause to be delivered to each residential unit a notice advising occupants of the obligation of such owner, lessee, agent or other person who manages or controls a multiple dwelling to install the protective devices referred to in paragraphs 1 and 2 of this subdivision at no cost to the tenants. Such notice shall be provided on an annual basis in a form and manner approved by the department.

b. The department shall promulgate such rules as it deems necessary to comply with the provisions of this section with regard to the annual notice to tenants, and the safety standards and maintenance of the protective devices required by this section.

c. Any person who violates the provisions of this section, or the rules promulgated pursuant to this section, shall be guilty of a misdemeanor punishable by a fine of up to \$500 or imprisonment for up to six months or both. In addition, such a person shall also be subject to a civil penalty of not more than \$500 per violation.

d. As used in this section, the following terms have the following meanings:

Senior citizen. The term "senior citizen" means a person who is at least 60 years of age.

Person with a disability. The term "person with a disability" means an individual who provides documentation indicating that he or she is recognized by any city, state or federal authority or agency as having a disability which impedes vision or mobility, or who provides medical evidence indicating that he or she has a disability impeding vision or mobility.

§ 2. Part 1 of subchapter 2 of chapter 2 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-245.11 to read as follows:

§ 11-245.11 *Tax abatement for the installation of grab bars.* a. For the purposes of this section, the following terms have the following meanings:

Eligible owner. The term "eligible owner" means a person who does not reside in a residential unit and installed grab bars on the walls of shower and bathtub stalls and adjacent to each toilet or water closet in each residential unit upon a request by a senior citizen or person with a disability residing therein or by a tenant residing therein with a senior citizen or person with a disability.

Multiple dwelling unit. The term "multiple dwelling unit" means a dwelling unit in a building in which there is either rented, leased, let or hired out to be occupied, or is occupied as the residence or home of two or more occupants living independently of each other.

Person with a disability. The term "person with a disability" means an individual who provides documentation indicating that he or she is recognized by any city, state or federal authority or agency as having a disability which impedes vision or mobility, or who provides medical evidence indicating that he or she has a disability impeding vision or mobility which would entitle him or her to receive the protective devices referred to in paragraphs 1 and 2 of subdivision a of section § 27-2046.3 of this code.

Senior citizen. The term "senior citizen" shall mean a person who is at least 60 years of age.

b. For fiscal years beginning on and after the July 1 2023, an eligible owner of a multiple dwelling unit shall be eligible to receive an abatement of taxes imposed on such multiple dwelling unit for each grab bar installed in such multiple dwelling unit in one of the following amounts:

1. Where the eligible owner purchases and installs a grab bar within the tub area requiring anchoring by screws or toggles where there is no removal of surface tiles or surrounding facade, an amount not to exceed \$250; or

2. Where the eligible owner purchases and installs a grab bar requiring anchoring that entails the removal and replacement of surrounding surface tiles or facade, an amount not to exceed \$400; or

3. Where such owner purchases and installs a grab bar requiring anchoring that entails the removal and replacement of surface lines and underlayment behind the removed tiles, an amount not to exceed \$800.

c. Notwithstanding the provisions of subdivision b of this section, no abatement of real property taxes in accordance with this section shall exceed the actual cost to the eligible owner of the purchase and installation of a grab bar.

d. Any application for the real property tax abatement provided for in this section shall be submitted in such manner and in such form as shall be established by the commissioner by rule.

§3. This local law takes effect 90 days after enactment except that the commissioner of housing preservation and development and the commissioner of finance shall take such actions as are necessary for the implementation of this local law, including the promulgation of rules, prior to its effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 323

By Council Members Brannan, Farías, Louis, Restler and Vernikov.

A Local Law in relation to the creation of a retail resurgence taskforce

Be it enacted by the Council as follows:

Section 1. a. There is hereby established a retail resurgence task force that shall review and recommend changes to the laws, rules, regulations, and policies to promote the resurgence of the retail sector in the city of New York.

b. Such task force shall comprise seven members:

1. The commissioner of small business services, or the designee thereof;

2. Three members appointed by the mayor, representing the retail, real estate and labor sectors, respectively; and

3. Three members appointed by the speaker of the council, representing the retail, real estate and labor sectors, respectively.

c. The members of the task force shall be appointed within 90 days after the effective date of this local law.

d. Each member of the task force shall serve for a term of one year, to commence after the final member is appointed. Any vacancies in the membership of the task force shall be filled in the same manner as the original appointment. A person filling such vacancy shall serve for the unexpired portion of the term of the succeeded member.

e. No member of the task force may be removed except for cause and upon notice and hearing by the official who appointed such member or, in the case of a succeeding member under subdivision d of this section, the official who appointed the succeeding member.

f. Members of the task force shall serve without compensation.

g. The task force shall meet at least monthly.

h. No more than one year after the date that the final member of the task force is appointed under subdivision d of this section, the task force shall submit a report to the mayor and the speaker of the council, which shall include, but need not be limited to, the following:

1. The challenges facing the retail sector, including, but not limited to, challenges related to gentrification, commercial rent, rezoning, and online retail;

2. The needs of the retail sector, including, but not limited to, needs related to technical assistance and legal services;

3. The existing public and private programs available to the retail sector and an analysis of whether such programs meet the needs of the sector;

4. The gaps in available data, including, but not limited to, a comprehensive assessment of storefront vacancies and trends in the commercial rents; and

5. The city policies that could be changed or adopted to promote retail resurgence.

i. No more than 30 days after the report of the task force is submitted to the mayor and the speaker of the council, the report shall be posted on the website of the department of small business services.

j. The task force shall dissolve 180 days after the date that the report is submitted to the mayor and the speaker of the council.

§ 2. This local law takes effect immediately.

Referred to the Committee on Small Business.

Int. No. 324

By Council Members Brannan, Yeger, Stevens and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to the distance between parking signs

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 to add a new section 19-175.8 to read as follows:

§ 19-175.8 *Distance between parking signs. On every block longer than 200 feet, the department shall post a sign indicating parking, standing or stopping regulations every 100 feet or less. For purposes of this section, “block” means a stretch of roadway that connects two intersections.*

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 325

By Council Members Brannan, Brewer, Louis, Holden, Yeger, Avilés, Restler and Abreu.

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 17-199.19 to read as follows:

§ 17-199.19 *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.

Int. No. 326

By Council Members Brannan, Hanif, Farías, Avilés, Restler, Abreu and Won.

A Local Law to amend the New York city charter, in relation to the voter assistance advisory committee providing interpreters and materials in Arabic

Be it enacted by the Council as follows:

Section 1. Section 1054 of the New York city charter is amended by adding a new subdivision d to read as follows:

d. The committee shall provide Arabic language interpreters for all poll sites which contain an election district with 50 or more voting age residents with limited English proficiency based on United States census data, or American community survey data, whose primary language is Arabic. Such data shall be reviewed every two years, beginning on January 1, 2023. To the extent permissible under state law, such interpreters shall be made available to the public within such poll sites, provided that where it is not permissible then such interpreters shall be made available to the public within a legally permissible distance of such poll site.

§ 2. This local law takes effect six months after becoming law.

Referred to the Committee on Governmental Operations.

Preconsidered Res. No. 154

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

By Council Member Brannan.

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

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

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2022 and Fiscal 2021 Expense Budgets by approving the new designation and/or the changes in the designation of certain organizations receiving local and aging discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

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

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

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

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 6; and be it further

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

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 8; and be it further

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

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

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of a certain organization receiving funding pursuant to the Children and Families in NYC Homeless System Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of a certain organization receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 14 and be it further

Resolved, That the City Council approves the new designation and the change in the designation of a certain organization receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 15 and be it further

Resolved, That the City Council approves the new designation and the change in the designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new designation and the change in the designation of a certain organization receiving funding pursuant to the Chamber on the Go and Small Business Assistance Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the amendments of the Description/Scope of Services of certain organizations receiving local and aging discretionary funding pursuant to the Fiscal 2022 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the organizations that will receive equipment, specifically an automated external defibrillator, funded by the Beating Hearts Initiative as designated in Schedule C for Fiscal 2022, as set forth in Chart 19.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 154 of 2022 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov>).

Int. No. 327

By Council Members Brewer, Louis, Avilés, Restler and Abreu (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to requiring increased transparency regarding the sale of housing development fund company units

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 35 to read as follows:

CHAPTER 35
HOUSING DEVELOPMENT FUND COMPANIES

§ 26-3501 Definitions. For the purposes of this chapter, the following terms have the following meanings:

Department. The term “department” means the department of housing preservation and development.

Housing development fund company. The term “housing development fund company” has the same meaning ascribed to such term in subdivision 9 of section 572 of the private housing finance law.

§ 26-3502 Sale of housing development fund company units. a. No later than June 1, 2023, and annually thereafter, the department shall submit a report to the mayor and the speaker of council on the sale prices of housing development fund company units sold within each community board district.

b. The report required by subdivision a of this section shall include, but need not be limited to, the following information for the preceding calendar year, for each community district:

- 1. The total number of housing development fund company units sold;*
- 2. The average sale price of housing development fund company units sold; and*
- 3. The median sale price of housing development fund company units sold.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 328

By Council Members Brooks-Powers, Williams, Louis, Feliz, Menin, Narcisse, Schulman, Ossé, Restler, Riley, Abreu, Won, Barron and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to requiring a minority and women-owned business enterprise consultant for city projects with budgets in excess of ten million dollars

Be it enacted by the Council as follows:

Section 1. Paragraph 2 of subdivision h of section 6-129 of the administrative code of the city of New York is amended to add new subparagraph g to read as follows:

(g) For each agency project with a contract budget in excess of ten million dollars and for which minority and women-owned business participation goals have been established pursuant to this section, the contracting agency shall hire an independent consultant with expertise in minority and women-owned business procurement to perform the following functions: (i) assisting the prime contractor in recruiting minority and women-owned businesses for procurement opportunities on such project; (ii) monitoring the prime contractor's compliance with minority and women-owned business participation goals; and (iii) reporting to the contracting agency on the prime contractor's performance in meeting minority and women-owned business participation goals. The contracting agency shall make a good faith effort to hire minority and women-owned businesses for such consulting work where the cost is under the applicable non-competitive small purchase limit. The prime contractor shall pay all costs associated with such independent consultant. The mayor's office of contract services shall report no later than March 1 of each year on how many contracts this requirement applied to, the total dollar value of such contracts, how many consultants were hired, and an assessment of the extent to which this requirement assisted with meeting minority and women-owned business participation goals.

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

Referred to the Committee on Contracts.

Int. No. 329

By Council Members Brooks-Powers, Joseph, Narcisse, Vernikov, Louis, Yeger, Feliz, Holden, Menin, Schulman, Ung, Moya, Restler, Gutiérrez, Abreu, Barron and Ariola.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a reward for individuals who provide information leading to the apprehension, prosecution or conviction of a person who seriously injures or kills another individual in a hit-and-run accident

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-184 to read as follows:

§ 10-184 Hit and run information reward. *a. Definitions. For the purposes of this section, the following term has the following meaning:*

Serious physical injury. The term "serious physical injury" has the same meaning as set forth in section 10 of the penal law.

b. The mayor, upon the recommendation of the police commissioner, is authorized to offer and pay a reward in an amount not exceeding \$1,000 to any person who provides information leading to the apprehension, prosecution or conviction of any person who may have violated the provisions of section 600 of the vehicle and traffic law resulting in serious physical injury or death to an individual, including to a pedestrian, a bicyclist or an individual in another motor vehicle.

c. The offer and reward made available by this section is not available for:

- 1. Any police officer, peace officer or other law enforcement officer or official in the state;*
- 2. Any other officer, official or employee of the city or state; or*
- 3. Any person who has obtained the information directly or indirectly from a person specified in paragraphs 1 and 2 of this subdivision.*

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

Referred to the Committee on Public Safety.

Int. No. 330

By Council Members Gennaro, Restler, Abreu and Won (by request of the Queens Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to requiring the creation of a database of subsurface conditions to support better engineering of geothermal heat pumps.

Be it enacted by the Council as follows:

Section 1. Section 24-804 of chapter 8 of title 24 of the administrative code of the city of New York is amended by adding a new subdivision to c to read as follows:

c. Database of subsurface conditions. 1. The department, in conjunction with the department of design and construction and the department of city planning, shall develop and maintain a database of subsurface conditions by December 31, 2023 to offer resources to support the engineering and design of geothermal heat pump systems.

2. Such database shall be updated annually and shall include:

- (a) A repository for geological logs of the city's geothermal bores;*
- (b) The locations of existing geothermal energy systems; and*
- (c) The locations of all water wells, including any unused privately owned water wells.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 331

By Council Members Hanif, Menin, Velázquez, Farías, Louis and Restler (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to the establishment of an office of restaurant recovery in response to the COVID-19 pandemic, and the expiration and repeal thereof

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new subchapter 9 to read as follows:

SUBCHAPTER 9 OFFICE OF RESTAURANT RECOVERY

§ 3-190 Definitions. For the purposes of this subchapter, the following terms have the following meanings:

Director. The term “director” means the director of restaurant recovery.

Restaurant. The term “restaurant” has the same meaning as is ascribed to such term in section 17-502.

§ 3-191 Office. The mayor shall establish an office of restaurant recovery to facilitate the recovery of restaurants from the 2019 novel coronavirus, COVID-19. Such office may be established within any office of the mayor or as a separate office or within any agency. Such office shall be headed by a director of restaurant recovery. The mayor shall appoint the director no later than 30 days after the effective date of this subchapter, except that if the mayor establishes the office within an agency other than the office of the mayor, the head of such agency shall designate the director within such time.

§ 3-192 Powers and duties of director. The director shall have the power and duty to:

1. Develop and implement a citywide restaurant recovery plan, in consultation with relevant agencies, including, but not limited to, the department of small business services, the department of consumer and worker protection, and the department of health and mental hygiene, and, in such capacity, shall:

(a) Assess the challenges restaurants and restaurant workers face and the assistance restaurants and restaurant workers need in light of the COVID-19 pandemic;

(b) Assess all programs and policies relevant to the recovery of restaurants adopted in and outside of the city; and

(c) Develop and implement programs and policies regarding recovery of the restaurant industry;

2. Identify and monitor a set of metrics to assess restaurant recovery, which shall include, but need not be limited to, data regarding the restaurants that have remained open since the onset of COVID-19, data on the restaurants that have closed since such onset, data on the restaurants that opened after such onset, and data on how COVID-19 has affected restaurant worker job opportunities and pay;

3. Advise the mayor on restaurant recovery, including, but not limited to, data, programs and policies, state and federal efforts, and the coordination among agencies under the jurisdiction of the mayor involved in recovery;

4. Promote the recovery of restaurants, in consultation with government and relevant stakeholders, including, but not limited to, restaurants, patrons, worker groups and trade groups; and

5. Perform such other relevant duties as the mayor may assign.

§ 3-193 Reports. a. Initial report. No later than 120 days after the effective date of the local law that added this subchapter, the director shall submit to the mayor and the speaker of the council an initial report, which shall include, but need not be limited to, the metrics to be used to assess restaurant recovery pursuant to subdivision 2 of section 3-192, preliminary findings regarding recovery and proposed solutions to such findings.

b. Annual report. After the initial report, the director shall annually submit to the mayor and the speaker of the council a report that summarizes the activities of the office of restaurant recovery and assesses the recovery of restaurants based, in part, on the metrics required by subdivision 2 of section 3-192.

c. Publication of report. No more than 30 days after a report required by this section is submitted to the mayor and the speaker of the council, the director shall publish such report on the website of the office of restaurant recovery.

§ 3-194 Early termination. If before the expiration of this subchapter, the mayor, in consultation with the director, determines that the restaurant industry has stabilized based in part on the metrics required by subdivision 2 of section 3-192, the mayor may dissolve the office and end compliance with the requirements of this subchapter following submission to the mayor and the speaker of the council of (i) a written notice of such determination and (ii) a final report by the director pursuant to section 3-193.

§ 3. This local law takes effect immediately and expires and is deemed repealed 5 years after it becomes law.

Referred to the Committee on Governmental Operations.

Int. No. 332

By Council Members Holden and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to guidance to private employers and the public in the event of a highly transmissible disease emergency

Be it enacted by the Council as follows:

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

§ 17-104.1 *Highly transmissible diseases; guidance for private employers. a. Definitions. For purposes of this section, the following terms have the following meanings:*

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

Highly transmissible disease emergency. The term “highly transmissible disease emergency” means any time during which, due to the spread of a highly transmissible disease, a state of emergency has been declared by the governor pursuant to section 28 of the executive law or by the mayor pursuant to section 24 of the executive law or a public health emergency has been declared by the commissioner pursuant to section 3.01(d) of the New York city health code.

b. Guidance for private employers. The department shall develop and publish on its website guidance and recommendations for private employers in the event of a highly transmissible disease emergency. Such guidance shall set forth measures that private employers may take during an outbreak of a highly transmissible disease to mitigate disease transmission.

§ 2. Title 19 of the administrative code of the city of New York is amended by adding a new chapter 11 to read as follows:

**CHAPTER 11
PUBLIC HEALTH EMERGENCIES**

§ 19-1101. *Highly transmissible disease emergencies. a. Definitions. For purposes of this section, the following terms have the following meanings:*

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

Highly transmissible disease emergency. The term “highly transmissible disease emergency” means any time during which, due to the spread of a highly transmissible disease, a state of emergency has been declared by the governor pursuant to section 28 of the executive law or by the mayor pursuant to section 24 of the executive law or a public health emergency has been declared by the commissioner of health and mental hygiene pursuant to section 3.01(d) of the New York city health code.

b. Highly transmissible disease emergencies. The department, in consultation with the department of health and mental hygiene and the metropolitan transportation authority, shall develop and publish on its website public guidance and recommendations for the reduction of travel and the reduction in usage of public transportation and mass transit in the event of a highly transmissible disease emergency. Such guidance shall set forth measures that the public may take during an outbreak of a highly transmissible disease to reduce the risk of disease exposure and transmission.

§ 3. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 333

By Council Members Holden, Yeger, Hanif and Avilés.

A Local Law to amend the administrative code of the city of New York, in relation to allowing the department of sanitation to purchase appropriate vehicles to utilize during a snowfall

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 24-163.1 of the administrative code of the city of New York is amended to read as follows:

a. Definitions. When used in this section or in section 24-163.2 of this chapter: "Alternative fuel" means natural gas, liquefied petroleum gas, hydrogen, electricity, and any other fuel which is at least eighty-five percent, singly or in combination, methanol, ethanol, any other alcohol or ether. "Alternative fuel motor vehicle" means a motor vehicle that is operated using solely an alternative fuel or is operated using solely an alternative fuel in combination with gasoline or diesel fuel, and shall not include bi-fuel motor vehicles. "Average fuel economy" means the sum of the fuel economies of all motor vehicles in a defined group divided by the number of motor vehicles in such group. "Bi-fuel motor vehicle" means a motor vehicle that is capable of being operated by both an alternative fuel and gasoline or diesel fuel, but may be operated exclusively by any one of such fuels. "Equivalent carbon dioxide" means the metric measure used to compare the emissions from various greenhouse gases emitted by motor vehicles based upon their global warming potential according to the California air resources board or the United States environmental protection agency. "Fuel economy" means the United States environmental protection agency city mileage published label value for a particular motor vehicle, pursuant to section 32908(b) of title 49 of the United States code. "Gross vehicle weight rating" means the value specified by the manufacturer of a motor vehicle model as the maximum design loaded weight of a single vehicle of that model. "Light-duty vehicle" means any motor vehicle having a gross vehicle weight rating of 8,500 pounds or less. "Medium-duty vehicle" means any motor vehicle having a gross vehicle weight rating of more than 8,500 pounds but not more than 14,000 pounds.

"Motor vehicle" means a vehicle operated or driven upon a public highway which is propelled by any power other than muscular power, except electrically-driven mobility assistance devices operated or driven by a person with a disability, provided, however, that this term shall not include vehicles that are specially equipped for emergency response by the department, office of emergency management, sheriff's office of the department of finance, police department, fire department, department of correction, [or] office of the chief medical examiner, *or vehicles for the department of sanitation that can be used in response to snowfall or other emergencies.* "Purchase" means purchase, lease, borrow, obtain by gift or otherwise acquire. "Use-based fuel economy" means the total number of miles driven by all light-duty and medium-duty vehicles in the city fleet during the previous fiscal year divided by the total amount of fuel used by such vehicles during the previous fiscal year.

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 334

By Council Members Holden, Yeger and Won.

A Local Law to amend the administrative code of the city of New York, in relation to the requirements for maintenance of a civil action against the city for damages or injuries sustained in consequence of unsafe conditions on streets, sidewalks or similar public spaces

Be it enacted by the Council as follows:

Section 1. Paragraph 2 of subdivision c of section 7-201 of the administrative code of the city of New York is amended to read as follows:

2. No civil action shall be maintained against the city for damage to property or injury to person or death sustained in consequence of any street, highway, bridge, wharf, culvert, sidewalk or crosswalk, or any part or portion of any of the foregoing including any encumbrances thereon or attachments thereto, being out of repair, unsafe, dangerous or obstructed, unless it appears that written notice of the defective, unsafe, dangerous or obstructed condition, was actually given to the commissioner of transportation or any person or department authorized by the commissioner to receive such notice, or where there was previous injury to person or property as a result of the existence of the defective, unsafe, dangerous or obstructed condition, and written notice thereof was given to a city agency, or there was written acknowledgement from the city of the defective, unsafe, dangerous or obstructed condition, and there was a failure or neglect within [fifteen] *seven* days after the receipt of such notice to repair or remove the defect, danger or obstruction complained of, or the place otherwise made reasonably safe.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 335

By Council Members Holden, Yeger, Stevens and Ung.

A Local Law to amend the administrative code of the city of New York, in relation to suspending alternate side of the street parking when there is at least four inches of snow

Be it enacted by the Council as follows:

Section 1. Section 19-163.1 of the administrative code of the city of New York, as added by local law number 68 for the year 2008, is amended to read as follows:

§19-163.1 Suspension of parking rules during snowfalls. All alternate side of the street parking rules shall be suspended during any snowfall *with an accumulation of at least four inches of snow* [that causes the department of sanitation to suspend its street sweeping operations], provided that the department may reinstate alternate side of the street parking rules after twenty-four hours if it determines, after consulting with the department of sanitation, that alternate side of the street parking is necessary to immediately commence curbside snow removal.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 336

By Council Members Holden, Yeger, Ung, Ayala, Restler, Dinowitz and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the parks department to repair damage caused by trees owned by the city of New York

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 7-210 of the administrative code of the city of New York, as added by local law number 49 for the year 2003, is amended to read as follows:

a. It shall be the duty of the owner of real property abutting any sidewalk, including, but not limited to, the intersection quadrant for corner property, to maintain such sidewalk in a reasonably safe condition. *This*

subdivision shall not require the owner of a one-, two- or three-family residential property that is (i) in whole or in part, owner occupied, and (ii) used exclusively for residential purposes, to repair damage caused to an abutting sidewalk by a city-owned tree.

§ 2. Section 7-210 of the administrative code of the city of New York is amended by adding a new subdivision a-1 to read as follows:

a-1. Notwithstanding any other provision of law, it shall be the duty of the owner of any residential real property that is (i) in whole or in part, owner occupied, and (ii) used exclusively for residential purposes abutting any sidewalk, including, but not limited to, the intersection quadrant for corner property, to notify the department of parks and recreation or the department of transportation in the event that a sidewalk flag abutting such property is damaged by a city-owned tree. Failure to notify either department of such damage shall constitute a violation, the penalty for which shall be determined in accordance with section 19-150(b) of the code.

§ 3. Subdivision a of section 19-152 of the administrative code of the city of New York, as amended by local law 64 of the year 1995, is amended to read as follows:

a. The owner of any real property, at his or her own cost and expense, shall (1) install, construct, repave, reconstruct and repair the sidewalk flags in front of or abutting such property, including but not limited to the intersection quadrant for corner property, and (2) fence any vacant lot or lots, fill any sunken lot or lots and/or cut down any raised lots comprising part or all of such property whenever the commissioner of the department shall so order or direct. The commissioner shall so order or direct the owner to reinstall, construct, reconstruct, repave or repair a defective sidewalk flag in front of or abutting such property, including but not limited to the intersection quadrant for corner property or fence any vacant lot or lots, fill any sunken lot or lots and/or cut down any raised lots comprising part or all of such property after an inspection of such real property by a departmental inspector. The commissioner shall not direct the owner to reinstall, reconstruct, repave or repair a sidewalk flag which was damaged by the city, its agents or any contractor employed by the city during the course of a city capital construction project. *The commissioner shall not direct the owner of one-, two- or three-family residential real property that is (i) in whole or in part, owner occupied, and (ii) used exclusively for residential purposes, to reinstall, reconstruct, repave or repair an abutting sidewalk flag which was damaged by a city-owned tree.* The commissioner shall direct the owner to install, reinstall, construct, reconstruct, repave or repair only those sidewalk flags which contain a substantial defect. For the purposes of this subdivision, a substantial defect shall include any of the following:

§ 4. Section 19-152 of the administrative code of the city of New York is amended by adding a new subdivision d-1 to read as follows:

d-1. Notwithstanding any other provision of law, if the owner of a one-, two- or three-family residence that is (i) in whole or in part, owner occupied, and (ii) used exclusively for residential purposes, has notified the department of the existence of a defective, unsafe, dangerous or obstructed condition of a sidewalk abutting such property pursuant to subdivision (a-1) of section 7-210 of the code, and the department determines that such condition was not caused by a city-owned tree, such owner shall have ninety days to repair such condition.

§ 5. This local law takes effect 120 days after its enactment, except that the department of transportation and the department of parks and recreation shall each take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Transportation and Infrastructure.

Res. No. 155

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation that adds a gravely disabled standard to the civil commitment law.

By Council Members Holden and Yeger.

Whereas, Every state has civil commitment laws that establish criteria for determining when involuntary treatment for individuals with severe mental health needs who cannot seek care voluntarily is necessary; and

Whereas, New York State has such standards that include the use of court ordered treatment known as Assisted Outpatient Treatment (AOT), which 47 states and Washington DC have adopted, and such laws have led to a reduction in hospitalization, arrest, incarceration, homelessness, and violence related to mental illness; and

Whereas, The New York State 2023 enacted budget expanded upon these laws; and

Whereas, According to an analysis by the Treatment Advocacy Center of data from the US Census Bureau from 2020 and the National Institute of Mental Health prevalence rates from 2021 and 2017, there are approximately 177,000 and 370,000 adults with schizophrenia and severe bipolar disorder, respectively, which are deemed severe mental health illnesses; and

Whereas, The Treatment Advocacy Center, a national organization dedicated to removing barriers to effective severe mental health treatment, espouses a standard of a minimum of 50 public psychiatric beds per 100,000 people in order for states to adequately meet the need for treatment; and

Whereas, State psychiatric facilities in New York City lost 15 percent of their total bed capacity for adults between 2014 and 2018, and yet between 2015 and 2017, the number of severely mentally ill homeless people in the city increased by over 20 percent; and

Whereas, New York State lost 1,742 beds between 2010 and 2016, with 16.3 beds per 100,000 people, which is far below the minimum standard in order to adequately address the need for severe mental health treatment; and

Whereas, According to the New York State Nurses Association, New York City accounts for 72 percent of the decline in inpatient psychiatric beds between 2000 and 2019, a total loss of 459 beds; and

Whereas, In 1969, California enacted the Lanterman-Petris-Short Act or LPS Act, which established a standard for mental health commitment due to an individual being either an imminent danger or due to “grave disability,” in which a person is unable to meet their basic needs in order to survive, and the LPS Act served as a model for others states in crafting civil commitment laws; and

Whereas, “Grave disability” is generally defined as an individual’s inability to provide themselves with personal basic needs such as food, clothing, or shelter, with some states, such as Alaska, using a definition that also encompasses a standard of the disability being so severe as to cause a substantial risk that the individual will experience harm, according to the Substance Abuse and Mental Health Services Administration; and

Whereas, New York State’s current standard for the involuntarily commitment of an individual is if they are deemed in need of inpatient psychiatric treatment by physicians, are unable to make the determination of need for themselves, and present a threat of harm or a danger to themselves and others; and

Whereas, New York is one of four states, along with Washington, DC, that has failed to incorporate a grave disability standard into its standards for civil commitment of those with mental illnesses and the Treatment Advocacy Center urgently calls for the standard to be adopted into state law; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, legislation that adds a gravely disabled standard to the civil commitment law.

Referred to the Committee on Mental Health, Disabilities and Addiction.

Int. No. 337

By Council Members Hudson, Louis, Hanif, Ayala and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of housing preservation and development to provide annual lists of open housing maintenance code violations to multiple dwelling occupants and tenants

Be it enacted by the Council as follows:

Section 1. Article 1 of subchapter 4 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2096.3 to read as follows:

§ 27-2096.3 Annual notice of open violations in multiple dwellings. No later than January 1, 2023, and annually thereafter, the department shall compile and distribute by mail to the tenants and occupants of each dwelling unit of a multiple dwelling a list of all unresolved violations of this code in such multiple dwelling, as well as short descriptions of each such violation.

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 338

By Council Members Joseph, Louis, Ung, Ayala, Restler and Vernikov (by request of the Manhattan Borough President).

A Local Law in relation to establishing a bullying prevention task force

Be it enacted by the Council as follows:

Section 1. Bullying prevention task force. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Bullying. The term “bullying” means the creation of a hostile environment by conduct or by threats, intimidation or abuse, whether verbal or nonverbal, including cyberbullying, that include, but are not limited to, conduct or threats, intimidation or abuse based on a person’s actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender or sex, and that:

1. Has or would have the effect of unreasonably and substantially interfering with a student’s educational performance, opportunities or benefits, or mental, emotional or physical well-being;

2. Reasonably causes or would reasonably be expected to cause a student to fear for such student’s physical safety;

3. Reasonably causes or would reasonably be expected to cause physical injury or emotional harm to a student; or

4. Creates or would foreseeably create a risk of substantial disruption within the school environment, even if it occurs off school property, where it is foreseeable that the conduct, threats, intimidation or abuse might reach school property.

Cyberbullying. The term “cyberbullying” means bullying or harassment that occurs through any form of electronic communication.

Department. The term “department” means the department of education.

School. The term “school” means a school of the city school district of the city of New York that contains any combination of grades from and including pre-kindergarten through grade 12.

b. There shall be a bullying prevention task force consisting of at least 13 members as follows:

1. The chancellor of the city school district of the city of New York, or the chancellor’s designee, who shall serve as chair;

2. The chairperson of the city commission on human rights, or the chairperson’s designee;

3. The commissioner of health and mental hygiene, or the commissioner’s designee;

4. The commissioner of the police department, or the commissioner’s designee;

5. At least five members appointed by the mayor, including school administrators, teachers, guidance counselors or other appropriate department employees, and experts in conflict resolution, bullying prevention, mental health, school safety or education; and

6. At least four members appointed by the speaker of the council, including school administrators, teachers, guidance counselors or other appropriate department employees, and experts in conflict resolution, bullying prevention, mental health, school safety or education.

c. Each member of the task force shall serve without compensation for a term of 12 months, to commence after the final member of the task force is appointed. All members shall be appointed within 60 days after the effective date of this local law.

d. No appointed member of the task force shall be removed except for cause by the appointing authority. In the event of a vacancy on the task force during the term of an appointed member, a successor shall be selected in the same manner as the original appointment to serve the balance of the unexpired term.

e. The ex officio members of the task force may designate a representative who shall be counted as a member for the purpose of determining the existence of a quorum and who may vote on behalf of such member, provided that such representative is an officer or employee from the same agency as the delegating member. The designation of a representative shall be made by a written notice of the ex officio member served upon the chairperson of the task force prior to the designee participating in any meeting of the task force, but such designation may be rescinded or revised by the member at any time. The ex officio members are the chancellor of the city school district of the city of New York, the chairperson of the city commission on human rights, the commissioner of health and mental hygiene and the commissioner of the police department.

f. The task force shall meet at least quarterly and shall hold at least two public meetings prior to submission of the plan required pursuant to subdivision h of this section to solicit public comment on preventing bullying in schools.

g. The mayor may designate one or more agencies to provide staffing and other administrative support to the task force.

h. No later than 12 months after the final member of the task force is appointed, the task force shall submit to the mayor and the speaker of the council a plan to prevent and address bullying in schools. In developing such plan, the task force shall consider the following:

1. Data and reports of the department related to bullying in schools, including any trends in the types of reported incidents of bullying;
2. Existing department policies, guidelines and resources related to bullying prevention;
3. Existing department methods and procedures for reporting and responding to bullying;
4. Existing department training programs to prevent bullying and to help school employees identify and respond to bullying; and
5. The level of coordination among appropriate city, state and federal agencies and other relevant organizations with regards to efforts to prevent and address bullying in schools.

i. The bullying prevention task force shall dissolve upon submission of the plan required pursuant to subdivision h of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Education.

Int. No. 339

By Council Members Marte, Farías, Louis, Stevens, Ayala, Restler, Abreu and Won (by request of the Manhattan Borough President).

A Local Law to amend the New York city charter, in relation to the establishment and development of school gardens

Be it enacted by the Council as follows:

Section 1. Section 20 of the New York city charter is amended by adding a new subdivision k to read as follows:

k. Interagency school gardens team. 1. There is hereby established within the office an interagency school gardens team under the management of the director or the director's designee to support the creation and maintenance of school gardens.

2. *The interagency school gardens team shall include as members the commissioners of buildings, education, environmental protection, health and mental hygiene, parks and recreation, and the chairperson of the city planning commission, or their respective designees, and such other members as the director shall designate.*

3. *The interagency school gardens team shall:*

- i. identify and catalogue existing school garden locations and potential school garden locations;*
- ii. develop and administer incentive programs to encourage public or private entities to help schools identify and develop school garden locations;*
- iii. promote community participation and community assistance in the identification and development of school garden locations;*
- iv. disseminate information to schools about the resources that are available for identifying and developing school garden locations;*
- v. facilitate interactions among city agencies, community based organizations, environmental experts, and schools regarding school gardens;*
- vi. support the efforts of schools to obtain and utilize federal, state, and private incentives to identify and develop school garden locations; and*
- vii. take other such actions as may be necessary to facilitate the identification and development of school garden locations.*

4. *No later than April 22, 2023, and no later than every April 22 thereafter, the interagency school gardens team shall prepare and submit to the mayor and the speaker of the city council a report on the city's school gardens, disaggregated by community district and council district, where possible. Such report may be included in the office's annual report on the city's long-term planning and sustainability efforts. The report shall include, but not be limited to:*

- i. locations of existing school gardens;*
- ii. potential locations for future school gardens; and*
- iii. the ways in which schools have implemented school garden programs, such as whether the gardens are part of the curriculum or extra-curricular activities and whether the gardens serve as a source of food to the school and/or surrounding community.*

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

Referred to the Committee on Parks and Recreation.

Int. No. 340

By Council Member Marte, the Public Advocate (Mr. Williams) and Council Members Hanif, Yeger, Ung, Ayala, Won and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of transportation to install bilingual street name signs

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 19-159.6 to read as follows:

§ 19-159.6 *Bilingual street name signs. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Bilingual street name sign. The term “bilingual street name sign” means a street sign that provides the name of the street in English and another language.

Chinatown. The term “Chinatown” means the neighborhood in the borough of Manhattan with the borders as determined by the study required by subdivision b of this section.

b. Chinatown bilingual street name signs. The commissioner shall establish a program to ensure that each street name sign in Chinatown is a bilingual street name sign with the name of the street in Chinese and English. As part of such program, the commissioner shall do the following:

- 1. Conduct a study to determine the borders of Chinatown and issue a report on such study's findings to the mayor, the speaker of the council and the public advocate and publish such report on the department's website;*
- 2. For each street name sign within the borders determined by the study pursuant to paragraph 1 of this subdivision, add the Chinese name of the street to each street name sign that is not a bilingual street name sign, at a rate of no fewer than 50 bilingual street name signs annually, until each such sign has the street name in Chinese and English; and*
- 3. Beginning 50 years after the effective date of the local law that added this section, and continuing every 50 years thereafter, conduct a study to reassess the borders of Chinatown and the street name signs within such borders.*

c. Citywide bilingual street name signs. The commissioner shall establish a program to allow bilingual street name signs to be made available throughout the City. Such program shall include, but need not be limited to:

- 1. On an ongoing basis, replace any damaged bilingual street name sign in the city with a new bilingual street name sign and enter such replacement on the portal required by subdivision d of this section; and*
- 2. Notwithstanding the program established by subdivision b of this section, add the name of a street on a street name sign in a language other than English, at the request of a council member or the public advocate on the portal required by subdivision d of this section. The council member or the public advocate shall provide documentation on the portal in support of such request, which shall include, but need not be limited to, (i) a letter of approval from a community board, (ii) a statement regarding such sign's necessity from the council member or the public advocate and (iii) the signature of the relevant council member for a request by the public advocate. A council member or the public advocate may not request the addition of more than 15 such signs at one time and more than 60 such signs within a four-year period. The department shall add such signs at a rate of no fewer than 250 bilingual street name signs per year in each borough of the city.*

d. Publication required. The department shall publish and maintain a unique page on its website regarding bilingual street name signs in the city, which the department shall quarterly update. Such page shall include, but need not be limited to, the following:

- 1. A portal for a council member or the public advocate to enter a request to add a bilingual street name sign pursuant to subdivision c of this section;*
- 2. A searchable map of all bilingual street name signs in the city; and*
- 3. A searchable database of all bilingual street name signs in the city with each separate row of the database referencing a unique bilingual street name sign and providing the following information about such sign set forth in separate columns:*

- 1. The street name on such sign;*
- 2. The languages in which such sign provides the street name;*
- 3. The community district and borough in which such sign is located;*
- 4. The date that a council member or the public advocate requested the department add such sign, if applicable; and*
- 5. The date that the department added or replaced such sign, if applicable.*

e. Each street name sign subject to this section shall be installed and maintained to the satisfaction of the department.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of transportation shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 341

By Council Members Menin, Louis, Hanif, Yeger, Cabán, Ossé, Ayala, Gutiérrez, Won, Barron, Schulman and Vernikov.

A Local Law to amend the administrative code of the city of New York, in relation to accessibility in small businesses

Be it enacted by the Council as follows:

Section 1. Chapter 10 of title 22 of the administrative code of the city of New York is amended by adding new section 22-1007 to read as follows:

§ 22-1007 Accessibility fund for small businesses. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Chain business. The term “chain business” means an establishment that is part of a group of four or more establishments that share a common owner or principal who owns at least 30 percent of each establishment where such establishments (i) engage in the same business or (ii) operate pursuant to franchise agreements with the same franchisor as defined in section 681 of the general business law.

Commissioner. Notwithstanding section 22-1001 of this chapter, the term “commissioner” means the commissioner of the department of small business services, the commissioner of the mayor’s office for people with disabilities or its successor agency, or any other designee of the mayor.

Small business. The term “small business” means a for-profit or not-for-profit entity, excluding government entities, that is not a chain business and that employs no more than 100 employees. The number of employees of such small business shall consist of an average of all persons that performed work for the small business for compensation on a full-time, part-time or temporary basis for all payroll periods occurring in the 90 days prior to the date on which such property owner or tenant applies for the fund set forth in subdivision b of this section, as demonstrated by the payroll documentation of such entity, in accordance with rules promulgated by the commissioner.

Storefront. The term “storefront” means a premises owned or operated by a small business that is open to the public and is a public accommodation as defined in section 12181 of title 42 of the United States code.

b. The commissioner shall, subject to appropriation, operate a program that provides loans, grants, in-kind services or in-kind materials, or some combination, to small business tenants and property owners for the purpose of making physical features of their storefront accessible to people with disabilities. Any funding provided to a small business shall not exceed 250,000 dollars in total value per storefront. No loan provided through such program shall include an annual interest rate higher than three percent.

c. 1. The commissioner shall set a timeline for the review of applications for the program operated pursuant to subdivision b, the approval or rejection of such applications, and the disbursement of the approved loan or grant amount, if applicable, which shall not exceed 90 days in total for each such application.

2. Any loan, grant, services or materials provided by the program operated pursuant to subdivision b shall be made available to the person or entity responsible for bearing the cost of the construction project that would make such storefront accessible, whether the property owner or tenant of such storefront, provided however that both the property owner and the tenant must consent to the receipt of such loan, grant, services or materials unless a prior contractual agreement between the parties requires otherwise.

3. As a condition of the receipt of a loan, grant, services or materials pursuant to subdivision b, the commissioner may require the storefront’s property owner to agree to decrease the rent charged to their tenant for the use of such storefront by half the value of such loan, grant, services or materials received, distributed across the remainder of the rental term in a manner agreed upon by such property owner and tenant.

d. The commissioner shall promulgate rules to implement the requirements of this section.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner, as defined by subdivision a of section 22-1007 of this local law, shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Small Business.

Int. No. 342

By Council Members Menin, Fariás, Louis, Gutiérrez, Barron and Schulman.

A Local Law to amend the New York city charter, in relation to an office of interagency tourism affairs

Be it enacted by the Council as follows:

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

§ 20-h. *Office of interagency tourism affairs. a. Definitions. For purposes of this section, the term “director” means the director of the office of interagency tourism affairs.*

b. The mayor shall establish an office of interagency tourism affairs. Such office may, but need not, be established in the executive office of the mayor and may be established as a separate office or within any other office of the mayor or within any department the head of which is appointed by the mayor. Such office shall be headed by a director who shall be appointed by the mayor or head of such department.

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

1. Establish a system to receive public comments and questions with respect to tourism, including, but not limited to, establishing and publicizing the availability of a telephone number to receive such comments and questions;

2. Relay comments and questions to the respective agencies with which such matters would normally be filed;

3. Establish a system to communicate with agencies and stakeholders who are affected by events in the tourism industry;

4. Where appropriate, coordinate communication between agencies and aid in the resolution of interagency matters, including matters relating to transportation, quality of life and other safety-related matters, and workforce development to support the industry.

d. Report. Beginning January 1, 2020, and on the first day of each calendar quarter thereafter, the office of interagency tourism affairs shall submit to the mayor and the speaker of the council a report related to the responsibilities of the office, including but not limited to:

1. The number of comments and questions received by the office and a description of such comments and questions;

2. The average time taken to respond to such communications;

3. A description of any response efforts taken; and

4. A five-year plan for the growth and sustainability of the tourism industry in the city of New York.

§ 2. This local law takes effect 120 days after it becomes law, provided that the administering agency may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Economic Development.

Int. No. 343

By Council Members Narcisse, Louis, Yeger, Stevens and Ung.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the issuance of multiple bus lane violation tickets for the same infraction within a one hour period

Be it enacted by the Council as follows:

Section 1. Title nineteen of the administrative code of the city of New York is amended by adding new section 19-175.8 to read as follows:

§ 19-175.8 Bus lanes violations. *a. For the purposes of this section, the following terms shall have the following meanings:*

1. "Bus lane restrictions" means restrictions on the use of designated traffic lanes by vehicles other than buses imposed on routes within a bus rapid transit demonstration program by local law and signs erected by the department of transportation of a city that establishes such a demonstration program pursuant to section 1111-c of the vehicle and traffic law.

2. "Designated bus lane" means a lane dedicated for the exclusive use of buses with the exceptions allowed under 4-08(a)(3) and 4-12(m) of title 34 of the rules of the city of New York.

b. Notwithstanding any other law, rule or regulation, when bus lane restrictions are in effect on a street, a vehicle in a designated bus lane shall be issued no more than one summons or notice of violation within a one hour period.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 344

By Council Members Ossé, Louis, Yeager and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to the investigating, reviewing, studying, and auditing of and making of recommendations relating to the operations, budget, and staffing of the New York Public Library, the Brooklyn Public Library and the Queens Public Library by the commissioner of investigation

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 803 of chapter 34 of the New York city charter, as amended by local law 165 of 2016, and as further amended by chapter 322 of the laws of 2021, is amended to read as follows:

d. 1. The commissioner shall, immediately upon appointment of the individual described in paragraph 2 of this subdivision, in addition to the investigatory work done in the normal course of the commissioner's duties, on an ongoing basis, conduct system-wide investigations, reviews, studies, and audits, and make recommendations regarding system-wide operations, policies, programs, and practices of the department of correction, with the goal of improving conditions in city jails, including but not limited to, reducing violence in departmental facilities, protecting the safety of departmental employees and incarcerated individuals, protecting the rights of incarcerated individuals, and increasing the public's confidence in the department of correction. The commissioner may consider, in addition to any other information the commissioner deems relevant, information regarding civil actions filed in state or federal court against individual correction officers or the city regarding the department of correction, notices of claim received by the comptroller filed against individual correction officers or the city regarding the department of correction, settlements by the comptroller of claims filed against individual correction officers or the city regarding the department of correction, complaints received and investigations conducted by the board of correction, complaints received and any investigations regarding such complaints conducted by the department of correction, complaints received pursuant to section 804 of this chapter, and any criminal arrests or investigations of individual correction officers known to the department of investigation in its ongoing review of the department of correction.

2. No later than 90 days after the effective date of the local law that added this subdivision, the commissioner shall appoint an individual responsible for implementing the duties described in paragraph 1 of this subdivision and shall report to the council regarding the identity and qualifications of such individual, the number of personnel assigned or to be hired to assist such individual as deemed necessary by the commissioner, and the details of the management structure covering them. In the event such individual is removed or resigns, the commissioner shall replace such individual within 90 days of such removal or resignation and shall provide

notification of such replacement, and the identity and qualifications of the new individual responsible for overseeing the implementation of the duties described in paragraph 1 of this subdivision.

3. No officer or employee of an agency of the city shall take any adverse personnel action with respect to another officer or employee in retaliation for such person making a complaint to, disclosing information to, or responding to queries from the commissioner pursuant to activities undertaken pursuant to paragraph 1 of this subdivision unless the complaint was made or the information was disclosed with the knowledge that it was false or with willful disregard for its truth or falsity. Any officer or employee who believes he or she has been retaliated against in violation of this subdivision may report such action to the commissioner as provided for in subdivision c of section 12-113 of the administrative code.

4. The department's website will provide a link for individuals to report any problems and deficiencies relating to the department of correction's operations, policies, programs and practices. Individuals making such reports will not be required to provide personally identifying information.

5. *For any investigation, review, study, or audit made pursuant to subdivision j of this section, the commissioner shall prepare a written report or statement of findings and shall forward a copy of such report or statement to the mayor, the council, and the presidents of the New York Public Library, the Brooklyn Public Library and the Queens Public Library upon completion. Within ninety days of receiving such report or statement, each such president shall provide a written response to the commissioner, the mayor, and the council. Each such written report or statement, along with a summary of its findings, as well as the reports described in paragraph 6 of this subdivision, shall be posted on the department's website in a format that is searchable and downloadable and that facilitates printing no later than 10 days after it is delivered to the mayor, the council, and the presidents of the New York Public Library, the Brooklyn Public Library and the Queens Public Library. All such reports, statements, and summaries so posted on the department's website shall be made easily accessible from a direct link on the homepage of the website of the department.*

6. *In addition to the written reports and statements of findings to be delivered to the mayor, the council, and the presidents of the New York Public Library, the Brooklyn Public Library and the Queens Public Library pursuant to paragraph 5 of this subdivision, the department shall submit quarterly report on the activities undertaken pursuant to subdivision j of this section. The first quarterly summary report required by this paragraph shall be completed and delivered to the mayor, the council, and the presidents of the New York Public Library, the Brooklyn Public Library and the Queens Public Library by October 31, 2018. Subsequent reports shall be submitted by January 31, 2019, April 30, 2019, and July 31, 2019 and shall be submitted to the mayor and the council by these four days each year.*

§ 2. Section 803 of chapter 34 of the New York city charter is amended to add a new subdivision j read as follows:

j. The commissioner shall, on an ongoing basis, investigate, review, study, audit and make recommendations relating to the operations, budget, and staffing of the New York Public Library, the Brooklyn Public Library and the Queens Public Library.

§ 3. This law shall take effect immediately upon enactment.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 345

By Council Members Ossé and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to appropriation of funds for the operation and maintenance of the library systems

Be it enacted by the Council as follows:

Section 1. Section 5-509 of the administrative code of the city of New York is amended by adding a new subdivision 7 to read as follows:

7. *Upon agreement between the mayor and the council, a sum representing two and one-half percent of the real property tax revenue assessed each fiscal year shall be appropriated to the operation and maintenance of the library systems.*

§ 2. This law takes effect immediately.

Referred to the Committee on Finance.

Int. No. 346

By Council Members Powers, Louis, Yeger, Ayala, Restler and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of an interactive zoning lot map

Be it enacted by the Council as follows:

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

§ 25-120 *Interactive zoning lot map. a. The department of city planning shall make available to the public an interactive map, maintained on a city website, displaying each zoning lot, as defined in section 12-10 of the New York city zoning resolution, in the city. Such map shall be updated not less frequently than quarterly to reflect any subsequent changes to the metes and bounds of any zoning lot including, but not limited to the subdivision of any zoning lot, the transfer of development rights from one zoning lot to another zoning lot and the aggregation of two or more zoning lots declared to be a tract of land to be treated as one zoning lot pursuant to paragraph (d) of the definition of "zoning lot" in section 12-10 of the New York city zoning resolution.*

b. The department of city planning shall be authorized to secure such information from the department of buildings, board of standards and appeals, and the city register as the department of city planning determines to be necessary to comply with subdivision a of this section, and such agencies shall provide any requested information in a timely fashion. The department of city planning shall be authorized to secure such information from other government or private organizations as it determines to be necessary to comply with subdivision a of this section.

§ 2. This local law takes effect 1 year after it becomes law.

Referred to the Committee on Governmental Operations.

Int. No. 347

By Council Members Powers, Brannan, Yeger and Abreu (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to suspending the tax imposed by chapter 24 of title 11 of such code for the tax year beginning on June 1, 2022

Be it enacted by the Council as follows:

Section 1. Chapter 24 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-2402.1 to read as follows:

§ 11-2402.1 Suspension of tax for the tax year beginning in 2022. Notwithstanding any other provision to the contrary, the tax authorized by this chapter shall not be imposed for the tax year beginning on June 1, 2022.

§ 2. This local law takes effect immediately.

Referred to the Committee on Finance.

Int. No. 348

By Council Members Powers, Yeger, Joseph and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to classifying credit card processing fees and bank fees as exempt expenditures

Be it enacted by the Council as follows:

Section 1. Section 3-706 of the administrative code of the city of New York is amended by adding a new subdivision 6 to read as follows:

6. Expenditures for credit card processing fees for contributions received by the candidate and his or her principal committee and for any bank fees shall not be limited by the expenditure limitation of paragraph a of subdivision 1 of this section.

§ 2. This local law takes effect 120 days after it becomes law, except that section one of this local law shall apply to any expenditure made prior to the effective date in furtherance of a covered election that occurs after such effective date.

Referred to the Committee on Governmental Operations.

Int. No. 349

By the Public Advocate (Mr. Williams) and Council Members Powers, Joseph, Louis, Yeger, Stevens, Restler and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to dyslexia screening and treatment in city jails

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code is amended by adding a new section 9-163 to read as follows:

§ 9-163 Dyslexia screening and treatment. a. The department shall screen all incarcerated persons who do not have a high school diploma or its equivalent for dyslexia within 72 hours of intake. For the purposes of this section, the term “dyslexia” means an unexpected difficulty in reading for an individual who has the intelligence to be a much better reader, most commonly caused by a difficulty in the phonological processing which affects the ability of an individual to speak, read and spell.

b. The department, the department of education or their agents shall offer programs to treat dyslexia to incarcerated individuals who have been identified as having dyslexia. Such programs must be evidence-based, as defined in section 7801 of title 20 of the United States code.

c. No later than January 31, 2024 and annually thereafter, the commissioner shall submit to the mayor, the speaker of the council and the public advocate and post conspicuously on the department’s website an annual report regarding dyslexia screening and treatment in city jails. Such report shall not contain personally identifiable information. Such report shall include the following information for the previous calendar year:

1. The number of individuals who were screened for dyslexia;

2. *The number of individuals who were identified as having dyslexia;*
 3. *The number of individuals who participated in dyslexia treatment programs; and*
 4. *A summary of the programs available pursuant to subdivision b.*
- § 2. This local law takes effect 270 days after it becomes law.

Referred to the Committee on Criminal Justice.

Int. No. 350

By The Public Advocate (Mr. Williams) and Council Members Williams, Louis, Yeager and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to private water and sewer pipelines

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 3 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-309.2 to read as follows:

§ 24-309.2 *Locations of private temporary or shared water service pipelines. a. Definitions. For purposes of this section the following terms have the following meanings:*

Shared water service pipeline. The term “shared water service pipeline” means a water pipeline that provides water to one or more properties from one service pipe connection to the city water main.

Temporary water service pipeline. The term “temporary water service pipeline” means a water pipeline that when installed was meant to or will be replaced by a permanent service pipeline.

b. The department of environmental protection shall publish the locations of known private temporary water service pipelines and known private shared water service pipelines on the city’s website in the form of an online interactive map, pursuant to section 23-803. Such online interactive map shall be searchable by address and borough, block and lot number.

§ 2. Chapter 5 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-532 to read as follows:

§ 24-532 *Locations of temporary or shared sewer service pipelines. a. Definitions. For purposes of this section, the term “shared sewer service pipeline” means a sewer pipeline that connects to one or more properties from one service pipe connection to the city sewer main.*

b. The department of environmental protection shall publish the locations of known temporary sewer service pipelines, as defined in section 24-506, and known shared sewer service pipelines on the city’s website in the form of an online interactive map, pursuant to section 23-803. Such online interactive map shall be searchable by address and borough, block and lot number.

§ 3. Section 23-803 of the administrative code of the city of New York, as added by local law number 65 for the year 2019, is amended to read as follows:

§ 23-803 *Online interactive map. The department of environmental protection shall provide to the public, at no charge, on the city’s website, an online interactive map pursuant to [section] sections 24-309.1, 24-309.2 and 24-532. All information required by section 24-309.1 shall be available on the city’s website on or before June 1, 2019 and updated, at minimum, in June of each year. All information required by sections 24-309.2 and 24-532 shall be available on the city’s website on or before June 1, 2023 and updated, at minimum, in June of each year. The mayor shall ensure that agencies provide such department with assistance and information as it requires to compile and update the interactive map.*

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

Referred to the Committee on Environmental Protection.

Int. No. 351

By The Public Advocate (Mr. Williams) and Council Members Sanchez, Louis, Ayala, De La Rosa and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a task force to assess safety risks at construction sites

Be it enacted by the Council as follows:

Section 1. Article 110 of title 28 of the administrative code of the city of New York is amended by adding a new section 28-110.3 to read as follows:

§ 28-110.3 Task force on safety at construction sites. *There is hereby established a task force within the department to assess the effect of hazards posed to pedestrian, construction worker and vehicular safety by construction activity and to make specific recommendations to the mayor and council for the alleviation of such negative consequences resulting from such construction activity. Such task force shall:*

1. *Consist of the following individuals, or designees thereof:*
 - 1.1. *The commissioner, who shall be the chairperson;*
 - 1.2. *The chairperson of the city planning commission;*
 - 1.3. *The commissioner of environmental protection;*
 - 1.4. *The commissioner of health;*
 - 1.5. *The commissioner of housing preservation and development;*
 - 1.6. *The commissioner of transportation;*
 - 1.7. *The fire commissioner;*
 - 1.8. *The police commissioner; and*
 - 1.9. *Such other members as the commissioner shall designate;*
2. *Hold at least one meeting every six months;*
3. *Advise the mayor and council on new and planned building construction projects that may result in disrupting the use of sidewalks and streets by pedestrians, construction workers and motorists;*
4. *Study the safety record of construction companies that have been permitted to engage in construction activities within the last ten years and identify the instances where the activities of such construction companies have caused injury or harm to a pedestrian, construction worker or motorist in the vicinity of a permitted construction site;*
5. *Study the condition of sidewalks and streets in the vicinity of construction activity, where such construction activity may disrupt the use of sidewalks and streets by pedestrians, construction workers and motorists;*
6. *Identify the safety standards and practices used by construction companies that have been permitted to engage in construction activities within the last ten years, including whether such companies have consistently complied with site safety plan requirements pursuant to this article and chapter 33 of the New York city building code; and*
7. *By December 31 of each year, provide to the mayor and the council a report which shall include, but not be limited to, an evaluation of the sufficiency of the current regulatory framework in limiting safety hazards to pedestrians, construction workers and motorists at construction sites, recommendations to improve pedestrian, construction worker and motorist safety at construction sites, including proposed changes to laws, agency rules, agency enforcement practices and safety protocols of construction*

companies, a list of construction companies that have incurred repeated violations of chapter 33 of the New York city building code and a list of the locations where permitted construction activity has resulted in damage to city infrastructure, including sidewalks, streets, water mains and utility conduits, including the severity of such damage. Such report shall be made publicly available on the department's website within 10 days after the release of such report.

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

Referred to the Committee on Housing and Buildings.

Int. No. 352

By Council Members Restler, Hanks, Moya, Farías, Louis, Joseph, Ayala, De La Rosa, Marte and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the registration of owners of vacant property

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York, is amended by adding a new chapter 34 to read as follows:

CHAPTER 34
REPORTING REQUIREMENTS FOR OWNERS OF VACANT PROPERTY

§26-3401 Reporting. a. As used in this chapter:

Department. The term "department" means the department of housing preservation and development.

Commissioner. The term "commissioner" means the commissioner of housing preservation and development.

b. The owner of any real property within the city shall register with the department upon such property being vacant for one year. Such registration shall be in a manner to be determined by the commissioner but shall, at a minimum, include the name of the owner of such property, along with the electronic mail address and phone number of an individual who shall be the contact person for such property. Such registration shall be renewed annually thereafter with such additional information as the department may require. The department may impose a fee necessary for administering the provisions of this section. The owner of any property that has been vacant for one year or more on the effective date of this section shall file such registration not more than 60 days following the effective date of this section. When real property that has been vacant for one year or more is sold, the new owner of such real property shall register in accordance with this section within 30 days of taking ownership of such property.

c. A person who fails to register as required by subdivision b of this section shall be subject to a civil penalty of not less than \$100 nor more than \$500 for every week or portion thereof that there is a failure to register.

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

Referred to the Committee on Housing and Buildings.

Int. No. 353

By Council Members Restler, Cabán, Ossé, Hudson, Gutiérrez, Nurse, Hanif, Won, Avilés, Louis, Joseph, Williams, Bottcher, Ayala, De La Rosa, Marte, Abreu, Barron and Richardson Jordan.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of investigation to investigate allegations of evidentiary misconduct by police officers

Be it enacted by the Council as follows:

Section 1. Chapter 34 of the New York city charter is amended by adding a new section 809 to read as follows:

809. *Evidentiary misconduct complaints in criminal prosecutions. a. Definitions. As used in this section, the following terms have the following meanings*

Evidentiary misconduct. The term “evidentiary misconduct” means any conduct that impugns the integrity of a criminal proceeding as defined in the criminal procedure law, including but not limited to:

- 1. Interrogation tactics that compromise an individual’s constitutional rights or the veracity of a suspect’s statement;*
- 2. Providing false or misleading testimony or information, or colluding with other individuals to provide such testimony or information to a court or district attorney;*
- 3. Withholding relevant exculpatory evidence;*
- 4. Failing to follow police department protocols related to the use of body-worn cameras;*
- 5. Failing to preserve and disclose to a district attorney in a timely manner evidence or reports that are discoverable pursuant to state law; or*
- 6. Conducting identification procedures in a manner likely to compromise the integrity of the witness identification or the reliability of the witness.*

Interested parties. The term “interested parties” means any defendant, prosecutor, attorney, judge, court attorney, police officer, or other individual who has evidence that an officer engaged in evidentiary misconduct.

b. The department shall create, within 180 days, and maintain an online referral system for receiving complaints from interested parties alleging evidentiary misconduct. The department shall coordinate with the office of criminal justice to notify defense organizations, district attorneys, court staff, and any other interested parties regarding the procedures for filing such a complaint.

c. Investigation of complaints. After receiving a complaint, the department shall fully investigate the merits of the complaint by reviewing all relevant documents provided by the interested party, all available court records including transcripts of any testimony, and any relevant information in the possession of the New York police department including contemporaneous reports, notes, and other case information associated with the arrest. The department may seek to interview the officer who is the subject of the complaint.

2. Upon review of the relevant documentation, the department shall substantiate any case in which it determines that the officer engaged in conduct that impugns the integrity of any criminal court process. The department shall notify the relevant interested party or parties of its determination.

d. Investigation of substantiated cases. For each complaint substantiated pursuant to subdivision c of this section, the department shall make a determination as to whether a preponderance of the evidence indicates that the evidentiary misconduct was knowing or intentional.

1. For any evidentiary misconduct that the department determines was willful, knowing or intentional, the department shall:

(a) determine whether the evidentiary misconduct is part of a pattern of officer misconduct by obtaining records relating to prior arrests, obtaining transcripts of prior court testimony, seeking an order from a criminal court judge to inspect any sealed records that are relevant to the investigation, requesting any relevant documentation from the district attorney in the county in which the prosecution occurred, reviewing any state or federal civil litigation involving the officer, and by viewing body camera footage of the officer;

(b) publish a report describing its conclusions about the officer’s evidentiary misconduct; and

(c) deliver a copy of such report to the relevant interested party or parties and the district attorneys for all five counties of New York city.

2. For any evidentiary misconduct for which the department determines that there was insufficient evidence to establish was a willful, knowing or intentional act, the department shall deliver a report describing such misconduct to the internal affairs bureau of the New York police department for further investigation and a recommendation for whether the complaint warrants retraining of one or more members of service or disciplinary action against one or more members of service.

3. For any evidentiary misconduct that constitutes a criminal offense, the department shall refer the case to the appropriate district attorney.

e. Reporting. Within 60 days of the end of each calendar year, the department shall post on its website a report including:

1. For each type of evidentiary misconduct, the following information for the prior calendar year: the number of complaints received, the number of complaints substantiated, the number of complaints pending substantiation review, the number of substantiated cases pending further investigation, the number of substantiated complaints determined to be willful, knowing or intentional, and the number of substantiated complaints referred to the police department; and

2. A detailed description of the acts constituting evidentiary misconduct for which there was insufficient evidence to determine that such evidentiary misconduct was willful, knowing, or intentional, including the reasons the department determined that there was insufficient evidence to make such determination, and any patterns or practices revealed through the department's investigation, as permitted by law.

§ 2. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-193 to read as follows:

§14-193. Compliance with investigation of complaints and substantiated allegations of evidentiary misconduct. The department shall provide all information, documents, and relevant body worn camera footage within 7 business days of any request in relation to an investigation of evidentiary misconduct conducted pursuant to section 809 of the charter. The department shall make available for a questioning any employee of the department identified by the department of investigation as a relevant witness to a substantiated allegation of evidentiary misconduct.

§ 3. This local law takes effect immediately.

Referred to the Committee on Oversight and Investigations.

Int. No. 354

By Council Members Riley, Ung, Louis, Hanif, Menin, Avilés, Rivera, Moya, De La Rosa, Restler, Gutiérrez, Abreu, Won, Barron, Richardson Jordan, Schulman and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to establishing an office of continuing education and adult literacy

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-o to read as follows:

§ 20-o Office of continuing education and adult literacy. a. Definitions. For purposes of this section, the term "director" means the director of the office of continuing education and adult literacy.

b. The mayor shall establish an office of continuing education and adult literacy. Such office may, but need not, be established in the executive office of the mayor and may be established as a separate office, within any other office of the mayor or within any department, the head of which is appointed by the mayor. Such office shall be headed by a director who shall be appointed by the mayor.

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

1. Liaise and collaborate with relevant offices in the executive office of the mayor and with agencies including, but not limited to, the department of youth and community development, the human resources administration, the department of education, the department of correction, the city university of New York and the mayor's office of immigrant affairs in coordinating and promoting adult educational and adult literacy opportunities and programming within the five boroughs;

2. Refer and facilitate connection to wraparound services for adults pursuing continued education including, but not limited to, childcare, transportation, mental, social and emotional support and meals;

3. Liaise with providers of adult and continuing education services and coordinate among such providers to maximize the number of low-income city residents who have knowledge of and access to adult education and literacy services in the city;

4. Promote adult English language and literacy services and programming for immigrant communities within such communities;

5. Coordinate and promote resources and programming to increase digital and technological literacy in adults; and

6. Provide information about and promote training programs, classes and relevant adult education services offered by providers to help prepare adults for basic education, language and any such related tests meant to help adults qualify for and advance in the workforce, including, but not limited to, career-related English language tests and high school equivalency exams.

c. The director, in consultation with any agencies identified by the mayor, shall engage in outreach and education efforts, including the creation of relevant informational materials, to inform adults about adult education programs within the city and about the services offered by the office of continuing education and adult literacy.

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

Referred to the Committee on Education.

Int. No. 355

By Council Members Rivera, Louis, Joseph, Narcisse, Avilés, Williams, Cabán, Ung, Ossé, Richardson Jordan, Riley, Gutiérrez, Abreu, Won and Barron.

A Local Law to amend the administrative code of the city of New York, in relation to permitting incarcerated individuals in city jails to choose the gender of their doctor

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-163 to read as follows:

§ 9-163 *Gender specific doctors. Any incarcerated individual in the custody of the department who requests a physician of such incarcerated individual's gender shall be treated by such physician unless so providing would substantially impact the safety or security of such individual, in which case such request must be fulfilled after such safety or security risk has abated. For the purposes of this section, the term "gender" has the same meaning as that set forth in section 8-102.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Criminal Justice.

Int. No. 356

By Council Members Rivera, Louis, Hanif, Joseph, Narcisse, Avilés, Williams, Cabán, Ung, Ossé, Ayala, De La Rosa, Restler, Richardson Jordan, Riley, Gutiérrez, Abreu, Won, Barron and Schulman.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a program for child visitors of department of correction facilities

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-156 to read as follows:

§ 9-156 Child visitor program. a. Definitions. For purposes of this section, the following terms have the following meanings:

Borough jail facility. The term “borough jail facility” means any department facility that is located outside Rikers Island and in which people held in department custody are housed.

Child visitor. The term “child visitor” means a visitor under 16 years of age.

City jail. The term “city jail” means any department facility in which people held in department custody are housed.

Department. The term “department” means the department of correction.

Visiting area. The term “visiting area” means any space within any city jail designated for the purpose of visits.

Visitor. The term “visitor” means any person who enters a city jail for the purpose of visiting a person housed in any city jail, or any person who is screened by the department for visiting purposes, and includes the term “child visitor.”

b. The department, in consultation with not-for-profit organizations with expertise in issues affecting child visitors, shall develop a program to improve the visiting experience for child visitors and all other participants of visits involving children. Such program shall have the following features:

1. In all visiting areas where child visitors will be visiting, the department shall provide toys, games, books and arts-and-crafts for interaction between visit participants of all ages;

2. The department shall require all department staff who interact with child visitors to receive training designed to minimize stress for child visitors; and

3. All new or substantially remodeled city jails shall have a specially designed visiting area for child visitors and those who accompany them.

c. No later than 90 days after January 1, 2020, and annually thereafter, the department shall submit to the board of correction and the speaker of the council, and post on the department’s website, a report regarding its efforts to improve the visitation experience for child visitors pursuant to the requirements set forth in subdivision b of this section. Such report shall include, but need not be limited to, the following information:

1. The number of visitors to city jails, disaggregated by borough jail facilities and city jails on Rikers Island, and disaggregated further by facility;

2. The number of visits by child visitors, disaggregated by borough jail facilities and city jails on Rikers Island, and disaggregated further by facility;

3. The number of visits by child visitors that occurred in visiting areas specially designed for child visitors pursuant to subparagraph 3 of subdivision b of this section, disaggregated by facility;

4. The number of department staff that interact with child visitors;

5. The number of department staff that interact with child visitors who have received training required by subparagraph 2 of subdivision b of this section;

6. The inventory of toys, games, books and arts-and-crafts required by subparagraph 1 of subdivision b of this section, disaggregated by borough jail facilities and city jails on Rikers Island, and disaggregated further by facility;

7. A description of the department’s efforts to collaborate or consult with experts from relevant nonprofit organizations;

8. A list of borough jail facilities and city jails on Rikers Island, if any, that do not have visiting areas specially designed for child visitors; and

9. A description of additional improvements made or initiatives taken by the department to improve the child visitation experience.

d. The information required by subdivision c of this section shall be compared to the previous four reporting periods whenever possible, stored permanently and made accessible on the department’s website.

§ 2. This local law takes effect 120 days after it becomes law, except that the department of correction shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Criminal Justice.

Int. No. 357

By Council Members Rivera, Louis, Joseph, Narcisse, Avilés, Williams, Yeger, Cabán, Ung, Ossé, Ayala, Restler, Richardson Jordan, Riley, Gutiérrez, Abreu, Won, Barron and Schulman.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to use an electronic case management system to track investigations of sexual abuse

Be it enacted by the Council as follows:

Section 1. Section 9-156 of the administrative code of the city of New York, as added by local law number 21 for the year 2019, is amended by adding a new subdivision i to read as follows:

i. The department shall collect, manage, and store all information required pursuant to this section electronically.

§ 2. This local law takes effect immediately.

Referred to the Committee on Criminal Justice.

Int. No. 358

By Council Members Rivera, Restler and Won.

A Local Law to amend the New York city charter, in relation to creating expedited processing of FOIL requests to professional journalists

Be it enacted by the Council as follows:

Section 1. Chapter 47 of the New York city charter is amended by adding a new section 1058.1 to read as follows:

§ 1058.1 *Expedited processing of freedom of information law requests. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Agency. The term “agency” means any governmental entity of the city of New York subject to the requirements of article 6 of the public officers law.

Expedited processing. The term “expedited processing” means, where an agency determines to grant a request in whole or in part, doing so within 10 business days from the date of acknowledgement of the receipt of the request; and if circumstances prevent disclosure within 10 business days from the date of the acknowledgement of the receipt of the request, the agency stating, in writing, both the reason for the inability to grant the request within 10 business days and a date certain within a reasonable period, depending on the circumstances, when the request will be granted in whole or in part, but never disclosing records later than six months from the date of acknowledgment of the receipt of the request.

Professional journalist. The term “professional journalist” means a person who is engaged in the gathering, preparing, collecting, writing, editing, filming, taping, or photographing of news intended for a newspaper, magazine, television or radio station, website, or other professional medium, service or agency which has as one of its regular functions the production or dissemination of news to the public.

Record. The term “record” means a record as defined in section 86 of the public officers law.

Request. The term “request” means a freedom of information law request for records made pursuant to article 6 of the public officers law and received by an agency.

b. Agencies shall provide for expedited processing of requests for records made by professional journalists.

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

Referred to the Committee on Governmental Operations.

Int. No. 359

By Council Members Rivera, Louis and Won.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on surveillance data

Be it enacted by the Council as follows:

Section 1. Section 23-1201 of the administrative code of the city of New York, as added by local law number 247 for the year 2017, is amended by adding new definitions of “surveillance technology” and “surveillance technology data” in alphabetical order, to read as follows:

Surveillance technology. The term “surveillance technology” means any software, electronic device, system utilizing an electronic device, or similar device used, designed, or primarily intended to collect, retain, process, or share audio, electronic, visual, location, thermal, biometric, olfactory or similar types of data specifically associated with, or capable of being associated with or identifying, any individual or group. For the purposes of this section, surveillance technology shall not include: (i) office hardware, such as televisions, computers, credit card machines, copy machines, telephones and printers that are used for routine city business and transactions; (ii) databases and enterprise systems that contain information kept in the ordinary course of city business, including, but not limited to, human resource, permit, license and business records; (iii) physical access control systems, employee identification management systems and other physical control systems that are used in conjunction with city employment; (iv) medical equipment and systems used to record, diagnose, treat or prevent disease or injury, and used or kept in the ordinary course of providing city services; (v) parking ticket devices that lack the ability to record anything other than information required to complete a notice of violation returnable to the parking violations bureau; (vi) inquiries, complaints or service requests made to city agencies, including inquiries, complaints or service requests made through the 311 customer service center; and (vii) calls made to 911.

Surveillance technology data. The term “surveillance technology data” means any data acquired through the use of surveillance technology.

§ 2. Chapter 12 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-1206 to read as follows:

§ 23-1206 *City agency surveillance report. a. No later than January 31 of every year, the director of operations shall submit the reports required by subdivision b of this section to the speaker of the council and the mayor, and post such reports to the city’s website. Such submission shall be a compilation of the reports required by subdivision b, each as it was received by the director of operations.*

b. Each mayoral agency, with the exception of the police department, shall submit a report annually to the director of operations regarding the acquisition, collection, retention, disclosure, utilization and processing of surveillance technology data by such agency as well as the collection, retention, disclosure, utilization and processing of surveillance technology data by any third party that such agency contracted with for such purpose, during the calendar year prior to the annual reporting date pursuant to subdivision a. Each agency’s report shall include, but need not be limited to:

1. A general description of how surveillance technology data is collected, retained, processed or utilized by such agency;

2. Whether, and how often during the reporting period, surveillance technology data has been otherwise obtained from outside entities, how such data has been obtained and how frequently such surveillance data has been obtained;

3. A general description of whether, and how often, surveillance technology data has been shared with outside entities, including the name of any recipient outside entity, the type of data disclosed, the justification for the disclosure and whether the city received compensation for such disclosure;

4. The number of complaints received from the public during the reporting period about the collection, retention, processing and use of surveillance technology and a summary of the complaints received;

5. Whether surveillance technology data has been obtained or released by a third party without the knowledge and consent of the agency during the reporting period;

6. The total costs expended to maintain the surveillance technology during the reporting period, including personnel and other ongoing costs;

7. The total amount of funds that have been spent on the acquisition of surveillance technology data from third parties that such agency has contracted with to acquire such data during the reporting period, and the identity of any such third party from whom such data has been acquired;

8. Where applicable, a general description of the physical objects that surveillance technology under such agency's control has been installed upon; and

9. Whether surveillance technology data has been shared with any city, state or federal agency during the reporting period and, if so, the name of the agency and the type of data shared.

c. The report required by subdivision a shall not contain the specific records that any surveillance technology collects, retains, discloses, utilizes or processes, nor shall it contain information protected, restricted or exempt from disclosure under state or federal law.

§ 3. This local law takes effect immediately.

Referred to the Committee on Governmental Operations.

Int. No. 360

By Council Members Rivera, Cabán, Stevens, Hanif, Joseph, Avilés, De La Rosa and Won.

A Local Law to amend the administrative code of the city of New York, in relation to abolishing the criminal group database and prohibiting the establishment of a successor database

Be it enacted by the Council as follows:

Section 1. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-193 to read as follows:

§ 14-193 *Criminal group database prohibited.* a. *Definitions.* For purposes of this section, the following terms have the following meanings:

Criminal group database. The term “criminal group database” means the database utilized by the department to centralize and consolidate criminal group related intelligence and as further described in the department’s proposed surveillance impact and use policy for such criminal group database, posted online pursuant to subdivision c of section 14-188 on January 11, 2021, requiring a surveillance technology impact and use policy for existing surveillance technology.

Inspector general for the police department. The term “inspector general for the police department” means the individual responsible for implementing the duties set forth in paragraph 1 of subdivision c of section 803 of the New York city charter.

b. The criminal group database shall be abolished pursuant to this section and no agency shall establish a successor database that has the same or substantially similar features.

c. No later than 2 years after the effective date of the local law that added this section, the commissioner shall abolish the criminal group database and shall destroy all information contained therein.

d. No later than 10 days after the effective date of the local law that added this section, the commissioner shall notify each agency of the federal or state government with which the commissioner has entered an agreement regarding the collection or sharing of information contained in the criminal group database of the provisions of this section, and shall request the destruction by any agency of the federal or state government of information contained in the criminal group database that was provided to such agency.

e. Prior to the abolishment of the criminal group database pursuant to subdivision c of this section, no employee shall access or use such database for any purpose except to carry out the provisions of this section or to process a request for access to information contained in such database pursuant to the state freedom of information law or any other law entitling access to information contained in such database. Any employee who violates this subdivision shall be subject to a civil penalty no less than \$500 for the first violation and no less than \$1,000 for any subsequent violation.

f. No later than 10 days after the effective date of the local law that added this section, the commissioner shall transfer all records that comprise the criminal group database to the custody of the inspector general for the police department. No employee of the department shall access any such records for any purpose after such transfer of records is complete.

g. 1. No later than 180 days after the effective date of the local law that added this section, the inspector general for the police department shall issue notice by mail to each person whose name is or has been included in the criminal group database.

2. Such notice shall:

(a) Contain a description of the criminal group database, including an explanation of why it was created, how it was used and the potential consequences of being named in such database;

(b) Inform the intended recipient that their name appears in the criminal group database;

(c) Reference this section, and provide a plain explanation of the forthcoming abolishment of the criminal group database, including the date on which such information contained therein shall be destroyed pursuant to this section; and

(d) Provide information regarding how the intended recipient may submit a request, pursuant to the state freedom of information law, to access additional information regarding such person's inclusion in the criminal group database.

h. No later than 180 days after the effective date of the local law that added this section, the inspector general for the police department shall carry out a public awareness campaign for the purpose of informing the public that the criminal group database shall be abolished and that requests for records contained therein may be submitted pursuant to the state freedom of information law, prior to the destruction of such records pursuant to this section.

i. Any person aggrieved by an employee's violation of this section shall have a cause of action against such employee in any court of competent jurisdiction for any or all of the following relief:

1. Compensatory and punitive damages;

2. Injunctive and declaratory relief;

3. Attorneys' fees and costs; and

4. Such other relief as a court may deem appropriate.

j. The inspector general for the police department shall enforce the provisions of this section and, no later than January 1 of each year, shall submit a report to the mayor and the speaker of the council, and post such report on the inspector general's website, that contains a summary of the inspector general's efforts in the prior calendar year to carry out the inspector general's duties pursuant to this section, including details of the inspector general's oversight and enforcement of this section.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Res. No. 156

Resolution calling on the New York State Legislature to pass, and the Governor to sign the Treatment Not Jail Act (S2881 /A6603), which would amend Criminal Procedure Law Article 216 of the judicial diversion law in order to expand eligibility for treatment for court-involved individuals and shift the presumption from incarceration to community support.

By Council Members Rivera, Hudson, Louis, Hanif, Narcisse, Avilés, Williams, Cabán, Ossé, Ayala, Restler, Richardson Jordan, Gutiérrez and Barron.

Whereas, According to the most recent Preliminary Mayor's Management Report, 53 percent of those in New York City Department of Correction custody had a mental health diagnosis and 16.5 percent had a serious mental illness diagnosis; and

Whereas, According to a 2018 report from the New York City Health and Hospitals Corporation, 45 percent of those in City jails had a substance abuse disorder; and

Whereas, While efforts have been made to reduce the number of people in New York City jails with mental health and substance use problems and increase the availability of community mental health resources and access to diversion programs, much more needs to be done; and

Whereas, It costs New York City and local governments across the state more to incarcerate individuals with mental health and substance use problems than it does to provide them treatment within their communities for a variety of reasons, including that they cannot use Medicaid dollars for their treatment; and

Whereas, Reports indicate that placing these individuals in treatment programs, rather than incarcerating them, reduces recidivism rates; and

Whereas, Under current state law, only people with substance use disorders charged with specific drug- and property-related criminal offenses are eligible for judicial diversion; and

Whereas, All court-involved people with disabilities and other behavioral health-related problems deserve an opportunity to access and benefit from treatment and support; and

Whereas, S2881, introduced by State Senator Jessica Ramos, and companion bill A6603, introduced by State Assembly Member Andrew Hevesi, would amend the judicial diversion law to expand eligibility for treatment for court-involved individuals and shift the presumption from incarceration to community support; and

Whereas, S2881/A6603 would expand eligibility for treatment by eliminating charge-based eligibility and making people with mental health illness and those with intellectual and physical disabilities eligible for diversion; and

Whereas, S2881/A6603 would shift the presumption from incarceration to community support by ensuring that participation in judicial diversion is not tied to a guilty plea and participants are not incarcerated without due process; and

Whereas, Expanding eligibility for judicial diversion would save taxpayer money because diversion programs qualify for Medicaid and federal matching-funds; and now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign the Treatment Not Jail Act (S2881/A6603), which would amend Criminal Procedure Law Article 216 of the judicial diversion law in order to expand eligibility for treatment for court-involved individuals and shift the presumption from incarceration to community support.

Referred to the Committee on Criminal Justice.

Int. No. 361

By Council Members Salamanca and Louis.

A Local Law in relation to authorizing the use of temporary outdoor heaters by healthcare facilities

Be it enacted by the Council as follows:

Section 1. a. For the purpose of this section, the following terms have the following meanings:

Healthcare facility. The term “healthcare facility” has the same meaning as the term “hospital” as defined in section 2801 of the public health law.

Temporary outdoor heater. The term “temporary outdoor heater” means a freestanding or ceiling- or wall-mounted electric radiant heater, portable radiant heater fueled by piped natural gas, or portable heater fueled by propane liquefied petroleum gas (“LPG”), provided any such heaters must comply with fire department guidance established pursuant to this local law.

b. For the duration of the declared state of emergency pursuant to mayoral executive order number 98, dated March 12, 2020, as amended by subsequent orders, any healthcare facility may operate temporary outdoor heaters to provide comfort to individuals in an outdoor setting who are receiving medical services or waiting to enter a healthcare facility.

c. Use of any temporary outdoor heater as authorized pursuant to this local law shall comply with guidance issued by the fire department and department of transportation. Such guidance shall include but not be limited to the following elements:

1. Safety regulations to mitigate the risk of fire, personal injury or damage to property caused by operation of a temporary outdoor heater;
2. The use of roadways, pedestrian plazas or other public outdoor locations to provide healthcare facilities with meaningful access to outdoor locations for the treatment or queueing of patients; and
3. Accessibility for people with disabilities in compliance with applicable federal, state and local law.

d. As applied to any entity operating a temporary outdoor heater pursuant to authorization of this local law, the following provisions of the New York City Fire Code are suspended:

- (1) Section 3805.3(12);
- (2) Section FC A01.1(3) of Appendix A;
- (3) Section FC A03.1(41) of Appendix A;
- (4) Section FC A03.1(46) of Appendix A;
- (5) Section FC A03.1(51) of Appendix A; and
- (6) Section FC A03.1(52) of Appendix A.

e. The fire department and the department of transportation shall post guidance on its respective website for the use of temporary outdoor heaters as authorized by this local law.

§2. This local law takes effect immediately.

Referred to the Committee on Hospitals.

Int. No. 362

By Council Members Salamanca, Louis, Hanif, Ayala, Restler and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of housing preservation and development to report on the disposition of city property for affordable housing development

Be it enacted by the Council as follows:

Section 1. Section 26-903 of the administrative code of the city of New York is amended to add a new subdivision e to read as follows:

e. No later than October 31, 2022, and no later than 30 days after the end of each quarter thereafter, the department shall submit to the council and publish online a report containing the following information about any housing development project involving the sale, lease (other than the lease of office space), exchange, or other disposition of the real property of the city:

- 1. The project identifier;*
- 2. The address;*
- 3. The amount of city financial assistance received by the developer to date;*
- 4. The date the project received approval pursuant to section 197-c or 197-d of the charter;*
- 5. The anticipated closing date for the parcel of real property; and*
- 6. The actual closing date for the parcel of real property.*

§2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 363

By Council Members Salamanca, Joseph and Ayala.

A Local Law to amend the administrative code of the city of New York, in relation to requiring reports on police department response times to minor traffic crashes

Be it enacted by the Council as follows:

Section 1. Section 14-153 of the administrative code of the city of New York, is amended by adding a new subdivision e to read as follows:

e. 1. Definitions. For the purposes of this section, the following terms have the following meanings:

Dispatch time. The term "dispatch time" means the interval of time between the time the information received by the 911 telephone operator is entered into the 911 emergency assistance system and the assignment of a police unit to the scene of the incident.

Non-critical vehicular crash. The term "non-critical vehicular crash" means a traffic crash where no injuries were sustained or any injury would not be deemed critical by emergency service personnel responding to such incident.

Response time. The term "response time" means the sum of dispatch time and travel time.

Travel time. The term "travel time" means the interval of time between the assignment of a police unit and the arrival of the first police unit at the scene of the non-critical vehicular crash.

2. No later than July 1, 2022, and every month thereafter, the department shall complete a study of response times to non-critical vehicular crashes, including, but not limited to, those involving pedestrians, and shall file with the mayor and the speaker of the council, and post on the department's website, a report disclosing the following:

(a) The amount of time between the 911 call, dispatch time, and response time;

(b) Whether any pedestrians were involved in the non-critical vehicular crash; and

(c) Whether any injuries were sustained due to the non-critical vehicular crash.

3. All the information reported pursuant to this subdivision shall be disaggregated by police precinct, borough and zip code.

4. No later than December 1, 2022, and every December 1 thereafter, the police commissioner shall submit to the mayor and the council recommendations to reduce department response times to non-critical vehicular crashes.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 364

By Council Members Salamanca, Farías, Louis, Joseph, Ayala and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to posting contact information for workforce career centers at city development projects

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 6 the administrative code of the city of New York is amended by adding a new section 6-147 to read as follows:

§ 6-147 Posting of workforce career center contact information. a. Definitions. For purposes of this section, the following terms have the following meanings:

City development project. The term “city development project” means a project undertaken by a city agency or city economic development entity for the purpose of improvement or development of real property, economic development, job retention or growth, affordable housing or other similar purposes where the project has received or is expected to receive financial assistance.

City economic development entity. The term “city economic development entity” means a local development corporation, not-for-profit organization, public benefit corporation or other entity that provides or administers economic development benefits on behalf of the city pursuant to paragraph b of subdivision 1 of section 1301 of the charter.

Construction work. The term “construction work” means (i) construction, rehabilitation, alteration or demolition work; (ii) the managing, directing or supervising of construction, rehabilitation, alteration or demolition work; or (iii) administrative or other similar office support services. Such term does not include architectural, engineering, legal, accounting or other professional services.

Construction job opening. The term “construction job opening” means any unfilled entry or mid-level employment position involving construction work that requires no more than an associate’s degree, as determined by the department of labor, which is subject to the requirements of HireNYC.

Covered developer. The term “covered developer” means any person receiving financial assistance in connection with a city development project.

Department. The term “department” means the department of small business services.

Financial assistance. The term “financial assistance” includes, but is not limited to, cash payments or grants, bond financing, tax abatements or exemptions, tax increment financing, filing fee waivers, energy cost reductions, environmental remediation costs, write-downs in the market value of building, land or leases, or the cost of capital improvements related to real property that, under ordinary circumstances, the city would not pay for. Financial assistance includes only discretionary assistance that is negotiated or awarded by a city agency or city economic development entity, and does not include as-of-right assistance, tax abatements or benefits.

HireNYC. The term “HireNYC” means a workforce development program administered by a city agency or city economic development entity, in coordination with the department, that connects construction job openings related to city development projects to low-income city residents.

Project agreement. The term “project agreement” means a written agreement between a city agency or city economic development entity and a covered developer providing for financial assistance targeted to a city development project.

Workforce career center. The term “workforce career center” means a location, under the jurisdiction of the department that provides workforce development services including, but not limited to, job skills training, education programs, resume building, interview preparation, employment workshops and recruitment events.

b. Within 30 days of the execution of a project agreement, a covered developer that is required to comply with the requirements of HireNYC shall post a sign, in a form and manner determined by the department, in a conspicuous location at the premises of a city development project that faces or is accessible to a public thoroughfare. Such sign shall remain posted until the completion of all construction work related to the city development project.

c. The sign required by subdivision b of this section shall include the following information:

1. A statement that individuals interested in applying for construction job openings related to the city development project may contact a workforce career center;
2. The location of the workforce career center that is nearest to the city development project;
3. Contact information, including a phone number, of the workforce career center that is nearest to the city development project; and
4. Any additional information deemed appropriate by the department.

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of small business services shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Small Business.

Res. No. 157

Resolution calling upon the United States Food and Drug Administration to require warning labels on sugar sweetened beverages.

By Council Member Schulman, the Public Advocate (Mr. Williams) and Council Members Louis, Hanif, Joseph, Ung, Ayala and Abreu.

Whereas, The United States is facing an obesity epidemic, and, according to the Centers for Disease Control and Prevention, 42.4 percent of adults in 2017-2018 were obese; and

Whereas, This epidemic also impacts children as approximately 14.4 million children and adolescents between the ages of 2 and 19 were obese in 2017-2018; and

Whereas, There are many factors that contribute to obesity including caloric intake, level of physical activity, environment, and genetics; and

Whereas, Obesity is also an acute problem in New York City, as a majority of New Yorkers are overweight or obese, according to the Department of Health and Mental Hygiene (DOHMH); and

Whereas, According to the DOHMH, a large contributor to obesity is the sugar that people consume; and

Whereas, Sugar-sweetened beverages, such as soda, sports drinks, fruit drinks and tea drinks, are a common source of sugar, with some containing 16 teaspoons of added sugar in a 20-ounce serving; and

Whereas, Due to the negative impact that sugar sweetened beverages can have on an individual's health, many organizations have urged the United States Food and Drug Administration to take action; and

Whereas, The Center for Science in the Public Interest (CSPI), along with other health groups and state agencies, including, but not limited to, the American Public Health Association, the Trust for America's Health, and the New York State Department of Health, have advocated for messages warning consumers about the risks of weight gain, obesity, diabetes, and other associated health problems; and

Whereas, CSPI recommended several labels including: "Drinking too many sugary drinks can promote diabetes and heart disease" and "For better health, the U.S. government recommends that you limit your consumption of sugary drinks"; and

Whereas, CSPI believes that warning labels will raise public awareness about the possible health concerns associated with consuming sugar sweetened beverages; and

Whereas, Government must take an increased role in combating the obesity epidemic; and

Whereas, Providing warning labels on sugar sweetened beverages is one method to educate the public about the serious health consequences associated with these products; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Food and Drug Administration to require warning labels on sugar sweetened beverages.

Referred to the Committee on Health.

Int. No. 365

By Council Members Stevens, Narcisse, Riley, Williams, Louis, Joseph, Menin, Yeger, Ung, Avilés, Kagan, De La Rosa, Hanif, Abreu, Cabán, Barron and Schulman.

A Local Law to amend the administrative code of the city of New York, in relation to the provision of mental health services for children visiting incarcerated individuals

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-163 to read as follows:

§ 9-163 Mental health services for child visitors. The commissioner of correction shall establish a mental health services program at city jails for visitors under the age of 18. Such program shall provide referrals to mental health services and, whenever practicable, onsite mental health services. Participation in such program shall be on a voluntary basis.

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

Referred to the Committee on Criminal Justice.

Int. No. 366

By Council Members Velázquez, Louis, De La Rosa and Abreu.

A Local Law to amend the administrative code, in relation to requiring the department of consumer and worker protection to report on public use of the department's financial empowerment centers and student debt distress in the city

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-706.6 to read as follows:

§ 20-706.6 Financial empowerment centers. a. No later than May 31, 2023, and annually thereafter, the commissioner shall submit to the mayor and the speaker of the council and shall post conspicuously on the department's website an annual report regarding visits to financial empowerment centers and affiliated organizations. For the purposes of this section, "affiliated organization" means any organization that provides financial services or advice pursuant to an agreement or arrangement with the department.

b. The report shall include a table in which each separate row references for each financial empowerment center or affiliated organization. Each such row shall include the following information, as well as any additional information the commissioner deems appropriate, set forth in separate columns:

- 1. The number of individuals served by each center or affiliated organization;*
- 2. The number of individuals who visit such centers or organizations more than once annually;*
- 3. The types of financial challenges for which help is being sought;*
- 4. The outcomes of such visits, including, but not limited to: (i) the number of individuals the center or organization referred out; (ii) the amount of debt that was reduced; (iii) the amount of savings realized; (iv) the number of individuals each center was unable to assist and the reason why such individuals could not be assisted; and*

5. The socioeconomic and demographic profiles of visitors to each such center or organization.

c. The department shall aggregate all of the data collected pursuant to subdivision b of this section, and include it in the report. Such data shall be examined for trends and patterns, and the department's findings shall be included in the report.

d. Except as otherwise expressly provided in this section, no report required by subdivision b of this section shall contain personally identifiable information.

§ 2. Student loan distress report. a. No later than May 31, 2023, and biennially thereafter, the commissioner of the department of consumer and worker protection shall submit to the mayor and the speaker of the council and shall post conspicuously on the department's website a biennial report regarding student debt distress in the City.

b. The department shall utilize the most recent data available to study student loan distress by zip code and public use microdata areas. The department shall examine and analyze data relating to student loan distress at the community district level, and include its findings in such report. The report shall also include a table in which each separate row references for each community district. Each such row shall include the following information, as well as any additional information the commissioner deems appropriate, set forth in separate columns:

- 1. The number of credit filers with student debt;*

2. Number of total credit filers in the city of New York;
 3. The number of student loans that are in debt collection;
 4. The number of students enrolled;
 5. The number of students that are first-time students;
 6. The number of first-time students that have not completed a degree and were no longer enrolled at any institution seven years later;
 7. The number of students enrolled that fall in the least aggregated age category available;
 8. The number of first-time students that have not completed a degree and were no longer enrolled at any institution seven years later that fall in the least aggregated age category available;
 9. The number of students that are part-time;
 10. The number of students that are full-time;
 11. The number of students that are part-time that fall in the least aggregated age category available;
 12. The number of students that are full-time that fall in the least aggregated age category available;
 13. The number of students enrolled in each of the institution types including, but not limited, four year programs, two year programs, public or private programs.
 14. The number of students enrolled by gender;
 15. The number of students that are first-time students by gender; and
 16. Any other relevant data points that could be used to understand student loan distress.
- c. The report required by subdivision b of this section shall include a data dictionary.
- d. Except as otherwise expressly provided in this section, no report required by subdivision b of this section shall contain personally identifiable information.
- e. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of student information or interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between one and five students, or contains an amount that would allow another category that contains between one and five students to be deduced, the number shall be replaced with a symbol. A category that contains zero shall be reported as zero, unless such reporting would violate any applicable provision of federal state or local law relating to the privacy of student information.
- § 3. This local law takes effect 120 days after it becomes law, except that section two of this local law expires and is deemed repealed upon the issuance of the report due on May 31, 2033.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 367

By Council Members Velázquez, Fariás, Louis, Feliz, Ossé, Hudson, Ayala, De La Rosa, Richardson Jordan and Barron.

A Local Law to amend the New York city charter, in relation to establishing an office of pandemic preparedness

Be it enacted by the Council as follows:

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

§ 20-n. *Office of pandemic preparedness. a. The mayor shall establish an office of pandemic preparedness. Such office may be established within any office of the mayor or as a separate office or any department the head of which is appointed by the mayor. Such office shall be headed by a director of pandemic preparedness, who shall be appointed by the mayor or, if the office is established within an agency other than the office of the mayor, by the head of such agency.*

b. Requirements. All agencies shall submit any materials and plans developed by such agencies related to pandemic preparedness to such office, including but not limited to any updates to those plans.

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

1. Review such agency materials and plans;
2. Submit such plans related to pandemic preparation to the office of emergency management; and
3. Perform other relevant duties as the mayor may assign.

d. *Planning summit.* On or before January 1, 2023 and at least annually thereafter, the office shall organize a pandemic planning summit. Such summit shall include representatives from all relevant agencies, public health professionals, healthcare providers, relevant entities contracts with the city, experts in infectious diseases and disaster planning, and other stakeholders.

e. *Reporting.* Within 90 days of the pandemic planning summit required by subdivision d the office shall produce a written report detailing the findings of such summit and recommendations for best practices in pandemic planning. The office shall submit such report to the mayor, the speaker of the council and the director of the office of emergency management.

§ 2. This local law takes effect 60 days after it becomes law. The mayor and any affected city agency may take any steps necessary for the implementation of this local law before such effective date.

Referred to the Committee on Governmental Operations.

Int. No. 368

By Council Members Velázquez, Louis, Ayala, De La Rosa, Abreu and Won.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a city food delivery mobile application

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

§ 23-308 *City food delivery mobile application.* a. *Definitions.* For purposes of this section, the following terms have the following meanings:

Department. The term “department” means the department of information technology and telecommunications.

Mobile application. The term “mobile application” means a type of application software designed to run on a mobile device, such as a smartphone or tablet computer.

b. No later than 180 days following the effective date of the local law that added this section, the department shall create a mobile application that shall facilitate the delivery of food pursuant to any program administered by an agency that provides food free of charge or at reduced cost to eligible individuals to reduce food insecurity. Such mobile application shall, at a minimum:

1. Help users identify programs that provide food for which they may be eligible;
2. Provide information about locations where food is available pursuant to such programs; and
3. For programs that deliver food to the homes of eligible users, allow such users to request and track delivery of such food.

c. Such mobile application shall not:

1. Retain internet protocol addresses or data regarding the device operating system;
2. Have access to data or information stored on the mobile device;
3. Have access to microphones, cameras or Bluetooth on the mobile device; or
4. Be able to activate or deactivate Wi-Fi on the mobile device.

d. Data collected by such mobile application shall not be retained for more than six months from the date of collection. Identifying information, as defined by section 23-1201, collected by such mobile application shall not be shared except with the affirmative consent of the user. The user’s consent to share personal identifying information shall not be required as a condition to access or use the mobile application.

§ 2. This local law takes effect immediately.

Referred to the Committee on Technology.

Int. No. 369

By Council Members Velázquez, Hanif, Joseph, Avilés and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the installation of reflective material on bollards, curbs, posts, and roundabouts

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 19-148.1 to read as follows:

§ 19-148.1 Reflective material on bollards, curbs, posts, and roundabouts.

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

Bollard. The term “bollard” has the same meaning as is ascribed to such term in section 18-155 of the administrative code of the city of New York.

Curb. The term “curb” has the same meaning as is ascribed to such term in section 111 of the vehicle and traffic law.

Post. The term “post” means a piece of wood, metal or other material set upright in the ground and used as a marker or to support a sign.

Reflective Material. The term “reflective material” means material that is capable of reflecting light and that is in compliance with the manual on uniform traffic control devices and the New York supplement to the manual on uniform traffic control devices.

Roundabout. The term “roundabout” has the same meaning as is ascribed to such term in either section 140-d of the vehicle and traffic law or in the manual on uniform traffic control devices.

b. The department shall install reflective material on bollards, curbs, posts, and roundabouts situated in streets in the city. The department shall complete such installation at a rate of no fewer than 250 new installations per year in each borough of the city until all such bollards, curbs, posts, and roundabouts bear such reflective material. Such reflective material shall be installed and maintained to the satisfaction of the department.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 370

By Council Members Vernikov, Holden and Ariola.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report annually on officer resignations prior to becoming eligible for retirement with pension

Be it enacted by the Council as follows,

Section 1. The administrative code of the city of New York is amended by adding a new paragraph d to section 14-126 to read as follows:

§ 14-126 Resignations, absence on leave. a. A member of the force, under penalty of forfeiting the salary which may be due such member, shall not withdraw or resign, except by permission of the commissioner.

b. Absence, without leave, of any member of the force for five consecutive days shall be deemed and held to be a resignation, and the member so absent shall, at the expiration of such period cease to be a member of the force and be dismissed therefrom without notice.

c. Leave of absence, other than for sickness, exceeding thirty days in any one year shall be granted or allowed to any member of the force, only upon the condition that such member shall waive and release not less than one-half of all salary and claim thereto during such absence.

d. *No later than March 1, 2023, and every March 1 thereafter, the department shall provide to the speaker of the council and post on the department's website a report regarding the number of resignations during the previous calendar year, including, but not limited to the following information:*

1. The number of members of the force who resign or separate from service with a deferred vested retirement benefit, disaggregated by:

(a) Rank or designation; and

(b) Length of employment with the department, as follows:

(1) Zero to five years;

(2) Six to 14 years; and

(3) Fifteen years or more.

2. Such information shall be further disaggregated by reason for resignation, as follows:

(a) To join another law enforcement agency, in a law enforcement position, disaggregated by the following categories:

(1) Nassau police department;

(2) Suffolk police department;

(3) Other county or local law enforcement agencies, disaggregated by agency, where such information is available;

(4) Metropolitan transportation authority;

(5) Port authority of New York and New Jersey;

(6) Other New York state law enforcement agency, disaggregated by agency, where such information is available;

(7) Other federal law enforcement agency, disaggregated by agency, where such information is available;

(b) To join the fire department;

(c) To join another city, state, or federal agency in a civilian position, disaggregated by agency, where such information is available;

(d) To serve in the military;

(e) To work in the private sector;

(f) To pursue additional education;

(g) To care for a child, or elderly or disabled family member;

(h) For a personal reason other than a change in employment, accompanied by a general description of such reason, where such information is available; and

(i) To resign in lieu of termination.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 371

By Council Members Yeger, Farías and Ayala.

A Local Law to amend the New York city charter, in relation to the reporting of revenue from the issuance of violations and the imposition of related fines

Be it enacted by the Council as follows:

Section 1. This bill shall be known and may be cited as the “Fine Accountability Act.”

§ 2. Section 487 of the New York city charter is amended by adding a new subdivision h to read as follows:

h. By January 1, April 1, July 1, and October 1 of each year, the commissioner shall report the amount of revenue collected pursuant to violations and fines issued by the department since the previous report issued under this subdivision. Such data shall be disaggregated by the community board district in which the violation occurred. Such report shall be delivered to the council and each community board, and shall be posted on the department’s website.

§ 3. Paragraphs (3) and (4) of subdivision e of section 556 of the New York city charter, as added by a vote of the electors on November 2, 2021, are amended, and a new paragraph (5) is added to such subdivision, to read as follows:

(3) provide for membership on such state or federally authorized committees as may be appropriate to the discharge of the department's functions, powers and duties; [and]

(4) *by January 1, April 1, July 1, and October 1 of each year, report the amount of revenue collected pursuant to violations and fines issued by the department since the previous report issued under this paragraph. Such data shall be disaggregated by the community board district in which the violation occurred. Such report shall be delivered to the council and each community board, and shall be posted on the department’s website; and*

(5) perform such other acts as may be necessary and proper to carry out the provisions of this chapter and the purposes of the mental hygiene law.

§ 4. Section 645 of the New York city charter is amended by adding a new subdivision (e) to read as follows:

(e) By January 1, April 1, July 1, and October 1 of each year, the commissioner shall report the amount of revenue collected pursuant to violations and fines issued by the department since the previous report issued under this subdivision. Such data shall be disaggregated by the community board district in which the violation occurred. Such report shall be delivered to the council and each community board, and shall be posted on the department’s website.

§ 5. Section 753 of the New York city charter is amended by adding a new subdivision g to read as follows:

g. By January 1, April 1, July 1, and October 1 of each year, the commissioner shall report the amount of revenue collected pursuant to violations and fines issued by the department since the previous report issued under this subdivision. Such data shall be disaggregated by the community board district in which the violation occurred. Such report shall be delivered to the council and each community board, and shall be posted on the department’s website.

§ 6. Section 2203 of the New York city charter is amended by adding a new subdivision (j) to read as follows:

(j) By January 1, April 1, July 1, and October 1 of each year, the commissioner shall report the amount of revenue collected pursuant to violations and fines issued by the department since the previous report issued under this subdivision. Such data shall be disaggregated by the community board district in which the violation occurred. Such report shall be delivered to the council and each community board, and shall be posted on the department’s website.

§ 7. Section 2903 of the New York city charter is amended by adding a new subdivision e to read as follows:

e. By January 1, April 1, July 1, and October 1 of each year, the commissioner shall report the amount of revenue collected pursuant to violations and fines issued by the department since the previous report issued under this subdivision. Such data shall be disaggregated by the community board district in which the violation occurred. Such report shall be delivered to the council and each community board, and shall be posted on the department’s website.

§ 8. This local law shall take effect immediately, and the first reports required by this law shall be due by October 1, 2022, covering revenue collected from January 1, 2022 until the date each such report is issued.

Referred to the Committee on Governmental Operations.

L.U. No. 52

By Council Member Salamanca:

Application number C 220159 HAK (Sutter Place NCP) submitted by the Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and an Urban Development Action Area Project for such area, and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, to facilitate the development of four buildings containing an approximate total of 46 affordable housing units and a commercial space on property located at 492-496 Glenmore Avenue (Block 3725, Lots 12 and 13), 2358-2363 Pitkin Avenue (Block 4015, Lots 22, 23, and 24), 943 Dumont Avenue (Block 4063, Lot 52), and 743 Blake Avenue (Block 3775, Lot 150), Borough of Brooklyn, Community District 5, Council Districts 37 and 42.

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 53

By Council Member Salamanca:

Application number C 220134 ZMM (One 45/Museum of Civil Rights) submitted by One45 Lenox, LLC, 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, changing from an R7-2 District to a C4-6 District, changing from a C8-3 District to a C4-6 District, Borough of Manhattan, Community District 10, Council District 9.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 54

By Council Member Salamanca:

Application number N 220135 ZRM (One 45/Museum of Civil Rights) submitted by One45 Lenox, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 4 for the purpose of amending location of commercial use regulations, and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Manhattan, Community District 10, Council District 9.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 55

By Council Member Salamanca:

Application number C 220136 ZSM (One 45/Museum of Civil Rights) submitted by One45 Lenox, LLC, pursuant to Sections 197c 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 tower regulations of Section 35-64 (Special Tower Regulations for Mixed Buildings) of a mixed-use building (Building 1), in connection with a proposed mixed-use development, within a large-scale general development, bounded by West 145th Street, Lenox Avenue – Malcolm X. Boulevard, West 144th Street, a line 100 feet northwesterly of Lenox Avenue – Malcolm X. Boulevard, a line midway between West 144th Street and West 145th Street, and a line 160 feet southeasterly of Adam Clayton Powell Jr. Boulevard (Block 2013, Lots 29, 33, 38, 44 and 50), in a C4-6 District, Borough of Manhattan, Community District 10, Council District 9.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 56

By Council Member Salamanca:

Application number C 220137(A) ZSM (One 45/Museum of Civil Rights) submitted by One45 Lenox, LLC, pursuant to Sections 197-c and 201 and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure of the New York City Charter for the grant of special permits pursuant to Section 74-744(b) of the Zoning Resolution to modify requirements of Section 32-42 (Location Within Buildings) to allow commercial uses (banquet hall use & office amenity space) to be located above residential use, and to modify the requirements of Section 32-423 (Limitation on ground floor location) to allow Use Group 9 uses (banquet hall use) to be located within 50 feet of the street wall of a mixed-use building (Building 1); and Section 74-744(c) of the Zoning Resolution to modify the signage regulations of Section 32-641 (Total Surface Area of Signs), 32-642 (Non-Illuminated Signs), 32-644 (Illuminated or Flashing Signs in C4, C5-4, C6 & C7 Districts), Section 32-652 (Permitted Projection in all other Commercial Districts) and Section 32-655 (Height of Signs in all other Commercial Districts); in connection with a proposed mixed-use development, within a large-scale general development, bounded by West 145th Street, Lenox Avenue – Malcolm X. Boulevard, West 144th Street, a line 100 feet northwesterly of Lenox Avenue – Malcolm X. Boulevard, a line midway between West 144th Street and West 145th Street, and a line 160 feet southeasterly of Adam Clayton Powell Jr. Boulevard (Block 2013, Lots 29, 33, 38, 44 and 50), in a C4-6 District, Borough of Manhattan, Community District 10, Council District 9.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 57

By Council Member Salamanca:

Application number C 220142 ZSM (One 45/Museum of Civil Rights) submitted by One45 Lenox, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 24-533 of the Zoning Resolution to reduce the required accessory off-street parking spaces to 130 spaces (20%) for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development, within a large-scale general development, bounded by West 145th Street, Lenox Avenue – Malcolm X. Boulevard, West 144th Street, a line 100 feet northwesterly of Lenox Avenue – Malcolm X. Boulevard, a line midway between West 144th Street and West 145th Street, and a line 160 feet southeasterly of Adam Clayton Powell Jr. Boulevard (Block 2013, Lots 29, 33, 38, 44 and 50), in a C4-6 District, Borough of Manhattan, Community District 10, Council District 9.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 58

By Council Member Salamanca:

Application number C 210391 ZMX (1930 Adele Avenue Rezoning) submitted by Centerland Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 2b and 4a, by changing from an R4 District to an R6B District, Borough of the Bronx, Community District 12, Council District 12.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 59

By Council Member Salamanca:

Application number N 210392 ZRX (1930 Adele Avenue Rezoning) submitted by Centerland Realty, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of the Bronx, Community District 12, Council District 12.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

[NEW YORK CITY COUNCIL](#)**A N N O U N C E M E N T S**

**NEW YORK CITY COUNCIL
FISCAL YEAR 2023
EXECUTIVE BUDGET HEARINGS**

Please be advised of the following scheduled Council Agency Hearings relative to the **Proposed Executive Expense, Revenue, Capital & Contract Budgets & CD-XLVI & CD-XLVII Programs for the Fiscal Year 2023** to be held remotely as follows:

Friday, May 6, 2022

Time / Virtual Room 1	Agency Testifying	Finance Committee jointly with Council Committee
10:00-11:00	Fire & EMS	Fire & Emergency Management

Monday, May 9, 2022

Time / Virtual Room 1	Agency Testifying	Finance Committee jointly with Council Committee
10:30-11:30	Youth and Community Development	Youth Services
11:45-1:15	Housing Preservation and Development	Housing & Buildings
1:15-2:45	Department of Buildings	Housing & Buildings

Tuesday, May 10, 2022

Time / Virtual Room 1	Agency Testifying	Finance Committee jointly with Council Committee
9:00-1:00	Education / School Construction Authority	Education
1:30-3:30	Sanitation	Sanitation & Solid Waste Management

[Subcommittee on Zoning & Franchises](#)

Kevin C. Riley, Chairperson

See Land Use Calendar

Remote Hearing (Virtual Room 2).....10:00 a.m.

Wednesday, May 11, 2022

Time / Virtual Room 1	Agency Testifying	Finance Committee jointly with Council Committee
9:00-11:30	Police	Public Safety
12:00-1:00	Mayor's Office of Criminal Justice	Public Safety
1:00-2:00	Information Technology and Telecommunications	Technology

[Subcommittee on Landmarks, Public Sitings and Dispositions](#)

Farah N. Louis, Chairperson

See Land Use Calendar

Remote Hearing (Virtual Room 2).....10:00 a.m.

Thursday, May 12, 2022

[Committee on Land Use](#)

Rafael Salamanca, Jr., Chairperson

All items reported out of the Subcommittees

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

Remote Hearing (Virtual Room 2).....10:00 a.m.

Time / Virtual Room 1	Agency Testifying	Finance Committee jointly with Council Committee
10:00-11:30	Transportation	Transportation & Infrastructure
11:45-1:30	Immigrant Affairs	Immigration
1:45-3:15	Aging	Aging

Friday, May 13, 2022

Time / Virtual Room 1	Agency Testifying	Finance Committee jointly with Council Committee
10:00-11:30	Libraries	Cultural Affairs, Libraries & International Intergroup Relations
11:30-1:00	Cultural Affairs	Cultural Affairs, Libraries & International Intergroup Relations
1:30-3:00	Parks and Recreation	Parks and Recreation

Tuesday, May 17, 2022**Committee on Rules, Privileges & Elections**

Keith Powers, Chairperson

M 49 - Communication from the Mayor - Submitting the name of David Do to the Council for its advice and consent regarding his appointment as Chair and Chief Executive Officer of the New York City Taxi and Limousine Commission, pursuant to Sections 31 and 2301 of the City Charter.

Communication from the Manhattan Borough President - Submitting the name of Ms. Leila Bozorg, to the **M 58** - Council for its advice and consent regarding her appointment to the City Planning Commission, pursuant to Sections 31 and 192 of the City Charter.

M 60 - Robert Hogan, a resident of Queens, Council candidate for appointment to the New York City Civilian Complaint Review Board, pursuant to § 440 (b)(1) of the New York City Charter.

Hybrid Hearing – Council Chambers – City Hall.....9:00 a.m.

Committee on Housing and Buildings jointly with the

Pierina Ana Sanchez, Chairperson

Committee on State and Federal Legislation

Shaun Abreu, Chairperson

Oversight - Examining State Proposals for Good Cause Eviction and Reforming the 421-a Tax Exemption Program.

Res 64 - By Council Members Cabán, Sanchez, Farías, Stevens, Hanif, Won, De La Rosa, Joseph, Nurse, Restler, Barron, Avilés, Krishnan, Hudson, Ossé and Richardson Jordan - **Resolution** calling on the New York State Legislature to not renew section 421-a of the Real Property Tax Law.

Hybrid Hearing – Council Chambers – City Hall.....11:00 a.m.

Wednesday May 18, 2022

Time / Virtual Room 1	Agency Testifying	Finance Committee jointly with Council Committee
10:00 – 12:00	Health + Hospitals	Hospitals
12:00 – 2:00	Health & Mental Hygiene	Health jointly with Mental Health, Developmental Disability and Addiction
2:30-4:00	City University of New York	Higher Education

Thursday, May 19, 2022**Stated Council Meeting**

Council Chambers – City Hall.....Agenda – 1:30 p.m



NEW YORK CITY COUNCIL
FISCAL YEAR 2023
EXECUTIVE BUDGET HEARINGS

Please be advised of the following scheduled Council Agency Hearings relative to the **Proposed Executive Expense, Revenue, Capital & Contract Budgets & CD-XLVI & CD-XLVII Programs for the Fiscal Year 2023** to be held remotely as follows:

Friday, May 6 2022

Time / Virtual Room 1	Agency Testifying	Finance Committee jointly with Council Committee
10:00-11:00	Fire & EMS	Fire & Emergency Management

Monday, May 9 2022

Time / Virtual Room 1	Agency Testifying	Finance Committee jointly with Council Committee
10:30-11:30	Youth and Community Development	Youth Services
11:45-1:15	Housing Preservation and Development	Housing & Buildings
1:15-2:45	Department of Buildings	Housing & Buildings

Tuesday, May 10 2022

Time / Virtual Room 1	Agency Testifying	Finance Committee jointly with Council Committee
9:00-1:00	Education / School Construction Authority	Education
1:30-3:30	Sanitation	Sanitation & Solid Waste Management

Wednesday, May 11 2022

Time / Virtual Room 1	Agency Testifying	Finance Committee jointly with Council Committee
9:00-11:30	Police	Public Safety
12:00-1:00	Mayor's Office of Criminal Justice	Public Safety
1:00-2:00	Information Technology and Telecommunications	Technology

Thursday, May 12 2022

Time / Virtual Room 1	Agency Testifying	Finance Committee jointly with Council Committee
10:00-11:30	Transportation	Transportation & Infrastructure
11:45-1:30	Immigrant Affairs	Immigration
1:45-3:15	Aging	Aging

Friday, May 13 2022

Time / Virtual Room 1	Agency Testifying	Finance Committee jointly with Council Committee
10:00-11:30	Libraries	Cultural Affairs, Libraries & International Intergroup Relations
11:30-1:00	Cultural Affairs	Cultural Affairs, Libraries & International Intergroup Relations
1:30-3:00	Parks and Recreation	Parks and Recreation

Wednesday May 18 2022

Time / Virtual Room 1	Agency Testifying	Finance Committee jointly with Council Committee
10:00 – 12:00	Health + Hospitals	Hospitals
12:00 – 2:00	Health & Mental Hygiene	Health jointly with Mental Health, Developmental Disability and Addiction
2:30-4:00	City University of New York	Higher Education

Friday May 20 2022

Time / Virtual Room 1	Agency Testifying	Finance Committee jointly with Council Committee
9:00-12:00	Human Resources Administration/DSS and Department of Homeless Services	General Welfare
12:00 – 1:30	Administration for Children’s Services	General Welfare

Monday May 23 2022

Time / Virtual Room 1	Agency Testifying	Finance Committee
10:00 -11:30	Small Business Services	Small Business
12:00-2:00	NYCHA	Public Housing
2:30-4:00	Department of Correction	Criminal Justice
4:00-4:30	Board of Correction	Criminal Justice

Tuesday, May 24 2022

Time / Virtual Room 1	Agency Testifying	Finance Committee jointly with Council Committee
10:00-1:00	Office of Management & Budget	Finance
1:00-2:00	Comptroller	Finance
2:00-3:00	Independent Budget Office	Finance

Wednesday, May 25 2022

Time / Virtual Room 1	Agency Testifying	Finance Committee
Begins 10:00*	Public*	Finance

****Members of the public can sign up to testify at the virtual public hearing via Zoom Web and/or via Phone at least 24 hours in advance of hearing. Written testimony may be submitted up to 72 hours after hearing has been adjourned.***

For questions about accessibility or to request additional accommodations at the May 25 2022 Public Hearing, please contact swerts@council.nyc.gov or nbenjamin@council.nyc.gov or (212) 788-6936 at least three (3) business days before the hearing.

The following comments were among the remarks made by the Speaker (Council Member Adams) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Adams) acknowledged the leak of a draft majority opinion of the United States Supreme Court which would overturn the federally protected right to abortion provided by the *Roe v. Wade* decision nearly fifty years previously. She warned that if the draft opinion was reflected in the Court's final decision, this important Federal protection afforded to women as well as to gender-nonconforming and trans individuals would be eliminated across the country. She pointed out that those who would be most impacted would be black, brown and low-income people in states where the right to a safe abortion would be stripped away. The Speaker (Council Member Adams) explained further that such a final decision would jeopardize an entire range of rights undermining protections based on race, sexual orientation, gender identity and expression among others. She urged the U.S. Senate to pass the Women's Health Protection Act to ensure that fundamental healthcare rights were protected by Federal law.

The Speaker (Council Member Adams) recalled her experiences as a student at Spelman College in Atlanta when she majored in a sector of healthcare and worked as an advocate at a women's health care center. She noted that this women's center had provided reproductive healthcare services, sexual health education, contraception, and pregnancy termination. She spoke of how she had held the hands of women who were agonizing over well thought-out and informed choices and that she still carried their stories with her to the present day. The Speaker (Council Member Adams) acknowledged that the rallies and the marches would not cease until women, gender non-conforming, and trans individuals across the United States had the right to access safe and legal abortions. She agreed with Council Member Cabán's statement made at an earlier press conference that there would be an enormous fight ahead for all on this issue. The Speaker (Council Member Adams) urged everyone to come together with profound love, courage, solidarity and to march on.

The Speaker (Council Member Adams) acknowledged the recent observation of May Day which honored the workers who helped make the city what it is today. She noted how the power of organized labor was being felt with the success of many recent worker-organizing victories. She pointed out that these victories helped ensure that workers had a voice in their struggle to win the protections and fair wages which they deserved. She noted that the Council would continue to support workers and their union-partners in the movement.

The Speaker (Council Member Adams) acknowledged National Teachers Appreciation Week when tribute is paid to our educators. She noted that teachers were unsung heroes even before the outbreak of the pandemic and that our gratitude for teachers and educators should continue well beyond the duration of Teachers Appreciation Week.

The Speaker (Council Member Adams) acknowledged the conclusion of the holy month of *Ramadan* for our Muslim communities. She wished *Eid Mubarak* to those New Yorkers who were celebrating and expressed her hope that they had a happy, safe, and peaceful *Eid al-Fitr* with family and friends.

The Speaker (Council Member Adams) acknowledged the month-long celebration in May of Asian-American and Pacific Islander Heritage Month when the contributions of the diverse AAPI communities are recognized. She expressed her pride that the present historically diverse Council included the first Korean-American representative in Council Members Lee and Won as well as the first South Asian representatives in Council Members Hanif and Krishnan.

The Speaker (Council Member Adams) acknowledged that Mother's Day would be celebrated during the upcoming weekend. She noted that this Mother's Day would be especially meaningful with the Council's first women-majority in its history -- this new majority in the Chambers included daughters, young and older mothers, mothers-to-be, and future mothers. She also acknowledged the men and the fathers who recognized the importance of Mother's Day as well. On behalf of the Council, the Speaker (Council Member Adams) wished a Happy Mother's Day to all mothers.

The Speaker (Council Member Adams) also wished everyone a Happy *Cinco de Mayo* during the meeting.

Shortly before the adjournment of the meeting, the Speaker (Council Member Adams) congratulated both Council Member Restler and the Speaker's Office Special Counsel Carlos Beato on their respective wedding celebrations taking place in the upcoming weekend.

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Powers) adjourned these hybrid proceedings to meet again for the Stated Meeting on Thursday, May 19, 2022.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

