

## THE COUNCIL

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*Minutes of the Proceedings for the*  
**STATED MEETING**  
*of*  
Thursday, June 2, 2022, 2:18 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 Rabbi Daniel Sherman, West Side Institutional Synagogue, located at 120 West 76 Street, New York, NY 10023.

Jewish tradition has always shown tremendous respect for the business of governance. In a celebrated passage in the Talmud, where the Jewish tradition articulates its appreciation of governmental responsibility in the following poetic manner: “Even if all of the seas would be ink and the reeds that grow near the swamps would be the quills, and heavens would be parchment upon which the words would be written, and all of the people would be scribes, all of these are insufficient to record the depth of mind necessary to properly govern.” The fourth century Babylonian sage Rav Mesharshiya notes that the source for this assertion is stated by King Solomon, the wisest of all men in his Book of Proverbs as he states. “Like the heavens in their height and the earth in its depth is the mind of kings unfathomable.” These words of the Talmud relay the burden placed upon those in government. Those in government are tasked with making decisions on behalf of a populous that can affect millions of lives. According to this Talmudic passage, the challenges faced by government officials are tremendous and daunting. The need to properly assess competing and often contradictory values, each with its own merits is a task that requires selfless dedication, along with honest and difficult decision-making abilities. One can be disheartened by the responsibility to address the issues that directly impact the City’s residents and can have dire consequences. However, despite the challenges involved, the Talmud makes clear that such decisions are definitely within human grasp and hopefully are aided by divine guidance. As our devoted City Council weighs our city’s future, on behalf of all residents of this wonderful city, we both express our gratitude to each and every one of you for your dedication to the inhabitants of this city,

recognizing the burden of your responsibilities  
as the aforementioned Talmud passage relates,  
as well as bless you each with divine guidance  
to properly chart New York City's future,  
a city that by God's grace and human pursuit  
possesses a deep history of serving  
as a beacon of harmony  
amongst its diverse population.  
May God bless New York City  
and its government officials  
for years to come.  
Amen.

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

#### **ADOPTION OF MINUTES**

Council Member Carr moved that the Minutes of the Stated Meeting of May 5, 2022 be adopted as printed.

**MESSAGES & PAPERS FROM THE MAYOR**

M-67

**Communication from the Mayor - Submitting the Mayor's Revenue Letter regarding the Fiscal Year 2023 Expense Budget updating the probable amounts and sources of revenues pursuant to Section 1516 of the Charter.**

THE CITY OF NEW YORK

May 25, 2022

To The HONORABLE COUNCIL of THE CITY OF NEW YORK

For the Expense Budget of the City of New York for the Fiscal Year beginning July 1, 2022 and ending June 30, 2023 (Fiscal Year 2023), the probable amounts and sources of revenues as estimated by me pursuant to Section 1515 of the Charter are hereby updated as set forth below:

Taxes (excluding Real Property Taxes)		\$35,650,281,000
Miscellaneous Revenues	\$5,337,448,166	
Grants:		
Federal	9,355,819,969	
State	16,756,953,993	
Provision for Disallowances	(15,000,000)	
Unrestricted State and Federal Aid	251,600,000	
Other Categorical Aid	1,028,761,394	
Transfer from Capital Funds	736,090,315	
Tax Audit Revenue	720,903,000	
	<hr/>	\$34,172,576,837
 Real Property Taxes		 \$31,377,411,000
Total amount of Estimated Revenue the Fiscal Year 2023		<u>\$101,200,268,837</u>

Very truly yours,

Eric Adams

Mayor

Received, Ordered, Printed and Filed.

**COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES**

M-68

**Communication from the Office of Management and Budget – Submitting a copy of the District Resource Statement - New York City Human Resources Administration, Fiscal and Service Reports for 2021 and 2022, pursuant to Sections 2707 and 2708 of the New York City Charter.**

**(For text of the District Resource Statement, please see the New York City Human Resources Administration website at [District-Resource-Statement-FY-2021-2022-FINAL.pdf \(nyc.gov\)](https://www.nyc.gov/site/human-resources-administration/district-resource-statement-fy-2021-2022-final.pdf) )**

Received, Ordered, Printed and Filed.

M-69

**Communication from the Manhattan Borough President - Submitting the name of Ms. Leila Bozorg, to the Council for its advice and consent regarding her appointment to the City Planning Commission, pursuant to Sections 31 and 192 of the City Charter.**

May 20, 2022

Hon. Adrienne Adams  
Speaker  
New York City Council  
City Hall  
New York, N.Y. 10007

Dear Speaker Adams:

Pursuant to Sections 31 and 192 of the New York City Charter, I am pleased to advise you that I hereby nominate Leila Bozorg for appointment to the New York City Planning Commission.

Ms. Bozorg will bring extensive expertise in city planning, land-use and neighborhood development to the Commission. She brings a wealth of experience to the role, having previously served the City at NYC Housing Preservation and Development, and with her current role at the not-for-profit New York City Kids Rise. I'm extremely proud to nominate her and believe she will be an exceptional Commissioner.

Sincerely,

Mark Levine  
Manhattan Borough President  
cc: Leila Bozorg

Referred to the Committee on Rules, Privileges and Elections.

**LAND USE CALL-UPS**

M-70

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 action of the City Planning Commission on Application No. C 220235 PPQ (Resilient Edgemere Community Initiative) shall be subject to Council review. This item is related to Application Nos. C 220232 ZMQ, N 220233 ZRQ, C 220236 HAQ, and C 220237 HUQ.**

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, 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) - **48**.

*Present, Not Voting* – Rivera and Salamanca.

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.

## **REPORT OF THE STANDING COMMITTEES**

### **Report of the Committee on Finance**

Report for Int. No. 103

**Report of the Committee on Finance in favor of approving and adopting a Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in the Sutphin Boulevard business improvement district, an extension of the boundaries of such district, a change in the method of assessment upon which the district charge in such district is based, and an increase in the maximum total amount to be expended for improvements in such district, and providing for the dissolution of the one hundred sixty-fifth street mall special assessment district, and the dissolution of the Jamaica Center mall special assessment district.**

The Committee on Finance, to which the annexed proposed local law was referred on March 24, 2022 (Minutes, page 438), respectfully

#### **REPORTS:**

The objection period to consider both the amended district plan and the enacting legislation closed thirty days after the public hearing held on April 7, 2022. According to the City Clerk, no property owners filed a valid objection to authorize the Sutphin Boulevard BID to increase the amount it expends annually, extend its boundaries and change its name, provide additional services and the modify of existing services, and change the method of assessment upon which the district charge is based as set forth in the BID's amended district plan.

Since the number of objections required have not been filed with the City Clerk, at today's hearing, if the Committee and the full Council finds in the affirmative on the four questions outlined below (page 4), then the amended district plan can be adopted.

#### **BACKGROUND**

Under Local Law 82 of 1990, the City Council assumed responsibility for adopting the legislation that would establish individual business improvement districts ("BIDs").

BIDs are specifically defined areas of designated properties. They use the City's real property tax collection mechanism to collect a special tax assessment that the BID District Management Association uses to pay for additional services beyond those that the City provides. The additional services would be designed to enhance the area and to improve local business. Normally, a BID's additional services would be in the areas of security, sanitation, physical/capital improvements (lighting, landscaping, sidewalks, etc.), seasonal activities (Christmas lighting) and related business services (marketing and advertising).

Under the process established by the Law, the City Council has adopted Resolution No. 79, which set a public hearing date of Thursday, April 7, 2022, for the legislation that would authorize an increase in the amount to be expended annually in the Sutphin Boulevard Business Improvement District (the "District"), an extension of the District's boundaries, a change in the method of assessment upon which the district charge in the District is based, and an increase in the maximum total amount to be expended for improvements in the District.

Prior to the Council's actions, the Community Board for the district in which the proposed BID is located -- Community Board 12 of Queens -- voted to recommend disapproval of the Amended Plan on December 8, 2021. The City Planning Commission ("CPC") reviewed the BIDs amended district plan and held a public hearing on January 19, 2022. The CPC approved a resolution on February 16, 2022 (Calendar No. 17), which certified the CPC's unqualified approval of the amended district plan for the Sutphin Boulevard BID.

Resolution No. 79 also directed that all notice provisions contained in the law be complied with. Therefore, the Department of Small Business Services was directed to publish the Resolution or its summary in the City Record or a newspaper of general circulation not less than 10 nor more than 30 days before the public hearing. The Sutphin Boulevard District Management Association was directed to mail the Resolution or its summary to

each owner of real property within the proposed extended district at the address shown on the latest City assessment roll, to such other persons as are registered with the City to receive tax bills for property within the BID, and to occupants of each building within the proposed extended district, also not less than 10 nor more than 30 days before the public hearing. Finally, the Sutphin Boulevard District Management Association was also directed to publish in a newspaper of general circulation a notice stating the time and place of the hearing and stating the increase in the amount to be expended annually in the District not less than 10 days prior to the hearing.

The public hearing to consider both the amended district plan and the enacting legislation, according to the provisions of the law, is to be closed without a vote. The Committee then must wait at least 30 days before it can again consider and possibly vote to approve this legislation. The 30-day period immediately after this public hearing serves as an objection period. Any property owner may, during this time period, formally object to the plan by filing such objection in the Office of the City Clerk, on forms provided by the City Clerk. In the event that either at least 51 percent of the total number of property owners or owners with at least 51 percent of the assessed valuation of all the benefited real property within the district object to the plan, then the City Council is prohibited, by law, from approving such the amended district plan.

When the Committee considers this legislation after the conclusion of the objection period, it must answer the following four questions:

1. Were all notices of hearing for all hearings required to be held published and mailed as so required?;
2. Does all the real property within the district's boundaries benefit from the extension of the district, except as otherwise provided by the law?;
3. Is all real property benefited by the district included within the district?; and
4. Is the extension of the district in the best interests of the public?

If the Committee and the full Council finds in the affirmative on these four questions and the number of objections required to prevent the creation of such district are not filed, then the legislation can be adopted.

In addition, pursuant to Section 25-410(b) of the Administrative Code, a BID may obtain an increase in its budget (i.e. the total amount allowed to be expended annually by the BID or improvements, services, maintenance and operation) by means of the adoption of a local law amending the BID's district plan. So, in addition to the four questions outlined above, the Committee and the full Council must also determine that it is in the public interest to authorize such an increase in the maximum annual amount and that the tax and debt limits prescribed in section 25-412 of the Administrative Code will not be exceeded.

This local law takes effect after the requirements contained in Section 25-408 of the Administrative Code are complied with.

### **SUTPHIN BOULEVARD BID DETAILS**

The Sutphin Boulevard BID was established in 2004 and includes properties along a half-mile stretch of Sutphin Boulevard between Hillside Avenue and 94th Avenue. The Jamaica Station and rail yard are also included in the existing Sutphin Boulevard BID boundary. The Sutphin Boulevard BID is also directly adjacent to two Special Assessment Districts ("SADs"), which were created by the state legislature under an earlier legal framework, and which are similar to BIDs. The 165th Street Mall SAD was created in 1978 and generally operates along 165th Street between Jamaica Avenue and 89th Avenue. The Jamaica Center SAD was created in 1979, generally operates along Jamaica Avenue between Sutphin Boulevard and 170th Street, and is the largest of the three entities.

The BID structure superseded the SAD structure in 1982, for the first time, allowing the City and City Council to decide on the establishment of BIDs instead of the state legislature. The BID model includes more specific governance controls, including that a BID board must have a residential tenant representative as well as representatives from among local elected officials, making the BID board more accountable to stakeholders.



*Consolidation Proposal*

There has also been a preference noted by local business owners to move away from the SAD model to a purely BID model for downtown Jamaica. Outside of downtown Jamaica, there is only one SAD left in New York City.

Since 2014, the Department of City Planning, the Economic Development Corporation, the Queens Borough President's Office, the Department of Small Business Services, and local Council Members have worked with local stakeholders to articulate an economic development strategy for downtown Jamaica. In 2015, and again in 2019, these agencies and elected officials articulated a proposal to create a unified BID for downtown Jamaica. The proposal presented to the Council is to absorb the territory covered by the 165th Street Mall SAD and the Jamaica Center SAD into an expanded and renamed Downtown Jamaica BID.

As detailed in the Amended District Plan, the Sutphin Boulevard BID District Plan would be amended in three main ways.

First, the district plan would expand the Sutphin Boulevard BID boundary to encompass all properties currently in the 165th Street SAD and Jamaica Center SAD. This would significantly increase the size of the Sutphin Boulevard BID eastward to encompass approximately one mile of Jamaica Avenue between Sutphin Boulevard and 170th Street. It would also expand the Sutphin Boulevard BID to a one-block portion of 165th Street between Jamaica Avenue and 89th Avenue. The expanded BID would include approximately 230 tax lots and 590 storefront spaces. No properties currently unassessed by a BID or SAD will be included in the expanded area.

Second, the district plan would rename the Sutphin Boulevard BID to the Downtown Jamaica BID, to better reflect the expanded geography it will serve.

Third, the district plan would alter the formula used to calculate property owner contributions to the BID. The new assessment formula would require commercial and mixed-use properties to pay a share proportional to their property's width and assessed value. Specifically, commercial and mixed-use lots would be assessed at approximately \$61 per linear front foot per year, plus an additional \$0.002 per dollar of assessed value per year. The median annual contribution for a commercial or mixed-use tax lot would be approximately \$3,849, which is 9 percent less than if the three BIDs and SADs remained separated. Solely residential tax lots would be assessed at an annual flat fee of \$1 per lot. Finally, government and not-for-profit-owned property devoted solely to public or not-for-profit use would be exempt from an assessment.

Funded by an assessment on properties within the BID, the estimated first-year BID budget would be \$1,350,000 with the option to increase the assessment budget to \$1,500,000 in future years. A new governance and management structure to run the BID would be established by the local community in coordination with SBS. That District Management Association would determine the exact budget allocation, but proposed services may include street cleaning, beautification projects, and public safety services above and beyond what is already offered by the city. The BID may also coordinate and advocate on behalf of the BID's residents and businesses to deliver marketing, public events, and other economic development activities. The projected budget allocation to supply various services, which include: sanitation services (30 percent of the budget), including graffiti removal and sidewalk cleaning; management, administration, and advocacy expenses (28 percent of the budget), including salaried staff and office expenses; public plaza and mall operations (16 percent of the budget); marketing and public events (11 percent of the budget); public safety services (eight percent of the budget); and beautification services (seven percent of the budget). The BID's proposed first year budget is estimated as follows:

<b>SERVICES</b>	<b>AMOUNT</b>
Sanitation	\$400,000
Marketing & Public Events	\$150,000
Public Safety	\$100,000
Streetscape & Beautification	\$100,000
Public Plaza / 165th Street Mall Operations	\$220,000

General & Administrative	\$380,000
<b>TOTAL FIRST CONTRACT YEAR BUDGET</b>	<b>\$1,350,000</b>

The average annual assessment for the District would be approximately \$6,428.57, the median assessment would be approximately \$3,848.82, the minimum assessment would be approximately \$74.06, and the highest assessment would be approximately \$70,503.40.

*Mechanics of SAD Dissolution*

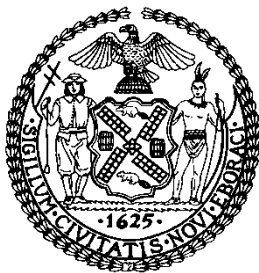
The proposed expansion of the Downtown Jamaica (previously Sutphin Boulevard) BID would be contingent upon the successful dissolution of the 165th Street Mall SAD and the Jamaica Center SAD. Section 25-415(a) of Chapter 4 of Title 25 of the Administrative Code of the City of New York provides that the Council may dissolve a SAD by enactment of a local law but must first request and consider the recommendations of the district management association of the SAD proposed to be dissolved, provided that the Council may proceed if the district management association does not provide comment within 60 days of such request.

On March 18, 2022, Speaker Adams sent a letter on behalf of the Council, both by email and by certified mail, to the district management association of both the 165th Street Mall SAD and the Jamaica Center SAD, soliciting recommendations regarding the proposed dissolution of each district management association for the consideration of the Council.

On March 21, 2022, representatives of the Department of Small Business Services submitted a notice for publication in the City Record on March 28, 2022, detailing the proposed BID expansion and dissolution of the SADs, and inviting comments both in writing at in person at the Council's hearing on the proposed local law.

All local Council Members expressed their support of the recommended amendments, either at the hearing held by the City Planning Commission on January 19, 2022 or in letters of support on file with staff to the Committee on Finance -- or both.

**(The following is the text of the Fiscal Impact Statement for Int. No. 103:)**



**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**

**INT. No. 103**

**COMMITTEE: Finance**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in the Sutphin Boulevard business improvement district, an extension of the boundaries of such district, a change in the method of assessment upon which the district charge in

**SPONSOR:** Council Member Brannan (by request of the Mayor).

such district is based, and an increase in the maximum total amount to be expended for improvements in such district, and providing for the dissolution of the one hundred sixty-fifth street mall special assessment district, and the dissolution of the Jamaica Center mall special assessment district.

**SUMMARY OF LEGISLATION:** Intro. No. 103 would authorize the Sutphin Boulevard Business Improvement District in Jamaica, Queens to increase the amount it expends annually, extend its boundaries, provide additional services, modify existing services, and change the method of assessment upon which the district charge is based as set forth in the BID’s amended district plan. Under the proposal, the Sutphin Boulevard BID would be renamed the Downtown Jamaica BID.

**EFFECTIVE DATE:** Sections one, four and five of this local law take effect December 31, 2022; and sections two and three of this local law take effect January 1, 2023, provided that compliance with section 25-408 of chapter 4 of title 25 of the administrative code of the city of New York has occurred on or before such date, provided further, however, that if such compliance occurs after January 1, 2023, sections two and three of this local law shall take effect upon compliance with such section 25-408 and shall be retroactive to and deemed to have been in full force and effect as of January 1, 2023.

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2023.

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY23</b>	<b>FY Succeeding Effective FY24</b>	<b>Full Fiscal Impact FY24</b>
<b>Revenues (+)</b>	\$0	\$0	\$0
<b>Expenditures (-)</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES AND EXPENDITURES:** This local law would result in no fiscal impact upon the City's revenues or expenditures. Under the Administrative Code, proceeds authorized to be assessed by the District are collected by the City on behalf of the District. None of these proceeds are those of the City and they may not be used for any purpose other than those set forth in the BID’s District Plan. The BID will be funded through a self-assessment by property owners within the district. Funded by an assessment on properties within the BID, the estimated first-year BID budget would be \$1,350,000 with the option to increase the assessment budget to \$1,500,000 in future years.

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

**SOURCES OF INFORMATION:** New York City Council Finance Division  
Department of Small Business Services

**ESTIMATE PREPARED BY:** Malcom M. Butehorn, Senior Counsel

**LEGISLATIVE HISTORY:** This legislation was introduced by the Council as Intro. No. 103 on March 24, 2022 and referred to the Committee on Finance (“Committee”). The Committee heard the legislation on April 7, 2022 and the legislation was laid over to allow for the statutory 30-day objection period. Intro. No. 103 will be considered again by the Committee on June 2, 2022. Upon successful vote by the Committee, Intro. No. 103 will be submitted to the full Council for a vote on June 2, 2022.

**DATE PREPARED:** May 31, 2022.

**(The following is the text of Int. No. 103:)**

Int. No. 103

By Council Member Brannan (by request of the Mayor).

**A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended annually in the Sutphin Boulevard business improvement district, an extension of the boundaries of such district, a change in the method of assessment upon which the district charge in such district is based, and an increase in the maximum total amount to be expended for improvements in such district, and providing for the dissolution of the one hundred sixty-fifth street mall special assessment district, and the dissolution of the Jamaica Center mall special assessment district**

*Be it enacted by the Council as follows:*

§ 1. Subdivision a of section 25-462.1 of the administrative code of the city of New York, as added by local law number 118 for the year 2013, is amended to read as follows:

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the Sutphin Boulevard business improvement district beginning on January 1, [2013] 2023, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [two hundred fifty-two thousand dollars (\$252,000)] *one million five hundred thousand dollars (\$1,500,000)*.

§ 2. Chapter 5 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-462.2 to read as follows:

§ 25-462.2 *Sutphin Boulevard business improvement district; extension of district. a. The city council having determined, pursuant to section 25-407 of chapter four of this title: that notice of hearing for all hearings required to be held was published and mailed as required by law and was otherwise sufficient; that, except as otherwise provided in section 25-403 of chapter four of this title, all the real property within the boundaries of the district will benefit from the extension of the district; that all the real property benefited is included within the limits of the district; and that the extension of the district is in the public interest; and the council having determined further that the requisite number of owners have not objected as provided in section 25-406 of chapter four of this title, the Sutphin Boulevard business improvement district in the borough of Queens is hereby extended. Such district is extended in accordance with the amended district plan of 2022 required to be filed with the city clerk pursuant to subdivision b of this section.*

*b. Immediately upon adoption of this local law by the council, the council shall file with the city clerk the amended district plan of 2022 upon which the Sutphin Boulevard business improvement district, and the extension thereof, is based.*

*c. The amended district plan of 2022 shall not be further amended except in accordance with chapter four of this title.*

§ 3. The administrative code of the city of New York is amended by adding a new section 25-462.3 to read as follows:

§ 25-462.3 *Sutphin Boulevard business improvement district; amendment of the district plan. a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize a change in the method of assessment upon which the district charge in the Sutphin Boulevard business improvement district is based, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such change, there is hereby authorized in such district such change as is set forth in the amended district plan of 2022 required to be filed with the city clerk pursuant to subdivision c of this section.*

*b. The city council having determined, pursuant to subdivision c of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the maximum total amount to be expended for improvements in the district, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such change, there is hereby authorized in the Sutphin Boulevard business improvement district such change as is set forth in the amended district plan of 2022 required to be filed with the city clerk pursuant to subdivision c of this section.*

*c. Immediately upon adoption of this local law, the council shall file with the city clerk the amended district plan of 2022 containing the change in the method of assessment authorized by subdivision a of this section and the increase in the maximum total amount to be expended for improvements authorized by subdivision b of this section.*

§ 4. Chapter 6 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-601.1 to read as follows:

§ 25-601.1 *Dissolution of one hundred sixty-fifth street mall special assessment district. The recommendations of the one hundred sixty-fifth street mall improvement association concerning the proposed dissolution of the one hundred sixty-fifth street mall special assessment district having been requested and considered by the city council in accordance with subdivision (a) of section 25-415 of chapter four of this title, pursuant to the authority granted by such subdivision, the one hundred sixty-fifth street mall special assessment district is hereby dissolved as of the end of calendar day December 31, 2022, provided that as of such date there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the one hundred sixty-fifth street mall special assessment district.*

§ 5 Chapter 6 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-604.1 to read as follows:

§ 25-604.1 *Dissolution of Jamaica Center mall special assessment district. The recommendations of the Jamaica Center mall improvement association concerning the proposed dissolution of the Jamaica Center mall special assessment district having been requested and considered by the city council in accordance with subdivision (a) of section 25-415 of chapter four of this title, pursuant to the authority granted by such subdivision, the Jamaica Center mall special assessment district is hereby dissolved as of the end of calendar day December 31, 2022, provided that as of such date there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the Jamaica Center mall special assessment district.*

§ 6. Sections one, four and five of this local law take effect December 31, 2022; and sections two and three of this local law take effect January 1, 2023, provided that compliance with section 25-408 of chapter 4 of title 25 of the administrative code of the city of New York has occurred on or before such date, provided further, however, that if such compliance occurs after January 1, 2023, sections two and three of this local law shall take effect upon compliance with such section 25-408 and shall be retroactive to and deemed to have been in full force and effect as of January 1, 2023.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HARRIS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ; Committee on Finance, June 2, 2022.

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

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

Report for Res. No. 191

**Report of the Committee on Finance in favor of a Resolution to establish that the discount percentage for early payment of real estate taxes be set at one-half of one percent per annum for Fiscal Year 2023.**

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 2, 2022, respectfully

**REPORTS:**

**Early Payment of Property Taxes**

Under current law, the City provides a discount for property owners who pay their property tax bills early. To receive a discount on the *entire* tax bill, both semi-annual and quarterly taxpayers have to pay the entire tax bill prior to the date the July 1<sup>st</sup> installment could be paid without interest. For quarterly taxpayers, if the taxpayer does not pay the entire tax bill upfront, but instead pays the last three quarters in full on or before October 15<sup>th</sup>, the discount is calculated at a rate of two-thirds of the discount percentage. If the last two quarters (due in January and April) are paid in full on or before January 15<sup>th</sup>, the taxpayer receives a discount equal to one-third of the discount percentage. A tax installment paid after the January 15<sup>th</sup> due date is not eligible for a discount.

The New York City Council is charged with the responsibility of setting the discount percentages for the early payment of real estate taxes prior to the dates on which such taxes become due and payable. Specifically, §1519-a(7)(b) of the New York City Charter provides that not later than the 13th day of May in each year, the New York City Banking Commission (the “Banking Commission”) shall send a written recommendation to the Council of a proposed discount percentage for the ensuing fiscal year.

Further, §1519-a(7)(c) of the New York City Charter provides that the New York City Council may adopt a discount percentage by resolution no earlier than the 14th day of May.

If the Council does not set a discount rate, the default discount rate, which is set by §1519-a(7)(d) of the New York City Charter will apply. The default discount rate is a formula equaling the annualized interest rate on six-month United States treasury bills, as reported by the Board of Governors for the Federal Reserve System plus seventy-five basis points, the sum of which is divided by four for the last business day of April preceding the ensuing fiscal year.

The Banking Commission forwarded to the Council, by letter dated May 13, 2022, its recommendation that the discount percentage for early payment of real estate taxes for Fiscal Year 2023 be set at one-half of one percent (0.5%) per annum.

As required by Local Law 30 of 2015, the Banking Commission included with its recommendations a report detailing the factors considered when determining the recommendation. For the Fiscal Year 2023 recommendation, the Banking Commission considered the City’s cash balances, the estimated savings from fewer issuances of property tax statements, current interest rates, and discount rates offered by other municipalities.

Pursuant to Charter §1519-a(7)(c), the Council adopts the Banking Commission’s recommendation and establishes that the discount percentage for early payment of real estate taxes shall be set at one-half of one percent (0.5%) per annum for Fiscal Year 2023.

**Late Payment of Property Taxes**

Section 11-224.1 of the Administrative Code of the City of New York requires the New York City Banking Commission (the “Banking Commission”) to send a written recommendation to the City Council of proposed interest rates to be charged for non-payment of taxes on real property no later than the 13th day of May each year. In making such recommendation, the Banking Commission shall consider the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the “Prime Rate”). The Commissioner noted that as of May 12, 2022, the prime rates stands at four percent, as

published by the Board of Governors of the Federal Reserve System. As required by Local Law 30 of 2015, the Banking Commission included with its recommendation a report detailing the factors considered when determining the recommendation. For the Fiscal Year 2023 recommendation, the Banking Commission considered the penalty rates used by other property tax collectors, and the interest rates charged for mortgages and home equity lines of credit.

*Recommendation for Properties Assessed No More Than \$250,000*

For real property with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments, the Banking Commission shall propose an interest rate at least equal to the prime rate pursuant to section 11-224.1 of the Administrative Code of the City of New York.

By letter dated May 13, 2022, the Banking Commission recommended to the Council an interest rate of six percent per annum for Fiscal Year 2023 to be charged for non-payment of taxes of real property where the assessed value is not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.

*Recommendation for Properties Assessed More Than \$250,000 but Less Than \$450,000*

For real property with an assessed value of more than \$250,000, but less than or equal to \$450,000, or more than \$250,000 but less than or equal to \$450,000 per residential unit for cooperative apartments, pursuant to Local Law 24 of 2021, the Banking Commission shall propose an interest rate at least four percentage points per annum greater than the prime rate.

By letter dated May 13, 2022, the Banking Commission recommended to the Council an interest rate of 12 percent per annum for Fiscal Year 2023 to be charged for non-payment of taxes of real property where the assessed value is more than \$250,000, but less than or equal to \$450,000, or more than \$250,000 but less than or equal to \$450,000 per residential unit for cooperative apartments.

*Recommendation for Properties Assessed More Than \$450,000*

For real property with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments, pursuant to section 11-224.1 of the Administrative Code of the City of New York, the Banking Commission shall propose an interest rate at least six percentage points per annum greater than the prime rate.

By letter dated May 13, 2022, the Banking Commission recommended to the Council an interest rate of 18 percent per annum for Fiscal Year 2023 to be charged for non-payment of taxes of real property where the assessed value is more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments.

**CONCLUSION**

Pursuant to section 1519-a(7)(b) of the New York City Charter and section 11-224.1 of the Administrative Code, the Council adopts the Banking Commission's recommendation for the discount rate, but lower rates for non-payment as follows:

- For early payment of real estate taxes - 0.5% discount
- For non-payment of property taxes
  - Properties with an assessed value of no more than \$250,000, or no more than \$250,000 per unit for cooperative apartments – 4%
  - Properties with an assessed value of more than \$250,000 but less than \$450,000, or more than \$250,000 but less than \$450,000 per unit for cooperative apartments – 7%

- Properties with an assess value of more than \$450,000, or more than \$450,000 per unit for cooperative apartments – 14%.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 191:)**

Preconsidered Res. No. 191

**Resolution to establish that the discount percentage for early payment of real estate taxes be set at one-half of one percent per annum for Fiscal Year 2023.**

By Council Members Ayala and Nurse.

**Whereas**, Pursuant to section 1519-a(7)(b) of the New York City charter, the Banking Commission is required to recommend to the City Council, not later than the 13th day of May, the proposed discount percentage allowed for early payment of real estate taxes; and

**Whereas**, Section 1519-a(7)(c) of the New York City charter provides that the Council may adopt a discount percentage for early payment of real estate taxes no earlier than the 14th day of May; and

**Whereas**, The Banking Commission forwarded its recommendation to the Council, by letter dated May 13, 2022, that the discount percentage for early payment of real estate taxes for Fiscal Year 2023 be set at one-half of one percent per annum; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the discount percentage for early payment of real estate taxes be set at one-half of one percent per annum for Fiscal Year 2023.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, AMANDA FARIAS, KAMILLAH HARRIS, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ; Committee on Finance, June 2, 2022.

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



## Report of the Committee on Housing and Buildings

Report for Int. No. 208-A

### Report of the Committee on Housing and Buildings 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 inspections of self-closing doors and fire safety notices in residential buildings.

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on April 14, 2022 (Minutes, page 627), respectfully

#### REPORTS:

#### Oversight: Agency Enforcement and the Twin Parks Fire

##### I. INTRODUCTION

On June 1, 2022, the Committee on Housing and Buildings, chaired by Council Member Pierina Sanchez, will hold a hearing on Proposed Int. No. 208-A, in relation to inspections of self-closing doors in residential buildings. This bill was first heard on April 6, 2022. More information about this bill along with the materials for that hearing can be found at <https://tinyurl.com/yc733x3d>.

##### II. BACKGROUND

###### *January 2022 Residential Building Fires*

On January 9, 2022, a high-rise residential fire at the 19-story Twin Parks North West apartment building in the Fordham section of the Bronx resulted in the deaths of 17 individuals, including eight children.<sup>1</sup> Dozens were hospitalized with life-threatening injuries due to smoke inhalation.<sup>2</sup> Investigators determined the fire was caused by a defective space heater that caught fire in a resident's bedroom.<sup>3</sup> The space heater had reportedly been running continuously for days to supplement the inadequate heat provided by the building. Although the flames were contained primarily to the hallway outside the third floor apartment unit where the fire originated, smoke from the fire quickly inundated the building.<sup>4</sup> As residents of the building evacuated, the door to the third floor apartment from which the fire originated reportedly remained open, causing smoke to permeate throughout the building.<sup>5</sup> The smoke was drawn into a stairwell, leading up to the fifteenth floor, where the stairwell door was also left open.<sup>6</sup> All individuals killed in the fire died from smoke inhalation. Additionally, dozens of residents were displaced from their apartments. It was reported that between 2013 and 2019, HPD inspectors

<sup>1</sup> Ashley Southall et al., *19 Killed in New York City's Deadliest Fire in Decades*, The New York Times (Jan. 9, 2022) <https://www.nytimes.com/2022/01/09/nyregion/nyc-bronx-fire.html>

<sup>2</sup> *Id.*

<sup>3</sup> *Bronx Fire: Mayor Revises Number Killed to 17, Including 8 Children*, The New York Times (Jan. 10, 2022) <https://www.nytimes.com/live/2022/01/10/nyregion/bronx-fire-nyc>

<sup>4</sup> Nicholas Fandos, *Two Open Doors Created 'Flue Effect' of Deadly Smoke at Bronx High-Rise*, The New York Times (Jan. 10, 2022) <https://www.nytimes.com/2022/01/10/nyregion/bronx-apartment-fire-smoke.html>

<sup>5</sup> *Supra*, note 3.

<sup>6</sup> *Id.*

cited the Twin Parks building six times for failure to maintain self-closing doors, all of which had been resolved.<sup>7</sup> Of those violations, doors on the third and fifteenth floors had specifically been mentioned.<sup>8</sup>

Closing doors when escaping a fire can greatly decrease the chance that such fire will spread to other areas of a building. The Twin Parks fire, and other high-rise fires, have demonstrated the fatal results of open doors allowing fires to spread into common hallways, stairways and other apartments. Recognizing the potential life-or-death impact of closing doors during a fire, the Council enacted legislation aimed to address this issue following a string of deadly fires in early 2018.

First, Local Law 111 of 2018, established requirements that doors providing access to interior corridors or stairs be self-closing or equipped with devices to ensure closing after having been opened. This requirement, which applied to occupancy groups R-1 and R-2 established July 31, 2021 as a deadline for compliance with such requirements.<sup>9</sup> The bill placed responsibility on building owners of multiple dwellings to keep and maintain self-closing doors in good repair, and made failure to keep or maintain such doors a class C immediate hazardous violation, with a 21-day period of correction following issuance of violation.<sup>10</sup>

Additionally, Local Law 115 of 2018, required the posting of notices within residential buildings regarding the importance of closing doors when escaping a fire. This requirement, codified in Admin. Code. Section 15-135, places responsibility on building owners to ensure such notices are maintained in conspicuous locations.<sup>11</sup>

## **LEGISLATION**

Below is a brief summary of the legislation being heard by the Committee at this hearing. These summaries are intended for informational purposes only and does not substitute for legal counsel. For more detailed information, you should review the full text of the bills, which are attached below.

### **Int. No. 208-A, A Local Law to amend the administrative code of the city of New York, in relation to inspections of self-closing doors and fire safety notices in residential buildings**

This bill would require the Department of Housing Preservation and Development (HPD) to establish rules to select 300 multiple dwellings, in consultation with the Fire Department (FDNY), to be inspected for self-closing door compliance. It would require HPD to submit an annual report with information about these inspections. This bill would also require HPD to provide information to FDNY regarding fire safety violations dating back to 2017, which FDNY must audit to inform its building inspection program.

This legislation would take effect immediately after becoming law.

**(The following is the text of the Fiscal Impact Statement for Int. No. 208-A:)**

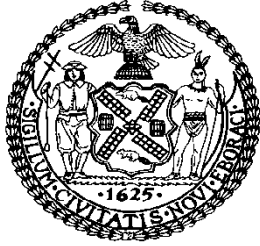
<sup>7</sup> *Id.*

<sup>8</sup> Nolan Hicks and Jack Morphet, *City repeatedly flagged busted fire doors before Bronx tower inferno*, The New York Post (Jan. 10, 2022) <https://nypost.com/2022/01/10/city-repeatedly-flagged-busted-fire-doors-before-bronx-tower-inferno/>

<sup>9</sup> Admin. Code §28-315.10

<sup>10</sup> Admin. Code §27-2041.1

<sup>11</sup> Admin. Code §15-135



**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.: 208-A**

**COMMITTEE: Housing and Buildings**

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to inspections of self-closing doors and fire safety notices in residential buildings.

**SPONSORS:** By Council Members Williams, Hudson, Salamanca, Feliz, Riley, Stevens, Holden, Dinowitz, Hanif, Farías, Louis, Velázquez, Avilés, Schulman, Menin, Narcisse, Restler, Barron, Krishnan, Joseph, Gutiérrez, Ayala, Richardson Jordan, Hanks, Nurse, Abreu, and Gennaro.

**SUMMARY OF LEGISLATION:** Proposed Int. No. 208-A would require the Department of Housing Preservation and Development (HPD) to establish rules to select 300 multiple dwellings, in consultation with the Fire Department (FDNY), to be inspected for self-closing door compliance. Proposed Int. No. 208-A would also require HPD to submit an annual report with information about these inspections, and provide information to FDNY regarding fire safety violations dating back to 2017. FDNY would be required to audit the report to inform its building inspection program.

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

**FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED:** Fiscal 2023

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY22</b>	<b>FY Succeeding Effective FY23</b>	<b>Full Fiscal Impact FY23</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

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

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation because the Department of Housing Preservation and Development (HPD) has available headcount to employ the inspectors who would be used to fulfill the requirements of this legislation.

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

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Daniel Kroop, Senior Financial Analyst

**ESTIMATED REVIEWED BY:** Chima Obichere, Unit Head  
Malcom Butehorn, Counsel

**LEGISLATIVE HISTORY:** This legislation was first considered by the Committee on Housing and Buildings (the Committee), jointly with the Committee on Fire and Emergency Management and the Special Committee on the Twin Parks Citywide Taskforce on Fire Prevention, as a Preconsidered Introduction on April 6, 2022 and the bill was laid over. The legislation was then introduced to the full Council on April 14, 2022, as Intro. No. 208 and was referred to the Committee. Intro. No. 208 has been amended and the amended version, Proposed Intro. No. 208-A, will be considered by the Committee on June 1, 2022. Upon a successful vote by the Committee, Proposed Intro. No. 208-A will be submitted to the full Council for a vote on June 2, 2022.

**DATE PREPARED:** May 31, 2022.

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

**(The following is the text of Int. No. 208-A:)**

Int. No. 208-A

By Council Members Williams, Hudson, Salamanca, Feliz, Riley, Stevens, Holden, Dinowitz, Hanif, Farías, Louis, Velázquez, Avilés, Schulman, Menin, Narcisse, Restler, Barron, Krishnan, Joseph, Gutiérrez, Ayala, Richardson Jordan, Hanks, Nurse, Abreu and Gennaro.

**A Local Law to amend the administrative code of the city of New York, in relation to inspections of self-closing doors and fire safety notices in residential buildings**

*Be it enacted by the Council as follows:*

Section 1. Article 11 of subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding new sections 27-2041.2 and 27-2046.5 to read as follows:

§ 27-2041.2 *Self-closing doors; required inspections. a. General. The department shall develop a process, to be implemented by July 1, 2023, to periodically inspect certain self-closing doors in class A multiple dwellings in accordance with this section.*

*b. Multiple dwellings to be inspected. The department shall establish by rule criteria for annually selecting 300 class A multiple dwellings to be inspected pursuant to this section. Such criteria shall include, but need not be limited to, buildings identified in consultation with the fire department. Notwithstanding the criteria established by the department, the annual selection of multiple dwellings to be inspected pursuant to this section shall not include any building that: (i) is currently the subject of a court order appointing or a proceeding brought by the department seeking the appointment of an administrator pursuant to article 7-A of the real property actions and proceedings law, or (ii) has been included in the alternative enforcement program pursuant to section 27-2153 and has not been discharged from such program. Any multiple dwelling inspected under this section shall not be subject to inspection under this section again for at least five years.*

*c. Inspection process. Self-closing doors shall be inspected and tested in accordance with this section and applicable rules of the department promulgated pursuant to this section. The commissioner shall develop criteria to be used during the inspection of a self-closing door.*

*d. Inspection requirements. At each inspection conducted pursuant to subdivision c of this section, the department shall inspect self-closing doors in common areas, public spaces, hallways and corridors and reasonably accessible self-closing dwelling unit doors.*

*e. Annual report on self-closing doors. 1. No later than September 30, 2024, for the period of the prior fiscal year, 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 a report regarding self-closing doors inspected by the department pursuant to this section.*

2. *The report shall include a table in which each separate row references a building inspected by the department pursuant to this section in the previous year. Each such row shall include the following information, as well as any additional information the commissioner deems appropriate, set forth in separate columns:*

- (a) The address of the building where such inspection was attempted;*
- (b) The building or property owner at the time of inspection;*
- (c) The date on which an inspection of such building occurred;*
- (d) The number of floors contained in such building;*
- (e) Whether or not the building was accessed;*
- (f) The number of self-closing door violations issued as a result of the inspection; and*
- (g) The number of self-closing door violations that were corrected by the owner.*

*§ 27-2046.5 Inter-agency coordination on fire safety violations. a. By July 1, 2022, the department shall provide the fire department with access to records of all fire safety violations issued by the department on or after January 1, 2017.*

*b. By July 1, 2022, the department shall develop and implement a process, to be followed in the course of the department's normal procedures while conducting inspections within dwelling units for violations of this chapter, to check for compliance with the posting requirements related to building fire and emergency preparedness information set forth in item 1 of subparagraph A of paragraph 5 of subdivision e of section 401-06 of title 3 of the rules of the city of New York or any successor provision. If the department finds that an owner has failed to comply with such requirements, the department shall notify such owner and the fire department of such failure.*

*§ 2. Title 15 of the administrative code of the city of New York is amended by adding a new section 15-141 to read as follows:*

*§ 15-141 Fire safety violations. a. The department shall review and audit records of fire safety violations provided to it by the department of housing preservation and development pursuant to section 27-2046.5. The results of this audit shall be used to inform the department's building inspection program.*

*§ 3. This local law takes effect immediately.*

PIERINA ANA SANCHEZ, *Chairperson*; ERIC DINOWITZ, OSWALD FELIZ, TIFFANY CABÁN, ALEXA AVILÉS, CHARLES BARRON, CRYSTAL HUDSON, ARI KAGAN, DAVID M. CARR; 9-0-0; Committee on Housing and Buildings, June 1, 2022.

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

**Report of the Committee on Land Use**

Report for L.U. No. 50

**Report of the Committee on Land Use in favor of approving Application number C 210299 ZMK (840 Lorimer Street Rezoning) submitted by Zucker Enterprises, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 13a, eliminating from within an existing R6A District a C2-4 District, eliminating a Special Mixed Use District (MX-8), changing from an R6A District to a C4-5D District, and changing from an M1-2/R6 District to a C4-5D District, Borough of Brooklyn, Community District 1, Council District 33.**

The Committee on Land Use, to which the annexed Land Use item was referred on April 28, 2022 (Minutes, page 846) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:****SUBJECT****BROOKLYN CB-1 - TWO APPLICATIONS RELATED TO 840 LORIMER STREET  
REZONING****C 210299 ZMK (Pre. L.U. No. 50)**

City Planning Commission decision approving an application submitted by Zucker Enterprises, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13a:

1. eliminating from within an existing R6A District a C2-4 District bounded by a line perpendicular to the northeasterly street line of Lorimer Street distant 135 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Lorimer Street and the northwesterly street line of Driggs Avenue, Manhattan Avenue, Driggs Avenue, and a line midway between Lorimer Street and Manhattan Avenue;
2. eliminating a Special Mixed Use District (MX-8) bounded by a line perpendicular to the northeasterly street line of Lorimer Street distant 135 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Lorimer Street and the northwesterly street line of Driggs Avenue, a line midway between Lorimer Street and Manhattan Avenue, Driggs Avenue, and Lorimer Street;
3. changing from an R6A District to a C4-5D District property bounded by a line perpendicular to the northeasterly street line of Lorimer Street distant 135 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Lorimer Street and the northwesterly street line of Driggs Avenue, Manhattan Avenue, Driggs Avenue, and a line midway between Lorimer Street and Manhattan Avenue; and
4. changing from an M1-2/R6 District to a C4-5D District property bounded by a line perpendicular to the northeasterly street line of Lorimer Street distant 135 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Lorimer Street and the northwesterly

street line of Driggs Avenue, a line midway between Lorimer Street and Manhattan Avenue, Driggs Avenue, and Lorimer Street;

as shown on a diagram (for illustrative purposes only) dated November 29, 2021, and subject to the conditions of CEQR Declaration E-650.

**N 210300 ZRK (Pre. L.U. No. 51)**

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

**INTENT**

To approve the amendment to rezone the project area from an M1-2/R6A (MX-8) and R6A/C2-4 zoning districts to a C4-5D zoning district; and amend the zoning text to designate a Mandatory Inclusionary Housing (MIH) area with Options 1 and 2 to facilitate the construction of a new mixed-use development containing 74 dwelling units, 19 of which would be affordable under the Mandatory Inclusionary Housing (MIH) Program, as well as approximately 25,000 square feet of commercial floor area throughout the first three stories of the building, located at 840 Lorimer Street (Block 2679, Lot 43) in the Greenpoint neighborhood of Community District 1, Brooklyn.

**PUBLIC HEARING**

**DATE:** April 26, 2022

**Witnesses in Favor:** Four

**Witnesses Against:** Four

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 31, 2022

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on Pre. L.U. Nos. 50 and 51.

**In Favor:**  
Riley  
Moya  
Louis  
Abreu  
Bottcher  
Hanks  
Schulman  
Carr

**Against:**  
None

**Abstain:**  
None

**COMMITTEE ACTION**

**DATE:** June 1, 2022

The Committee recommends that the Council approve the attached resolutions.

<b>In Favor:</b>	<b>Against:</b>	<b>Abstain:</b>
Salamanca	None	None
Moya		
Rivera		
Louis		
Riley		
Brooks-Powers		
Bottcher		
Hanks		
Kagan		
Krishnan		
Mealy		
Sanchez		
Borelli		

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

Res. No. 209

**Resolution approving the decision of the City Planning Commission on ULURP No. C 210299 ZMK, a Zoning Map amendment (Preconsidered L.U. No. 50).**

By Council Members Salamanca and Riley.

**WHEREAS**, Zucker Enterprises, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 13a, eliminating from within an existing R6A District a C2-4 District, eliminating a Special Mixed Use District (MX-8), changing from an R6A District to a C4-5D District, and changing from an M1-2/R6 District to a C4-5D District, which in conjunction with the related action would facilitate the construction of a new mixed-use development containing 74 dwelling units, 19 of which would be affordable under the Mandatory Inclusionary Housing (MIH) Program, as well as approximately 25,000 square feet of commercial floor area throughout the first three stories of the building, located at 840 Lorimer Street (Block 2679, Lot 43) in the Greenpoint neighborhood of Community District 1, Brooklyn (ULURP No. C 210299 ZMK) (the "Application");

**WHEREAS**, the City Planning Commission filed with the Council on April 15, 2022 its decision dated April 13, 2022 (the "Decision") on the Application;

**WHEREAS**, the Application is related to application N 210300 ZRK (Pre. L.U. No. 51), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area with Options 1 and 2;

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



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

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the Negative Declaration issued November 29<sup>th</sup>, 2021 (CEQR No. 21DCP078K) which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise impacts (E-650) (the “Negative Declaration”).

**RESOLVED:**

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-650) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 210299 ZMK incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section 13a:

1. eliminating from within an existing R6A District a C2-4 District bounded by a line perpendicular to the northeasterly street line of Lorimer Street distant 135 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Lorimer Street and the northwesterly street line of Driggs Avenue, Manhattan Avenue, Driggs Avenue, and a line midway between Lorimer Street and Manhattan Avenue;
2. eliminating a Special Mixed Use District (MX-8) bounded by a line perpendicular to the northeasterly street line of Lorimer Street distant 135 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Lorimer Street and the northwesterly street line of Driggs Avenue, a line midway between Lorimer Street and Manhattan Avenue, Driggs Avenue, and Lorimer Street;
3. changing from an R6A District to a C4-5D District property bounded by a line perpendicular to the northeasterly street line of Lorimer Street distant 135 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Lorimer Street and the northwesterly street line of Driggs Avenue, Manhattan Avenue, Driggs Avenue, and a line midway between Lorimer Street and Manhattan Avenue; and
4. changing from an M1-2/R6 District to a C4-5D District property bounded by a line perpendicular to the northeasterly street line of Lorimer Street distant 135 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Lorimer Street and the northwesterly street line of Driggs Avenue, a line midway between Lorimer Street and Manhattan Avenue, Driggs Avenue, and Lorimer Street;

as shown on a diagram (for illustrative purposes only) dated November 29, 2021, and subject to the conditions of CEQR Declaration E-650, Borough of Brooklyn, Community District 1.

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 1, 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. 51

**Report of the Committee on Land Use in favor of approving Application number N 210300 ZRK (840 Lorimer Street Rezoning) submitted by Zucker Enterprises, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 1, Council District 33.**

The Committee on Land Use, to which the annexed Land Use item was referred on April 28, 2022 (Minutes, page 846) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Land Use for L.U. No. 50 printed in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

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

Res. No. 210

**Resolution approving the decision of the City Planning Commission on Application No. N 210300 ZRK, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 51).**

By Council Members Salamanca and Riley.

**WHEREAS**, Zucker Enterprises, LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing Area, which in conjunction with the related action would facilitate the construction of a new mixed-use development containing 74 dwelling units, 19 of which would be affordable under the Mandatory Inclusionary Housing (MIH) Program, as well as approximately 25,000 square feet of commercial floor area throughout the first three stories of the building, located at 840 Lorimer Street (Block 2679, Lot 43) in the Greenpoint neighborhood of Community District 1, Brooklyn (ULURP No. N 210300 ZRK) (the “Application”);

**WHEREAS**, the City Planning Commission filed with the Council on April 15, 2022, its decision dated April 13, 2022 (the “Decision”), on the Application;

**WHEREAS**, the Application is related to application C 210299 ZMK (Pre. L.U. No. 50), a zoning map amendment to change M1-2/R6A (MX-8) and R6A/C2-4 zoning districts to a C4-5D zoning district;

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

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

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the Negative Declaration issued November 29<sup>th</sup>, 2021 (CEQR No. 21DCP078K) which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise impacts (E-650) (the “Negative Declaration”).

**RESOLVED:**

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-650) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 210300 ZRK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

- Matter underlined is new, to be added;
- Matter ~~struck out~~ is to be deleted;
- Matter within # # is defined in Section 12-10;
- \* \* \* indicates where unchanged text appears in the Zoning Resolution

**APPENDIX F  
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

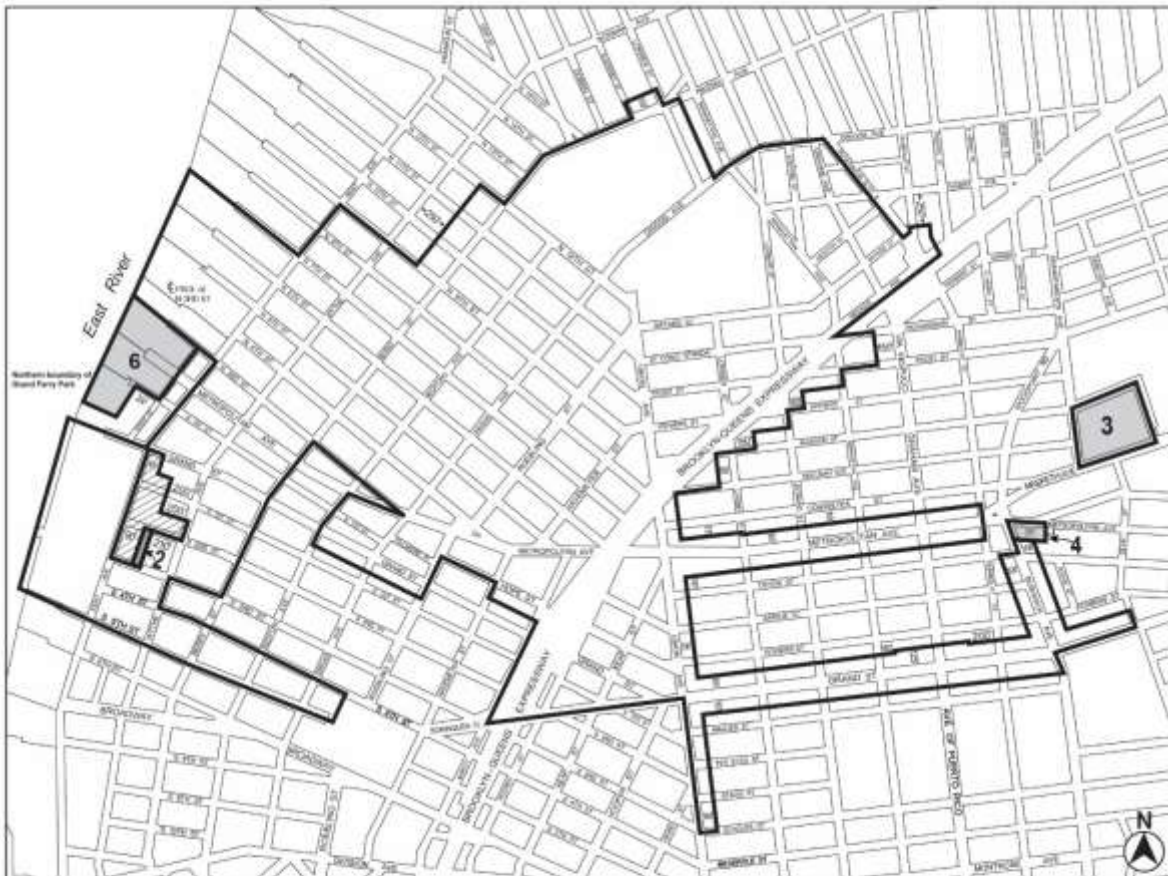
**BROOKLYN**




**Brooklyn Community District 1**

\* \* \*

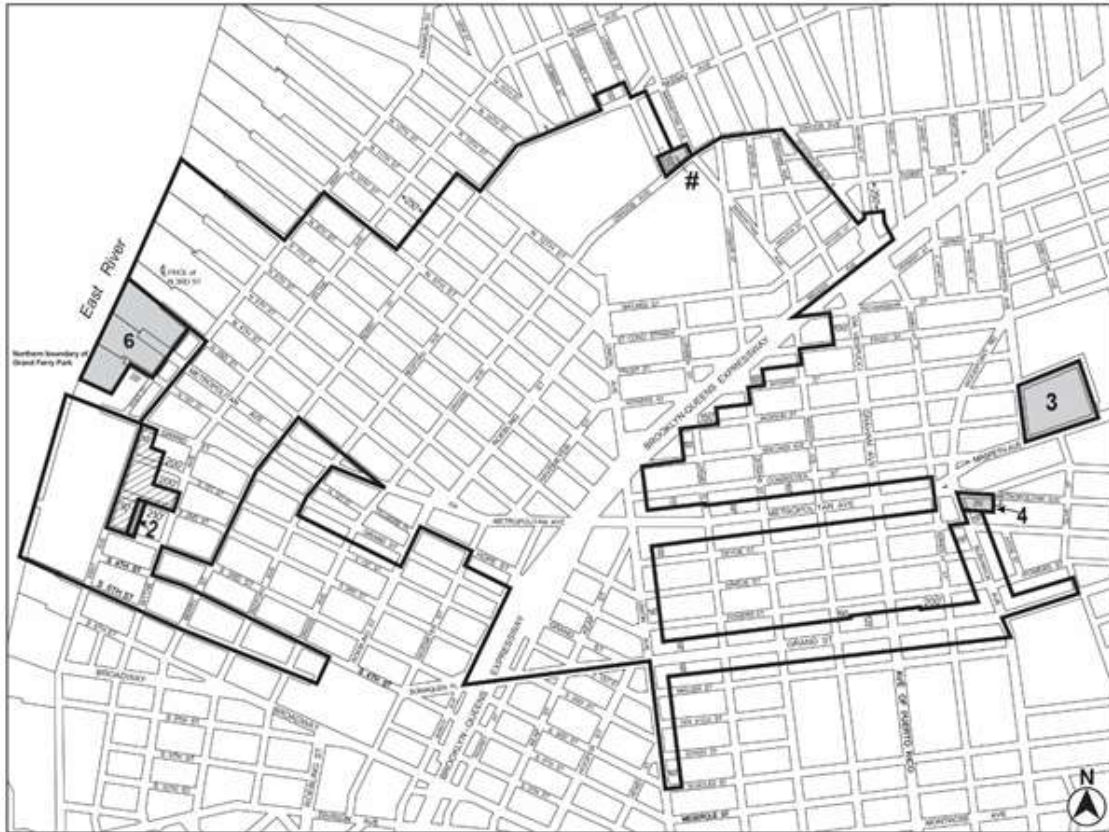
Map 2 – [date of adoption]




[EXISTING]



-  *Inclusionary Housing designated area*
-  **Mandatory Inclusionary Housing Program Area** *see Section 23-154(d)(3)*
  - Area 2—10/7/21 MIH Program Option 1 and Option 2
  - Area 3—11/23/21 MIH Program Option 1 and Deep Affordability Option
  - Area 4—11/23/21 MIH Program Option 1 and Deep Affordability Option
  - Area 6—12/15/21 MIH Program Option 1
-  **Excluded Area**

[PROPOSED]



-  *Inclusionary Housing designated area*
-  **Mandatory Inclusionary Housing Program Area** *see Section 23-154(d)(3)*
- Area 2—10/7/21 MIH Program Option 1 and Option 2
- Area 3—11/23/21 MIH Program Option 1 and Deep Affordability Option
- Area 4—11/23/21 MIH Program Option 1 and Deep Affordability Option
- Area 6—12/15/21 MIH Program Option 1
- Area #—[date of adoption] MIH Program Option 1 and Option 2
-  **Excluded Area**

Portion of Community District 1, Brooklyn

\* \* \*

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 1, 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. 53

**Report of the Committee on Land Use in favor of filing, pursuant to a letter of withdrawal, 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.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 5, 2022 (Minutes, page 946) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:****SUBJECT**

**MANHATTAN CB-10 – FIVE APPLICATIONS RELATED TO ONE 45/MUSEUM OF CIVIL RIGHTS**

**C 220134 ZMM (L.U. No. 53)**

City Planning Commission decision approving an application 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:

1. eliminating from an existing R7-2 District a C1-4 District bounded by a line midway between West 144<sup>th</sup> Street and West 145<sup>th</sup> Street, Lenox Avenue – Malcolm X. Boulevard, West 144<sup>th</sup> Street, and a line 100 feet northwesterly of Lenox Avenue – Malcolm X. Boulevard;
2. changing from an R7-2 District to a C4-6 District property bounded by a line midway between West 144<sup>th</sup> Street and West 145<sup>th</sup> Street, Lenox Avenue – Malcolm X. Boulevard, West 144<sup>th</sup> Street, and a line 100 feet northwesterly of Lenox Avenue – Malcolm X. Boulevard; and
3. changing from a C8-3 District to a C4-6 District property bounded by West 145<sup>th</sup> Street, Lenox Avenue – Malcolm X. Boulevard, a line midway between West 144<sup>th</sup> Street and West 145<sup>th</sup> Street, and a line 160 feet southeasterly of Adam Clayton Powell Jr. Boulevard;

as shown on a diagram (for illustrative purposes only) dated November 15, 2021, and subject to the conditions of CEQR Declaration E-651.

**N 220135 ZRM (L.U. No. 54)**

City Planning Commission decision approving an application 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.

**C 220136 ZSM (L.U. No. 55)**

City Planning Commission decision approving an application 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.

**C 220137(A) ZSM (L.U. No. 56)**

City Planning Commission decision approving an application 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:

1. 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
2. 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 145<sup>th</sup> Street, Lenox Avenue – Malcolm X. Boulevard, West 144<sup>th</sup> Street, a line 100 feet northwesterly of Lenox Avenue – Malcolm X. Boulevard, a line midway between West 144<sup>th</sup> Street and West 145<sup>th</sup> 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.

**C 220142 ZSM (L.U. No. 57)**

City Planning Commission decision approving an application 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 74-533 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 145<sup>th</sup> Street, Lenox Avenue – Malcolm X. Boulevard, West 144<sup>th</sup> Street, a line 100 feet northwesterly of Lenox Avenue – Malcolm X. Boulevard, a line midway between West 144<sup>th</sup> Street and West 145<sup>th</sup> 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.

**INTENT**

To approve the amendment to rezone the project area from C8-3 and R7-2/C1-4 zoning districts to a C4-6 zoning district; amend the zoning text to establish the project area as a Mandatory Inclusionary Housing (MIH) area and to allow, by a special permit, commercial uses above residential units; approve the special permit to modify the height and setback regulations; approve the special permit to modify supplementary use and sign regulations; approve the special permit to modify residential parking regulations to facilitate the development of a new 32-story, approximately 826,000-square-foot mixed-use building, with approximately 866 to 939 dwelling units; 80,431 to 135,581 square feet of commercial floor area; approximately 44,000 square feet of community facility floor area; and 130 to 141 off-street accessory parking spaces in the Central Harlem neighborhood of Manhattan Community District 10.

**PUBLIC HEARING**

**DATE:** May 10, 2022

**Witnesses in Favor:** Nine

**Witnesses Against:** Twenty-seven

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 31, 2022

The Subcommittee recommends that the Land Use Committee approve the motion to file pursuant to withdrawal of the applications by the Applicant on L.U. Nos. 53 through 57.

**In Favor:**

Riley  
Moya  
Louis  
Abreu  
Bottcher  
Hanks  
Schulman  
Carr

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** June 1, 2022

The Committee recommends that the Council approve the attached resolutions.

**In Favor:**

Salamanca  
Moya  
Rivera

**Against:**

None

**Abstain:**

None



Louis  
Riley  
Brooks-Powers  
Bottcher  
Hanks  
Kagan  
Krishnan  
Mealy  
Sanchez  
Borelli

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

Res. No. 211

**Resolution approving a motion to file pursuant to withdrawal of the application regarding the decision of the City Planning Commission on ULURP No. C 220134 ZMM, a Zoning Map amendment (L.U. No. 53).**

By Council Members Salamanca and Riley.

**WHEREAS**, One45 Lenox, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 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, which in conjunction with the related actions, would facilitate the development of a new 32-story, approximately 826,000-square-foot mixed-use building, with approximately 866 to 939 dwelling units; 80,431 to 135,581 square feet of commercial floor area; approximately 44,000 square feet of community facility floor area; and 130 to 141 off-street accessory parking spaces in the Central Harlem neighborhood of Manhattan, Community District 10, (ULURP No. C 220134 ZMM) (the "Application");

**WHEREAS** the City Planning Commission filed with the Council on April 25, 2022 its decision dated April 25, 2022 (the "Decision") on the Application;

**WHEREAS**, the Application is related to applications N 220135 ZRM (L.U. No. 54), zoning text amendment to establish the project area as a Mandatory Inclusionary Housing (MIH) area and to allow, by a special permit, commercial uses above residential units; C 220136 ZSM (L.U. No. 55), special permit to modify the height and setback regulations; C 220137(A) ZSM (L.U. No. 56), special permit to modify supplementary use and sign regulations; and C 220142 ZSM (L.U. No. 57), special permit to modify residential parking regulations;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on May 10, 2022;

**WHEREAS**, by submission dated May 31, 2022 and submitted to the Council on May 31, 2022, the Applicant withdrew the application.

**RESOLVED:**

The Council approves the motion to file pursuant to withdrawal in accordance with Rules 7.90 and 11.60(b) of the Rules of the Council.

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 1, 2022 (Remote Hearing).

Coupled to be Filed pursuant to a Letter of Withdrawal.

Report for L.U. No. 54

**Report of the Committee on Land Use in favor of filing, pursuant to a letter of withdrawal, 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.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 5, 2022 (Minutes, page 946) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Land Use for L.U. No. 53 printed in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

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

Res. No. 212

**Resolution approving a motion to file pursuant to withdrawal of the application regarding the decision of the City Planning Commission on Application No. N 220135 ZRM, for an amendment of the text of the Zoning Resolution (L.U. No. 54).**

By Council Members Salamanca and Riley.

**WHEREAS**, One45 Lenox, LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying 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, in conjunction with the related actions, would facilitate the development of a new 32-story, approximately 826,000-square-foot mixed-use building, with approximately 866 to 939 dwelling units; 80,431 to 135,581 square feet of commercial floor area; approximately 44,000 square feet of community facility floor area; and 130 to 141 off-street accessory parking spaces in the Central Harlem neighborhood of Manhattan, Community District 10, (ULURP No. N 220135 ZRM) (the “Application”);

**WHEREAS**, the City Planning Commission filed with the Council on April 25, 2022, its decision dated April 25, 2022 (the “Decision”) on the Application;

**WHEREAS**, the Application is related to applications C 220134 ZMM (L.U. No. 53), zoning map amendment to change the current zoning designation of the project area from C8-3 and R7-2/C1-4 zoning districts to a C4-6 zoning district; C 220136 ZSM (L.U. No. 55), special permit to modify the height and setback regulations; C 220137(A) ZSM (L.U. No. 56), special permit to modify supplementary use and sign regulations; and C 220142 ZSM (L.U. No. 57), special permit to modify residential parking regulations;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on May 10, 2022;

**WHEREAS**, by submission dated May 31, 2022 and submitted to the Council on May 31, 2022, the Applicant withdrew the application.

**RESOLVED:**

The Council approves the motion to file pursuant to withdrawal in accordance with Rules 7.90 and 11.60(b) of the Rules of the Council.

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 1, 2022 (Remote Hearing).

Coupled to be Filed pursuant to a Letter of Withdrawal.

Report for L.U. No. 55

**Report of the Committee on Land Use in favor of filing, pursuant to a letter of withdrawal, 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.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 5, 2022 (Minutes, page 947) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Land Use for L.U. No. 53 printed in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

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

Res. No. 213

**Resolution approving a motion to file pursuant to withdrawal of the application regarding the decision of the City Planning Commission on ULURP No. C 220136 ZSM, for the grant of a special permit (L.U. No. 55).**

By Council Members Salamanca and Riley.

**WHEREAS**, One45 Lenox, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 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, on property 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, which in conjunction with the related actions would facilitate the development of a new 32-story, approximately 826,000-square-foot mixed-use building, with approximately 866 to 939 dwelling units; 80,431 to 135,581 square feet of commercial floor area; approximately 44,000 square feet of community facility floor area; and 130 to 141 off-street accessory parking spaces in the Central Harlem neighborhood of Manhattan, Community District 10 (ULURP No. C 220136 ZSM) (the “Application”);

**WHEREAS**, the City Planning Commission filed with the Council on April 25, 2022, its decision dated April 25, 2022 (the “Decision”) on the Application;

**WHEREAS**, the Application is related to applications C 220134 ZMM (L.U. No. 53), zoning map amendment to change the current zoning designation of the project area from C8-3 and R7-2/C1-4 zoning districts to a C4-6 zoning district; N 220135 ZRM (L.U. No. 54), zoning text amendment to establish the project area as a Mandatory Inclusionary Housing (MIH) area and to allow, by a special permit, commercial uses above residential units; C 220137(A) ZSM (L.U. No. 56), special permit to modify supplementary use and sign regulations; and C 220142 ZSM (L.U. No. 57), special permit to modify residential parking regulations;

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

**WHEREAS**, the City Planning Commission has made the findings required pursuant to Section 74-743 of the Zoning Resolution of the City of New York;

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on May 10, 2022;

**WHEREAS**, by submission dated May 31, 2022 and submitted to the Council on May 31, 2022, the Applicant withdrew the application.

**RESOLVED:**

The Council approves the motion to file pursuant to withdrawal in accordance with Rules 7.90 and 11.60(b) of the Rules of the Council.

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 1, 2022 (Remote Hearing).

Coupled to be Filed pursuant to a Letter of Withdrawal.

#### Report for L.U. No. 56

**Report of the Committee on Land Use in favor of filing, pursuant to a letter of withdrawal, 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.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 5, 2022 (Minutes, page 947) and which same Land Use item was coupled with the resolution shown below, respectfully

#### REPORTS:

**(For text of report, please see the Report of the Committee on Land Use for L.U. No. 53 printed in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

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

#### Res. No. 214

**Resolution approving a motion to file pursuant to withdrawal of the application regarding the decision of the City Planning Commission on ULURP No. C 220137(A) ZSM, for the grant of a special permit (L.U. No. 56).**

By Council Members Salamanca and Riley.

**WHEREAS**, One45 Lenox, LLC, filed an application 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 145<sup>th</sup> Street, Lenox Avenue – Malcolm X. Boulevard, West 144<sup>th</sup> Street, a line 100 feet northwesterly of Lenox Avenue – Malcolm X. Boulevard, a line midway between West 144<sup>th</sup> Street and West 145<sup>th</sup> 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, which in conjunction with the related actions would facilitate the development of a new 32-story, approximately 826,000-square-foot mixed-use building, with approximately 866 to 939 dwelling units; 80,431 to 135,581 square feet of commercial floor area; approximately 44,000 square feet of community facility floor area; and 130 to 141 off-street accessory parking spaces in the Central Harlem neighborhood of Manhattan Community District 10 (ULURP No. C 220137(A) ZSM) (the “Application”);

**WHEREAS**, the City Planning Commission filed with the Council on April 25, 2022, its decision dated April 25, 2022 (the “Decision”) on the Application;

**WHEREAS**, the Application is related to applications C 220134 ZMM (L.U. No. 53), zoning map amendment to change the current zoning designation of the project area from C8-3 and R7-2/C1-4 zoning districts to a C4-6 zoning district; N 220135 ZRM (L.U. No. 54), zoning text amendment to establish the project area as a Mandatory Inclusionary Housing (MIH) area and to allow, by a special permit, commercial uses above residential units; C 220136 ZSM (L.U. No. 55), special permit to modify the height and setback regulations; and C 220142 ZSM (L.U. No. 57), special permit to modify residential parking regulations;

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

**WHEREAS**, the City Planning Commission has made the findings required pursuant to Section 74-744 of the Zoning Resolution of the City of New York;

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on May 10, 2022;

**WHEREAS**, by submission dated May 31, 2022 and submitted to the Council on May 31, 2022, the Applicant withdrew the application.

**RESOLVED:**

The Council approves the motion to file pursuant to withdrawal in accordance with Rules 7.90 and 11.60(b) of the Rules of the Council.

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 1, 2022 (Remote Hearing).

Coupled to be Filed pursuant to a Letter of Withdrawal.

## Report for L.U. No. 57

**Report of the Committee on Land Use in favor of filing, pursuant to a letter of withdrawal, 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 74-533 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.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 5, 2022 (Minutes, page 948) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Land Use for L.U. No. 53 printed in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

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

## Res. No. 215

**Resolution approving a motion to file pursuant to withdrawal of the application regarding the decision of the City Planning Commission on ULURP No. C 220142 ZSM, for the grant of a special permit (L.U. No. 57).**

By Council Members Salamanca and Riley.

**WHEREAS**, One45 Lenox, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 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 145<sup>th</sup> Street, Lenox Avenue – Malcolm X. Boulevard, West 144<sup>th</sup> Street, a line 100 feet northwesterly of Lenox Avenue – Malcolm X. Boulevard, a line midway between West 144<sup>th</sup> Street and West 145<sup>th</sup> 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, which in conjunction with the related actions would facilitate the development of a new 32-story, approximately 826,000-square-foot mixed-use building, with approximately 866 to 939 dwelling units; 80,431 to 135,581 square feet of commercial floor area; approximately 44,000 square feet of community facility floor area; and 130 to 141 off-street accessory parking spaces in the Central Harlem neighborhood of Manhattan, Community District 10 (ULURP No. C 220142 ZSM) (the “Application”);

**WHEREAS**, the City Planning Commission filed with the Council on April 25, 2022, its decision dated April 25, 2022 (the “Decision”) on the Application;

**WHEREAS**, the Application is related to applications C 220134 ZMM (L.U. No. 53), zoning map amendment to change the current zoning designation of the project area from C8-3 and R7-2/C1-4 zoning districts to a C4-6 zoning district; N 220135 ZRM (L.U. No. 54), zoning text amendment to establish the project area as a Mandatory Inclusionary Housing (MIH) area and to allow, by a special permit, commercial uses above residential units; C 220136 ZSM (L.U. No. 55), special permit to modify the height and setback regulations; and C 220137(A) ZSM (L.U. No. 56), special permit to modify supplementary use and sign regulations;

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

**WHEREAS**, the City Planning Commission has made the findings required pursuant to Section 74-533 of the Zoning Resolution of the City of New York;

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on May 10, 2022;

**WHEREAS**, by submission dated May 31, 2022 and submitted to the Council on May 31, 2022, the Applicant withdrew the application.

**RESOLVED:**

The Council approves the motion to file pursuant to withdrawal in accordance with Rules 7.90 and 11.60(b) of the Rules of the Council.

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 1, 2022 (Remote Hearing).

Coupled to be Filed pursuant to a Letter of Withdrawal.

Report for L.U. No. 58

**Report of the Committee on Land Use in favor of approving Application number C 210391 ZMX (1930 Adee 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.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 5, 2022 (Minutes, page 948) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**SUBJECT**

**BRONX CB-12 - TWO APPLICATIONS RELATED TO 1930 ADEE AVENUE REZONING**



**C 210391 ZMX (L.U. No. 58)**

City Planning Commission decision approving an application submitted by Centerland Realty LLC pursuant to Section 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 property bounded by Adee Avenue, Edson Avenue a line 75 feet southeasterly of Adee Avenue, and Grace Avenue, Borough of the Bronx, Community District 12, as shown on a diagram (for illustrative purposes only) dated December 13, 2021.

**N 210392 ZRX (L.U. No. 59)**

City Planning Commission decision approving an application 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.

**INTENT**

To approve the amendment to rezone the project area from an R4 zoning district to an R6B district and amend the zoning text to designate a Mandatory Inclusionary Housing (MIH) area to facilitate the legalization, modification and conversion of an existing vacant building located at 1930 Adee Avenue (Block 4797, Lot 69) for use as a day care center in the Baychester neighborhood of the Bronx, Community District 12.

**PUBLIC HEARING**

**DATE:** May 10, 2022

**Witnesses in Favor:** Three

**Witnesses Against:** None

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 31, 2022

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on L.U. Nos. 58 and 59.

**In Favor:**

Riley  
Moya  
Louis  
Abreu  
Bottcher  
Hanks  
Schulman  
Carr

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION****DATE:** June 1, 2022

The Committee recommends that the Council approve the attached resolutions.

<b>In Favor:</b>	<b>Against:</b>	<b>Abstain:</b>
Salamanca	None	None
Moya		
Rivera		
Louis		
Riley		
Brooks-Powers		
Bottcher		
Hanks		
Kagan		
Krishnan		
Mealy		
Sanchez		
Borelli		

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

Res. No. 216

**Resolution approving the decision of the City Planning Commission on ULURP No. C 210391 ZMX, a Zoning Map amendment (L.U. No. 58).**

By Council Members Salamanca and Riley.

**WHEREAS**, Centerland Realty, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 2b and 4a, by changing from an R4 District to an R6B District, which in conjunction with the related action would facilitate the legalization, modification and conversion of an existing vacant building located at 1930 Adeo Avenue (Block 4797, Lot 69) for use as a day care center in the Baychester neighborhood of the Bronx, Community District 12 (ULURP No. C 210391 ZMX) (the "Application");

**WHEREAS**, the City Planning Commission filed with the Council on April 29, 2022 its decision dated April 27, 2022 (the "Decision") on the Application;

**WHEREAS**, the Application is related to application N 210392 ZRX (L.U. No. 59), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on May 10, 2022;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the Negative Declaration issued December 14<sup>th</sup>, 2020 (CEQR No. 21DCP150X) (the “Negative Declaration”).

**RESOLVED:**

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 210391 ZMX incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section Nos. 2b and 4a, changing from an R4 District to an R6B District property bounded by Adee Avenue, Edson Avenue a line 75 feet southeasterly of Adee Avenue, and Grace Avenue, Borough of the Bronx, Community District 12, as shown on a diagram (for illustrative purposes only) dated December 13, 2021.

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 1, 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. 59

**Report of the Committee on Land Use in favor of approving Application number N 210392 ZRX (1930 Adee 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.**

The Committee on Land Use, to which the annexed Land Use item was referred on May 5, 2022 (Minutes, page 948) and which same Land Use item was coupled with the resolution shown below, respectfully

**REPORTS:**

**(For text of report, please see the Report of the Committee on Land Use for L.U. No. 58 printed in these Minutes)**

*Accordingly, this Committee recommends its adoption.*

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

Res. No. 217

**Resolution approving the decision of the City Planning Commission on Application No. N 210392 ZRX, for an amendment of the text of the Zoning Resolution (L.U. No. 59).**

By Council Members Salamanca and Riley.

**WHEREAS**, Centerland Realty, LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would facilitate the legalization, modification and conversion of an existing vacant building located at 1930 Adeo Avenue (Block 4797, Lot 69) for use as a day care center in the Baychester neighborhood of Bronx, Community District 12 (ULURP No. N 210392 ZRX) (the “Application”);

**WHEREAS**, the City Planning Commission filed with the Council on April 29, 2022, its decision dated April 27, 2022 (the “Decision”), on the Application;

**WHEREAS**, the Application is related to application C 210391 ZMX (L.U. No. 58), a zoning map amendment to change an R4 zoning district to an R6B district;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on May 10, 2022;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the Negative Declaration issued December 14<sup>th</sup>, 2020 (CEQR No. 21DCP150X) (the “Negative Declaration”).

**RESOLVED:**

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 210392 ZRX, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

- Matter underlined is new, to be added;
- Matter ~~struck out~~ is to be deleted;
- Matter within # # is defined in Section 12-10;
- \* \* \* indicates where unchanged text appears in the Zoning Resolution

\* \* \*

**APPENDIX F  
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

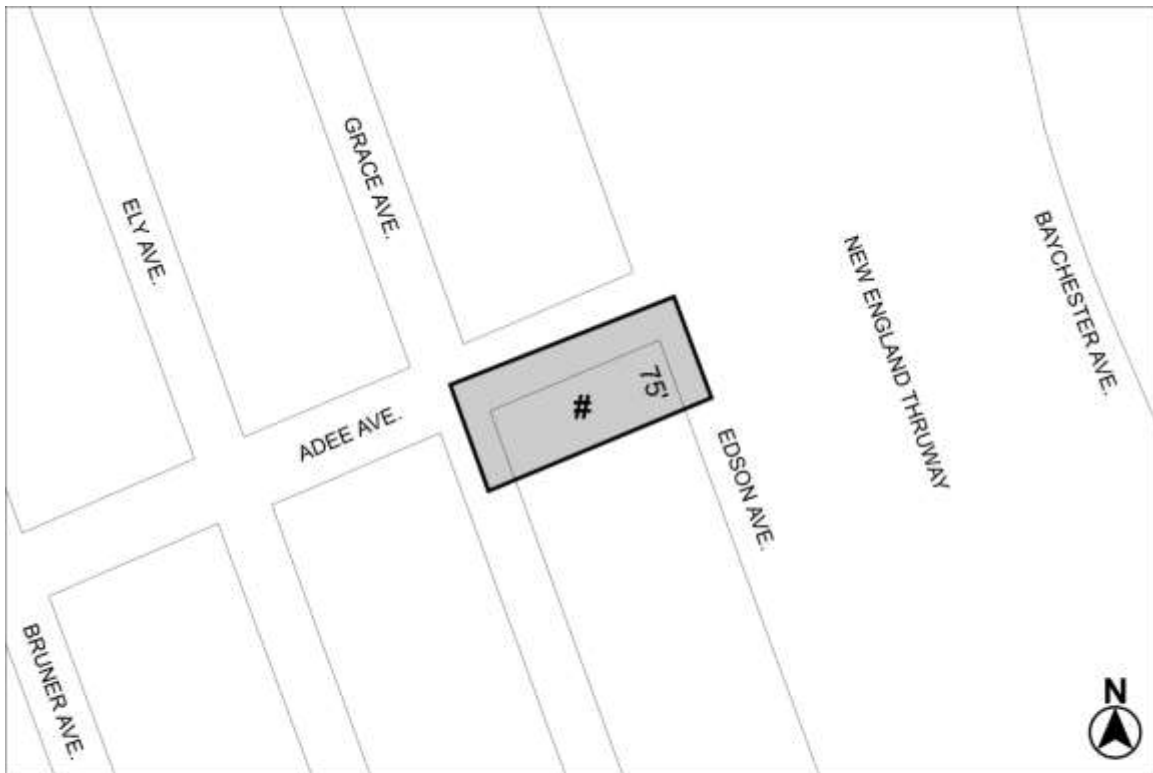
**THE BRONX**

\* \* \*

**The Bronx Community District 12**

\* \* \*

Map 2 – [date of adoption]



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

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

Portion of Community District 12, The Bronx

\* \* \*

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 1, 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 Rules, Privileges and Elections

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

Report for Res. No. 204

**Report of the Committee on Rules, Privileges and Elections in favor of approving a Resolution pursuant to the State Open Meetings Law providing that the Council and its Committees and Subcommittees may use videoconferencing to conduct meetings in accordance with the State Open Meetings Law and that the Speaker shall take all actions necessary to accomplish this and make any and all determinations during a disaster emergency relating to the in-person participation requirements of such law.**

The Committee on Rules, Privileges and Elections, to which the annexed preconsidered resolution was referred on June 2, 2022, respectfully

### REPORTS:

**Title:** Resolution pursuant to the State Open Meetings Law providing that the Council and its Committees and Subcommittees may use videoconferencing to conduct meetings in accordance with the State Open Meetings Law and that the Speaker shall take all actions necessary to accomplish this and make any and all determinations during a disaster emergency relating to the in-person participation requirements of such law.

**ANALYSIS:** Before the Committee, for its consideration, is a proposed resolution concerning changes to the New York State Open Meetings Law.

On April 9, 2022 the State Open Meetings Law was amended (Part WW of chapter 56 of the Laws of 2022) to provide that the Council could, by resolution, determine for itself and its committees and subcommittees that it may, in its discretion, upon adoption of a resolution, use videoconferencing to conduct its meetings provided that a quorum is physically present in the same physical location where the public can attend subject to certain conditions being met.

Further, the changes to the State Open Meetings Law included changes to Public Officers Law, Article 7, Section 103-a(3), which shall be deemed to be repealed on July 1, 2024. This Section states that:

The in person participation requirements of paragraph (c) of subdivision two of this section shall not apply during a state disaster emergency declared by the governor pursuant to section twenty-eight of the executive law, or a local state of emergency proclaimed by the chief executive of a county, city, village or town pursuant to section twenty-four of the executive law, if the public body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in person meeting.

This resolution also addresses that Section by providing the Speaker with the authority to determine for the City Council whether during a state disaster emergency declared by the governor or a local state of emergency proclaimed by the mayor that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in-person meeting. If the Speaker makes such a determination, the City

Council could then suspend any or all of the State Open Meeting Law's in-person requirements during the pendency of the state disaster emergency or a local state of emergency.

See below for the full text of the resolution.

*Accordingly, this Committee recommends its adoption.*

**(The following is the text of Res. No. 204:)**

Preconsidered Res. No. 204

**Resolution pursuant to the State Open Meetings Law providing that the Council and its Committees and Subcommittees may use videoconferencing to conduct meetings in accordance with the State Open Meetings Law and that the Speaker shall take all actions necessary to accomplish this and make any and all determinations during a disaster emergency relating to the in-person participation requirements of such law.**

By Council Member Powers.

**WHEREAS**, The Council of the City of New York ("Council") has been meeting regularly for the entire duration of the Covid-19 pandemic, having begun virtual meetings in April of 2020 in accordance with the State Open Meetings Law as amended by the Governor's executive orders suspending certain provisions thereof; and

**WHEREAS**, The Council continued its work and meetings returning to the Council Chambers for the adoption of the Fiscal Year 2022 Budget when the Executive Order suspending provisions of the State Open Meetings Law ended and returning to virtual or hybrid meetings when subsequent changes to the Open Meetings Law permitted and the circumstances of the pandemic required; and

**WHEREAS**, The ability to be flexible allowed for Council Members to vote when they were unable to attend meetings in person due to health or other serious limitations; and

**WHEREAS**, On April 9, 2022 the State Open Meetings Law was amended (Part WW of chapter 56 of the Laws of 2022) to provide that the Council could, by resolution, determine for itself and its committees or subcommittees that it may, in its discretion, upon adoption of a resolution, use videoconferencing to conduct its meetings provided that a quorum is physically present in the same physical location where the public can attend subject to certain conditions being met; now, therefore, be it

**RESOLVED**, That the Council of the City of New York hereby provides that it and its committees and subcommittees may use videoconferencing to conduct its meetings provided that a quorum is physically present in the same physical location where the public can attend; and be it further

**RESOLVED**, That Council Members shall be physically present at any such Stated or committee or subcommittee meeting unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances, including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting; and be it further

**RESOLVED**, That in such instances where Council Members make use of videoconferencing, the public shall also be allowed to attend the meeting by use of videoconferencing and for meetings in which the public can participate, those members of the public participating by way of videoconferencing shall be allowed to participate to the same extent as members of the public attending in person; and be it further

**RESOLVED**, That the Speaker shall establish, and as necessary amend, written procedures governing Council Member and public attendance consistent with the State Open Meetings Law; and be it further

**RESOLVED**, that the Speaker shall cause such written procedures to be conspicuously posted on the Council's website and shall take all other actions regarding notice, recordings, records and any other requirements of the State Open Meetings Law that are necessary pursuant to the State Open Meetings Law and that she deems appropriate to enable the Council to use videoconferencing to conduct its meetings; and be it further

**RESOLVED**, That the Speaker shall make any and all determinations pursuant to the State Open Meetings Law during a state disaster emergency declared by the governor pursuant to section twenty-eight of the Executive Law, or a local state of emergency proclaimed by the Mayor pursuant to section twenty-four of the Executive Law, that any or all of the in-person participation requirements of the State Open Meetings Law shall not apply to any meeting because the circumstances necessitating the emergency declaration would affect or impair the ability of the Council or any or all of its committees or subcommittees to hold in person meetings; and be it further

**RESOLVED**, That such determination by the Speaker shall be effective immediately upon its being posted on the Council's website and may apply to all Stated Meetings and committee or subcommittee meetings or to those specifically designated by the Speaker in such posting.

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 8-1-0; *Negative*: Joseph C. Borelli; Committee on Rules, Privileges and Elections, June 1, 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 Women and Gender Equity**

Report for Int. No. 179-A

**Report of the Committee on Women and Gender Equity in favor of approving and adopting, as amended, a Local Law in relation to a report on the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers**

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was referred on April 14, 2022 (Minutes, page 592), respectfully

### **REPORTS:**

#### **I. INTRODUCTION**

On June 1, 2022, the Committee on Women and Gender Equity, chaired by Council Member Tiffany Cabán, will hold a vote on Proposed Int. No. 179-A, sponsored by Council Member Francisco Moya, in relation to a report on the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional



careers. This bill was originally heard at a joint oversight hearing of this Committee, the Committee on Civil Service and Labor, chaired by Council Member Carmen De La Rosa, and the Committee on Economic Development, chaired by Council Member Amanda Farías, on April 19, 2022, regarding *Gender Diversity in the Trades*, at which the Committees heard testimony from the New York City (“NYC” or “City”) Commission on Gender Equity, the Mayor’s Office of Workforce Development (“WKDEV”), the NYC Economic Development Corporation (“NYCEDC”), the NYC Department of Small Business Services (“NYCSBS”), and the NYC Building & Construction Trades Council, as well as advocacy groups and organizations, organized labor, other interested stakeholders and members of the public.

## II. BACKGROUND

### *The Trades in New York City*

Skilled trade occupations (“trades”), which are typically hands-on jobs that require a particular skillset, knowledge, or ability, provide structured career pathways with high pay and good benefits.<sup>1</sup> Many job titles in the trades do not require a college degree and, instead, require apprenticeship training or moderate to long-term on-the-job training, during which apprentices are paid while learning specialized skills.<sup>2</sup> In NYC, the trades industry encompasses about 130 different construction and non-construction occupations.<sup>3</sup> Among the most common occupations are laborers, carpenters, construction managers, electricians, and pipe-layers and plumbers.<sup>4</sup>

Although the COVID-19 pandemic halted the growth of the United States (U.S.) construction industry in 2020, the industry had been experiencing strong growth.<sup>5</sup> In the nine years prior to the pandemic, the New York State (“New York” or “State”) construction industry added 99,800 jobs at an average annual rate of 3.2 percent.<sup>6</sup> Following a record addition of 406,600 jobs in 2019, the industry lost 44,000 jobs (10.9 percent), falling to 362,200 jobs in 2020.<sup>7</sup> While this was the worst annual decline in more than 25 years, the change was 0.7 percent less severe than the decline seen in the State’s overall total private employment performance.<sup>8</sup> More recently, in October 2021, the New York Building Congress reported an expected resurgence in spending and job creation, projecting the City’s building industry will spend \$174.1 billion over the next three years.<sup>9</sup>

From 2010 to 2019, the average salary in the construction industry increased by 20.5 percent, one percent faster than in the overall private sector.<sup>10</sup> By 2020, construction was the fourth highest-paying employment sector in NYC, with an average salary of \$87,200, which was 11.5 percent higher than the statewide average.<sup>11</sup> It was also the highest-paid sector among the State’s metropolitan areas.<sup>12</sup> While total wages in construction declined in 2020, for the first time since 2010, the average salary increased by four percent.<sup>13</sup>

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<sup>1</sup> New York State Department of Labor, *The Skilled Trades in New York State*, Division of Research and Statistics 1, 5 (Jun. 2016), available at <https://dol.ny.gov/system/files/documents/2021/03/the-skilled-trades-in-new-york-state.pdf#:~:text=As%20noted%20above%2C%20many%20skilled,and%20refrigeration%20mechanics%20and%20installers.>

<sup>2</sup> New York State Department of Labor, *The Skilled Trades in New York State*, Division of Research and Statistics 1, 5 (June 2016), available at <https://dol.ny.gov/system/files/documents/2021/03/the-skilled-trades-in-new-york-state.pdf#:~:text=As%20noted%20above%2C%20many%20skilled,and%20refrigeration%20mechanics%20and%20installers.>

<sup>3</sup> New York State Comptroller Tom DiNapoli, *The Construction Industry in New York City: Recent Trends and Impact of COVID-19* (Jun. 2021), available at <https://www.osc.state.ny.us/reports/osdc/construction-industry-new-york-city-recent-trends-and-impact-covid-19.>

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

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

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

<sup>10</sup> *Id.*

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

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

<sup>13</sup> *Id.*

In 2019, there was a total of 284,400 workers, of which 73 percent lived in NYC, in the City's construction industry.<sup>14</sup> Of that total, 53 percent of those jobs were held by immigrants, which is a much higher share than the rest of the State and country.<sup>15</sup> According to the 2020 U.S. Census Bureau's one-year American Community Survey ("Census Survey"), 66 percent of the construction industry workforce identified as U.S. citizens in 2019.<sup>16</sup> Workers that identified as Hispanic comprised 39 percent of the industry, white workers comprised 37 percent of the industry, Black or African American workers comprised 14 percent, and Asians comprised nine percent.<sup>17</sup> Additionally, over 56 percent of workers had no college experience, which is higher than in any other sector.<sup>18</sup> Lastly, according to the Building and Construction Trades Council of Greater New York ("BCTC"), there are 124,100 unionized construction workers in NYC, representing more than half the workers in the trades.<sup>19</sup>

With regard to gender, women represent a small but growing share of the workers in the construction industry.<sup>19</sup> Between 2009 and 2019, the number of women in the industry in the City increased by 63 percent,<sup>20</sup> but the percentage decreased from 9.5 percent in 2019 to 8.7 percent in 2020.<sup>21</sup> However, data show that the gender pay gap in the industry is much narrower than the national average; 61 percent of women in the industry earn over \$50,000 compared to 49 percent of men.<sup>22</sup>

### *Barriers to Recruitment and Retention of Women in the Trades*

Historically, racial and gender discrimination has been prevalent in the construction trades nationally and, in particular, in NYC.<sup>20</sup> Following decades of demonstrations and pressure, including litigation brought under Title VII of the Civil Rights Act by civil rights and community groups, a combination of government monitoring and court and regulatory rulings resulted in some changes to increase diversity in the City's construction industry.<sup>21</sup> In 2009, a memorandum of understanding was entered into by the BCTC to "promote diversity" in 24 union apprenticeship programs.<sup>22</sup> As a result, by 2012, two-thirds of the City's 5,743 registered apprentices were people of color and almost 11 percent were women.<sup>23</sup>

Nationally, results from the Institute for Women's Policy Research's (IWPR) 2021 Tradeswomen's Retention and Advancement Survey ("IWPR Survey") show that the challenge for improving gender diversity in construction apprenticeships is retention as much as recruitment.<sup>24</sup>

While many women who work in the trades have reported feeling respected and enjoying their work and the support and comradery among co-workers, many others face isolation, are held to a different standard than their male co-workers, and must contend with an unsupportive or even hostile work environment.<sup>25</sup> A 2019 NBC News profile of eight women in the City's construction trades exposed the reality of being a woman in a male-dominated industry, which included issues related to (1) being the only woman on the job, (2) sexual harassment, (3) a lack of separate changing rooms or restrooms at the job site, (4) being passed over for promotions due to

<sup>14</sup> New York State Comptroller Tom DiNapoli, *The Construction Industry in New York City: Recent Trends and Impact of COVID-19* (June 2021), available at <https://www.osc.state.ny.us/reports/osdc/construction-industry-new-york-city-recent-trends-and-impact-covid-19>.

<sup>15</sup> *Id.*

<sup>16</sup> New York Building Congress, *COU: Workforce Snapshot 2022* (Mar. 2022), available at <https://www.buildingcongress.com/advocacy-and-reports/reports-and-analysis/construction-outlook-update/COU-Workforce-Snapshot-2022.html>.

<sup>17</sup> *Id.*

<sup>18</sup> New York State Comptroller Tom DiNapoli, *The Construction Industry in New York City: Recent Trends and Impact of COVID-19* (June 2021), available at <https://www.osc.state.ny.us/reports/osdc/construction-industry-new-york-city-recent-trends-and-impact-covid-19>.

<sup>19</sup> *Id.*

<sup>20</sup> Lawrence Mishel, *Diversity in the New York City Union and Nonunion Construction Sectors*, Economic Policy Institute (Mar. 2, 2017), available at <https://www.epi.org/publication/diversity-in-the-nyc-construction-union-and-nonunion-sectors/>.

<sup>21</sup> *Id.*

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

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

<sup>24</sup> Ariane Hegewisch and Eve Mefferd, *A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry*, Institute for Women's Policy Research (2021), available at [https://iwpr.org/wp-content/uploads/2022/02/A-Future-Worth-Building-What-Tradeswomen-Say\\_FINAL.pdf](https://iwpr.org/wp-content/uploads/2022/02/A-Future-Worth-Building-What-Tradeswomen-Say_FINAL.pdf).

<sup>25</sup> Ariane Hegewisch and Eve Mefferd, *A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry*, Institute for Women's Policy Research (2021), available at [https://iwpr.org/wp-content/uploads/2022/02/A-Future-Worth-Building-What-Tradeswomen-Say\\_FINAL.pdf](https://iwpr.org/wp-content/uploads/2022/02/A-Future-Worth-Building-What-Tradeswomen-Say_FINAL.pdf).

concerns that they will miss work to care for their children, and (5) being “berated for working in the industry as a woman.”<sup>26</sup>

Male-dominated workplaces are a risk factor for workplace sexual harassment and assault, and being isolated at work can be alienating and dangerous for women working in the trades.<sup>27</sup> Nationally, the IWPR Survey found that 26.5 percent of respondents reported that they always or frequently experience gender-based harassment, 23.6 percent always or frequently experience sexual harassment, and 21.7 percent of respondents of color reported always or frequently experiencing racial harassment.<sup>28</sup> Relatedly, 19 percent of LGBTQ+ respondents reported that they suffer harassment based on sexual orientation.<sup>29</sup> Overall, 25.2 percent of survey respondents reported that they are always or frequently told that they are on the job solely to fill a quota.<sup>30</sup>

Another result of being a woman in a male-dominated workplace is the feeling of not being treated equally to men.<sup>31</sup> According to the IWPR Survey, 84.4 percent of respondents reported feeling they received unequal treatment to men in at least one aspect of work and learning experiences, such as being held to a different standard, regarding promotions and leadership roles, and in hiring and layoffs.<sup>32</sup> Among women of color in the industry, 47.7 percent reported that they are “rarely or never” held to the same standard as men, and only 18.9 percent felt that they could “frequently or always” rely on basic equality standards and expectations.<sup>33</sup> Black respondents were more likely than others to report rarely or never being treated equally in the allocation of overtime (21.1 percent) and also reported comparatively high inequality when it came to layoffs (31.6 percent) and promotions (36 percent).<sup>34</sup>

Overall, 44.4 percent of the IWPR Survey respondents reported that they have left or seriously considered leaving the trades due to workplace hostility and harassment.<sup>35</sup> The share is particularly high among LGBTQ+ respondents, 54.3 percent of whom have left or seriously considered leaving the industry due to workplace hostility and harassment.<sup>36</sup> The most commonly cited reasons for deciding to leave, by 47.2 percent of respondents, was a lack of respect/harassment, which was ranked as the most important issue by Black and white non-Hispanic respondents, and the second most common reason for Latina respondents.<sup>37</sup> Meanwhile, 32.9 percent of respondents reported that they were tired of the “yelling culture” and disrespect experienced on the job.<sup>38</sup>

While the most frequently cited reasons for women leaving the trades are linked to poor workplace environments,<sup>39</sup> another major contributing factor to women leaving is the difficulty many women face in finding childcare.<sup>40</sup> Though the majority of IWPR Survey respondents were parents thriving in the trades, pregnancy, maternity, and child and eldercare responsibilities presented problems for many tradespeople and lead some to consider leaving the trades.<sup>41</sup> Difficulties surrounding parental leave and childcare costs are amplified for women working in the trades because many jobs are demanding when it comes to the early hours and physical nature of the work.<sup>42</sup> Data also suggest that women have concerns about the availability of accommodations for pregnancies, such as whether paid time off is possible if temporary light duty is not available, and related to being able to find accessible childcare during construction hours.<sup>43</sup> According to the IWPR Survey, 69.1 percent

<sup>26</sup> Sarah Jackson, ‘Not the boy’ club anymore’: Eight women take a swing at the construction industry, NBC News (Nov. 29, 2019), available at <https://www.nbcnews.com/news/us-news/not-boys-club-anymore-eight-women-take-swing-construction-industry-n1091376>.

<sup>27</sup> Ariane Hegewisch and Eve Mefferd, *A Future Worth Building: What Tradeswomen Say about the Change They Need in the Construction Industry*, Institute for Women’s Policy Research (2021), available at [https://iwpr.org/wp-content/uploads/2022/02/A-Future-Worth-Building-What-Tradeswomen-Say\\_FINAL.pdf](https://iwpr.org/wp-content/uploads/2022/02/A-Future-Worth-Building-What-Tradeswomen-Say_FINAL.pdf).

<sup>28</sup> *Id.*

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

<sup>30</sup> *Id.*

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

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

<sup>33</sup> *Id.*

<sup>34</sup> *Id.*

<sup>35</sup> *Id.*

<sup>36</sup> *Id.*

<sup>37</sup> *Id.*

<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

<sup>41</sup> *Id.*

<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

of respondents with children reported that difficulty with finding childcare is a “very or somewhat” important reason for considering leaving.<sup>44</sup> Of those women, 67.7 percent reported they want to spend more time with their kids, 63.4 percent reported that a lack of pregnancy accommodations is/was very or somewhat important for thinking about leaving, and 58.7 percent noted a lack of breastfeeding support.<sup>45</sup>

### *The Importance of Unionized Construction Jobs for Women*

According to the IWPR Survey, over 60 percent of women enter the trades because of the pay and benefits that are available in construction jobs.<sup>46</sup> However, when disaggregating union and non-union respondents, 70.3 percent of union respondents identified earnings as a “very important” reason for entering the trades, versus 53.4 percent of non-union respondents.<sup>47</sup> This difference likely reflects the fact that pay and benefits are substantially higher in construction jobs that are covered by collective bargaining agreements compared to those construction jobs that are not.<sup>48</sup> A national analysis of the full-time earnings of construction workers from 2016 to 2018 found that women not covered by a union contract earned 40.1 percent less than women who were covered by such a contract.<sup>49</sup> Meanwhile, the corresponding gap for men was slightly smaller, at 34 percent.<sup>50</sup>

The differences between union and non-union respondents were even greater when it came to benefits: 73.8 percent of union respondents described benefits as being very important, compared to 41.8 percent of non-union respondents.<sup>51</sup> Similar to the earnings issue, these responses likely reflect the fact that “good benefits” are much more common in the union sector.<sup>52</sup> According to the Center for Construction Research and Training, data show that 72.2 percent of union construction workers, compared to 38.8 percent of non-union workers, received health insurance.<sup>53</sup> Moreover, union construction workers are also more likely to have access to and participate in retirement plans.<sup>54</sup>

Finally, outreach is another issue. Despite the opportunities for earnings and benefits, most women learn about jobs in the trades through family and friends.<sup>55</sup> Data suggests that job training programs, high school counselors, and American Job Centers generally fail to alert women to industry opportunities.<sup>56</sup> This, in turn, speaks to the outdated notion that construction is men’s work, which is a mindset that continues to negatively affect women in the industry today.<sup>57</sup>

### *The Apprenticeship Pipeline in New York City*

Trade unions assist in recruiting, training, and educating skilled workers. As many jobs in the trades require apprenticeship- or moderate- to long-term on-the-job training, the training offered by unions can be vital to finding an entry into the industry.<sup>58</sup> Further, union apprenticeships offer opportunities to work while developing skills and earning apprenticeship certificates – which can be “tantamount to a \$40,000 - \$50,000 technical

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<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> *Id.*

<sup>47</sup> *Id.*

<sup>48</sup> Ariane Hegewisch and Eve Mefferd, *A Future Worth Building: What Tradeswoman Say about the Change They Need in the Construction Industry*, Institute for Women’s Policy Research (2021), available at [https://iwpr.org/wp-content/uploads/2022/02/A-Future-Worth-Building-What-Tradeswomen-Say\\_FINAL.pdf](https://iwpr.org/wp-content/uploads/2022/02/A-Future-Worth-Building-What-Tradeswomen-Say_FINAL.pdf).

<sup>49</sup> *Id.*

<sup>50</sup> *Id.*

<sup>51</sup> *Id.*

<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

<sup>54</sup> *Id.*

<sup>55</sup> *Id.*

<sup>56</sup> *Id.*

<sup>57</sup> *Id.*

<sup>58</sup> Lawrence Mishel, *Diversity in the New York City union and nonunion construction sectors*, Economic Policy Institute (Mar. 2, 2017), available at <https://www.epi.org/publication/diversity-in-the-nyc-construction-union-and-nonunion-sectors/>; See Kim Slowey, *NYC Unions Recruiting More Women* (Mar. 27, 2019), available at <https://www.constructiondive.com/news/nyc-unions-recruiting-more-women/551326/> (noting that [prior to the pandemic] the recruitment of women into New York City union apprenticeship programs was up 50 percent); Kathleen Culhane and Gary Labarbera, *Construction Unions Making Commitment to Recruit Women* (Mar. 20, 2019), available at <https://commercialobserver.com/2019/03/construction-unions-making-commitment-to-recruit-women/>.

education program”<sup>59</sup> and can lead to comparatively higher wages.<sup>60</sup> In New York, many of the city’s apprenticeship training programs are supported through the City’s construction industry’s Joint Apprenticeship and Training Committee (JATC), which was developed via collective bargaining between the unions and the city’s developers.<sup>61</sup> The JATC provides apprenticeships, continuing education, training programs, and other types of training for all union members.<sup>62</sup> The lifelong qualifications offered by apprenticeships can act as a pathway to future work in unionized construction anywhere in the country.<sup>63</sup>

While union work can provide a springboard into the middle class, entry into union construction jobs can be challenging for persons unfamiliar with the process.<sup>64</sup> Individuals typically need to apply via apprenticeships which are regulated by the New York State Department of Labor (NYSDOL). NYSDOL sets the standards for “recruitment, education, safety and welfare of apprentices” and issues Certificates of Completion.<sup>65</sup> Applicants can apply either through general recruitment – which is publicized by the union every two or three years – and includes a specific number of spots available in an apprenticeship program; or via so-called “direct-entry” applications, which come via qualified graduates of pre-apprenticeship or veterans programs.<sup>66</sup> Approved pre-apprenticeship and veterans programs include:

1. Construction Skills – for NYC public school students
2. Helmets to Hardhats – for veterans of the U.S. armed forces
3. Non-traditional Employment for Women – for adult women
4. Building Works – for low-income unemployed individuals.<sup>67</sup>

While direct-entry applicants via NYSDOL are also required to have all the requisite skills required for apprenticeships,<sup>68</sup> these approved direct-entry pre-apprenticeship programs ensure people interested in obtaining union jobs can enter the workforce during the interim period between general recruitments.<sup>69</sup>

### III. CITY-SPONSORED INITIATIVES TO INCREASE EQUITY AND DIVERSITY IN THE CONSTRUCTION INDUSTRY

#### *2020 Project Labor Agreements*

In August 2020, former NYC Mayor Bill de Blasio announced an agreement between the City and BCTC on a series of new Project Labor Agreements (“PLA”).<sup>70</sup> A PLA is a comprehensive contract between building trade unions, the City, and site contractors that governs terms and conditions of employment for all craft labor on a designated construction project.<sup>71</sup> In addition, as a pre-hire agreement for various trades working on a project, the PLA establishes uniform terms and conditions such as wages, hours, and work rules, as well as

<sup>59</sup> Columbia University School of International and Public Affairs, *Construction Skills Report*, 1, 10 (2014) available at [https://sipa.columbia.edu/sites/default/files/Columbia\\_SIPA\\_Construction\\_Skills\\_Report\\_Final\\_March\\_2014\\_0.pdf](https://sipa.columbia.edu/sites/default/files/Columbia_SIPA_Construction_Skills_Report_Final_March_2014_0.pdf).

<sup>60</sup> Just as the cost of construction in NYC greatly outpaces the same costs in comparable American cities – so too do union wages for labor. As of 2014 a union carpenter in NYC earned \$74.81 per hour, compared to \$61.97 and \$61.45 in Boston and Philadelphia, respectively. See Ester Fuchs, Dorian Warren & Kimberly Bayer, *Expanding Opportunity For Middle Class Jobs in New York City*, Columbia University School of International and Public Affairs, at 10 (Mar 2014), available at [https://sipa.columbia.edu/sites/default/files/Columbia\\_SIPA\\_Construction\\_Skills\\_Report\\_Final\\_March\\_2014\\_0.pdf](https://sipa.columbia.edu/sites/default/files/Columbia_SIPA_Construction_Skills_Report_Final_March_2014_0.pdf).

<sup>61</sup> See JATC, *About* (last visited Apr. 14, 2022), available at <http://www.jeojatc.com/about.html>.

<sup>62</sup> *Id.*

<sup>63</sup> *Id.*

<sup>64</sup> *Id.* at 12.

<sup>65</sup> *Id.*

<sup>66</sup> *Id.*

<sup>67</sup> *Id.*; see also Building and Construction Trades Council of Greater New York, *Apprenticeship Readiness Collective* (last visited Apr. 12, 2022), available at <http://www.nycbuildingtrades.org/arc.aspx>.

<sup>68</sup> *Id.*

<sup>69</sup> *Id.*

<sup>70</sup> New York City Mayor’s Office, *Mayor’s Office Announces Community Hiring Economic Justice Plan* (Aug. 13, 2020), available at <https://www1.nyc.gov/office-of-the-mayor/news/588-20/mayor-de-blasio-community-hiring-economic-justice-plan>.

<sup>71</sup> *Id.*

grievance, dispute, and arbitration procedures.<sup>72</sup> The purpose of the agreement is to allow project owners, contractors, and unions to anticipate and avoid problems that increase the costs or slow down a project.<sup>73</sup>

The Citywide Renovation PLA covers renovation construction on City-owned buildings led by a dedicated set of City of agencies and the New Construction PLA covers new construction on selected future projects.<sup>74</sup> Both of these PLAs are valid on active construction projects through 2024. Each PLA also includes an apprenticeship Memorandum of Understanding (“MOU”) requiring that 70 percent of new apprenticeship positions be filled by graduates of certain following pre-apprenticeship programs.<sup>75</sup> These are: (1) public high school students from the Edward J. Malloy Initiative for Construction Skills, (2) veterans referred by New York City Helmets to Hardhats, (3) women of Nontraditional Employment for Women (“NEW”), (4) NYCHA and Section 8 residents, and (5) employees of certain certified Minority and Women-owned Business Enterprises (M/WBEs).<sup>76</sup> Specifically, 15 percent of annual apprenticeship slots are reserved for female graduates of NEW’s pre-apprenticeship program.<sup>77</sup> According to the MOU, the BCTC and the Building Trades Employers Association (“BTEA”) are required to pursue funds to support these goals; namely through pledged support of pre-apprenticeship positions, in order to reach scheduled annual targets for the apprenticeships.<sup>78</sup>

Upon the announcement of the agreement, some expressed skepticism about the deal, charging that the Mayor’s Office did not address whether contractors or the BCTC would be penalized if they failed to meet their targets.<sup>79</sup> The Minority and Women Contractors Developers Association also remained skeptical and emphasized the importance of how the stated goals might interact with other minority and women-owned business targets on publicly-funded projects.<sup>80</sup> However, the de Blasio Administration and the BCTC touted that the PLA would connect low-income New Yorkers and those from marginalized communities with apprenticeship opportunities that will lead to well-paid unionized jobs in the construction industry.<sup>81</sup>

#### *HireNYC: NYCEDC Development*

In October 2015, Mayor de Blasio announced a new citywide initiative called *HireNYC*, a public-private partnership designed to create new jobs and training opportunities for New Yorkers.<sup>82</sup> According to the de Blasio Administration, *HireNYC* would leverage the City’s purchasing power and public investment in construction and real estate,<sup>83</sup> and ensure that large contracts, which make up over 90 percent of the City’s non-emergency spending, as well as construction and development investments, would help provide New Yorkers with access to thousands of jobs.<sup>84</sup> The citywide initiative was also designed to expand upon targeted hiring programs, while also establishing new guidelines to require employers receiving City contracts – or working on development projects receiving City subsidies – to work with the City’s public workforce.<sup>85</sup> Further, *HireNYC* includes five different programs, applying to different aspects of city business, and each program has differing requirements<sup>86</sup>

<sup>72</sup> *Id.*

<sup>73</sup> *Id.*

<sup>74</sup> Esther Fuchs, Dorian Warren, Kimberly Bayer, *Expanding Opportunity for Middle Class Jobs in New York City*, Columbia University (March 2014), available at [https://sipa.columbia.edu/sites/default/files/Columbia\\_SIPA\\_Construction\\_Skills\\_Report\\_Final\\_March\\_2014\\_0.pdf](https://sipa.columbia.edu/sites/default/files/Columbia_SIPA_Construction_Skills_Report_Final_March_2014_0.pdf).

<sup>75</sup> Mayor’s Office of Contract Services, *Project Labor Agreement Covering Specified New Construction of Identified City Owned Buildings and Structures 2020-2024* (Aug. 12, 2020) available at [https://www1.nyc.gov/assets/mocs/downloads/pdf/pla/2020\\_New\\_Construction\\_PLA\\_Agency\\_Solicitation\\_Version.PDF](https://www1.nyc.gov/assets/mocs/downloads/pdf/pla/2020_New_Construction_PLA_Agency_Solicitation_Version.PDF)

<sup>76</sup> Mayor’s Office of Contract Services, *Project Labor Agreement Covering Specified New Construction of Identified City Owned Buildings and Structures 2020-2024* (Aug. 12, 2020) available at [https://www1.nyc.gov/assets/mocs/downloads/pdf/pla/2020\\_New\\_Construction\\_PLA\\_Agency\\_Solicitation\\_Version.PDF](https://www1.nyc.gov/assets/mocs/downloads/pdf/pla/2020_New_Construction_PLA_Agency_Solicitation_Version.PDF).

<sup>77</sup> *Id.*

<sup>78</sup> *Id.*

<sup>79</sup> Kathryn Brenzel, *City Construction Unions Strike Deal to Hire Low-Income Workers*, The Real Deal (August 13, 2020), available at <https://therealdeal.com/2020/08/13/city-construction-unions-strike-deal-to-hire-low-income-workers/>

<sup>80</sup> *Id.*

<sup>81</sup> *Id.* at 1.

<sup>82</sup> New York City Press Office, *De Blasio Administration Launches HireNYC to Help New Yorkers Access Jobs Through the City’s Purchases and Investments* (Press Release) (Oct. 27, 2015), available at <https://www1.nyc.gov/office-of-the-mayor/news/760-15/de-blasio-administration-launches-hirenc-help-new-yorkers-access-jobs-the-city-s>.

<sup>83</sup> *Id.*

<sup>84</sup> *Id.*

<sup>85</sup> *Id.*

<sup>86</sup> *Id.*

and requires qualifying developers, general contractors, and sub-contractors to enroll with the *HireNYC portal*<sup>87</sup> and interview qualified candidates who meet the requirements of the entry and mid-level positions associated with the contract.<sup>88</sup>

Under the *HireNYC* initiative, solicitations for NYC Economic Development Corporation (“NYCEDC”) projects valued above \$1 million, and NYC Housing Preservation and Development (“HPD”) projects valued above \$2 million, also contain new language requiring HireNYC obligations.<sup>89</sup> For example, solicitations for NYCEDC projects above \$1 million require qualifying employers hiring for construction-related positions to:

1. Enroll with the *HireNYC* portal within 30 days of the full execution of the contract, in order to attest to upcoming hiring needs;
2. Share information about the new entry and mid-level open positions associated with the contract;
3. Interview the qualified candidates referred by the City; and
4. Report on the individuals interviewed and hired.<sup>90</sup>

Further, while the *HireNYC* stipulations would not require an employer to hire the specific candidates that the City referred, it does require that employers comply with NYCEDC’s process of engagement, including providing an explanation as to why it did not hire the candidates referred by the City and it creates accountability for breach.<sup>91</sup> Namely, pursuant to the program’s guidelines, “liquidated damages of up to \$2,500 per breach” will be assessed for not registering with the *HireNYC* Portal in a timely manner, withholding relevant job openings from the City, or failing to interview qualified candidates;<sup>92</sup> while other breaches could lead to an assessment of \$500 in liquidated damages and “continued failure may lead to the City holding the Contractor in default of the contract.”<sup>93</sup> Additionally, pursuant to the program, HPD’s affordable housing projects receiving \$2 million or more in City subsidy require developers, contractors and sub-contractors to post open construction positions and to consider qualified Workforce1 candidates.<sup>94</sup> Since March 2016, 34 projects have been included in this program.<sup>95</sup>

While the *HireNYC* initiative is considered a local- or low-income hiring program, the program is devoid of geographical or income requirements.<sup>96</sup> Instead, many of *HireNYC*’s programs encourage employers to consider referrals made by the City through the NYCSBS Workforce1 Career Centers.<sup>97</sup> There are an estimated 22 Workforce1 Career Centers spread throughout the city, which serve primarily low-income residents.<sup>98</sup> The City also conducts outreach in neighborhoods near city-supported housing or economic development projects and works with local community-based organizations to help residents get referrals to the *HireNYC* projects through their Workforce1 center.<sup>99</sup> To date, there has been little to no information or data publicly released from which to assess the outcomes *HireNYC Development* program.

<sup>87</sup> HireNYC Portal (last visited Apr 15, 2022), available at <https://a801-worksource1.nyc.gov/emp>.

<sup>88</sup> *Id.*

<sup>89</sup> *Id.*

<sup>90</sup> The City of New York, *HireNYC – Career Paths*, available at <https://www1.nyc.gov/site/careerpathways/strategy/hireNYC.page> (last visited 4/18/2022).

<sup>91</sup> The City of New York, *HireNYC: NYCEDC Development for Construction Positions*, 1-2, available at [https://www1.nyc.gov/assets/careerpathways/downloads/pdf/edc\\_construction.pdf](https://www1.nyc.gov/assets/careerpathways/downloads/pdf/edc_construction.pdf) (last visited 4/18/2022).

<sup>92</sup> *Id.* at 2.

<sup>93</sup> *Id.*

<sup>94</sup> HireNYC, *What is HireNYC and How Will It Apply to HPD-Financed Development*, available at [https://www1.nyc.gov/assets/careerpathways/downloads/pdf/hpd\\_construction.pdf](https://www1.nyc.gov/assets/careerpathways/downloads/pdf/hpd_construction.pdf) (last visited 4/18/2022).

<sup>95</sup> Mayor’s Office of Operations, *New York City Mayor’s Management Report*, at 8 (Sept. 2016), available at [https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2016/2016\\_mmr.pdf](https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2016/2016_mmr.pdf).

<sup>96</sup> Abigail Savitch-Lew, *The Data on HireNYC*, City Limits (Nov. 21, 2017), available at <https://citylimits.org/2017/11/21/the-data-on-hirenyc/>.

<sup>97</sup> Abigail Savitch-Lew, *The Data on HireNYC*, City Limits (Nov. 21, 2017), available at <https://citylimits.org/2017/11/21/the-data-on-hirenyc/>.

<sup>98</sup> *Id.*

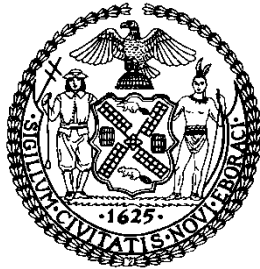
<sup>99</sup> *Id.*

### III. PROPOSED INT. NO 179-A

Proposed Int. No. 179-A would require an office designated by the Mayor to submit to the Council and publish online a report containing information about the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers no later than July 1, 2023. This report would review the role of women and gender non-binary, non-conforming and intersex workers in nontraditional careers, which would encompass industries that have traditionally hired a higher proportion of male employees, including the construction, utility, maintenance, green and transportation industries. The report would be developed in consultation with various city agencies, individuals who are currently employed in a nontraditional workplace, who work at unions or organizations conducting relevant work or research and at least one representative from a university or similar academic institution with academic experience and expertise in the study and analysis of labor markets and policy.

Since introduction, this bill was amended from requiring the city to create a task force to evaluate the role of women in nontraditional workplaces, such as women in the construction, utilities, maintenance, green, or transportation industries, to requiring a report; and on role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers. The bill was also amended to clarify that the mayor may choose the office that would create the report, but to also provide more comprehensive guidance on what the city would study, who the city would consult in creating the report the timeline for the report, and to clarify that the information in the report would be included to the possible without revealing personally identifiable information.

(The following is the text of the Fiscal Impact Statement for Int. No. 179-A:)



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

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

**FISCAL IMPACT STATEMENT**

**PROPOSED INTRO. NO: 179-A**

**COMMITTEE: Women and Gender Equity**

**TITLE:** A local law, in relation to a report on the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers.

**SPONSOR(S):** Council Members Moya, Cabán, Stevens, Farías, Richardson-Jordan, Menin, Won, De La Rosa, Nurse, Botcher and Williams.

**SUMMARY OF LEGISLATION:** The proposed legislation would require that no later than July 1, 2023, a City office to be designated by the mayor, shall submit to the Council and publish online a report that is a comprehensive review on the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, that includes, but not limited to – (a). Issues related to recruitment and retention of such individuals; (b) Issues related to sustained negative work environments for such individuals; (c) How these environments value diversity, equity, and inclusion; and (d) Other significant barriers to success for such individuals, where success is indicated by factors including, but not limited to, promotions, raises, continued employment, and reasonable accommodations.

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



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

**FISCAL IMPACT STATEMENT:**

	<b>Effective FY22</b>	<b>FY Succeeding Effective FY23</b>	<b>Full Fiscal Impact FY23</b>
<b>Revenues</b>	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0
<b>Net</b>	\$0	\$0	\$0

**IMPACT ON REVENUES:** It is anticipated that this legislation would not affect revenues.

**IMPACT ON EXPENDITURES:** It is anticipated that there would be no impact on expenditures resulting from the enactment of Proposed Intro. 179-A because the relevant City agencies would utilize existing resources to fulfill the reporting requirements.

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

**SOURCE OF INFORMATION:** New York City Council Finance Division

**ESTIMATE PREPARED BY:** Crilhien R. Francisco, Unit Head, NYC Council Finance Division

**ESTIMATE REVIEWED BY:** Dohini Sompura, Assistant Director, NYC Council Finance Division  
 Eisha Wright, Deputy Director, NYC Council Finance Division  
 Jonathan Rosenberg, Managing Deputy Director, NYC Council Finance Division

**LEGISLATIVE HISTORY:** This legislation was considered as a preconsidered introduction by the Committee on Women and Gender Equity, the Committee on Economic Development and the Committee on Civil Service and Labor at a joint hearing held on April 19, 2022. The legislation was introduced to the full Council on April 14, 2022 as Intro. 179 and referred to the Committee on Women and Gender Equity. The legislation was subsequently amended, and the amended version Proposed Intro. 179-A will be considered by the Committee on Women and Gender Equity on June 1, 2022. Upon successful vote by the Committee on Women and Gender Equity, Proposed Intro. No. 179-A will be submitted to the full Council for a vote on June 2, 2022.

**DATE PREPARED:** May 31, 2022.

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

**(The following is the text of Int. No. 179-A:)**

Int. No. 179-A

By Council Members Moya, Cabán, Stevens, Farías, Richardson Jordan, Menin, Won, De La Rosa, Nurse, Bottcher, Williams, Hudson, Narcisse and Krishnan.

**A Local Law in relation to a report on the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers**

*Be it enacted by the Council as follows:*

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

Nontraditional careers. The term “nontraditional careers” means industries that have traditionally hired a higher proportion of male employees, including, but not limited to, fields such as the construction, utilities, maintenance, green, and transportation industries.

Sustained negative work environment. The term “sustained negative work environment” means a negative, toxic, or hostile work environment or culture due to harassment, assault, or discrimination on the basis of sexual orientation or gender.

b. No later than July 1, 2023, a city office to be designated by the mayor shall submit to the council and publish online a report containing the following information about the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers:

1. A comprehensive review of the role of such individuals, including, but not limited to:

i. Issues related to recruitment and retention of such individuals;

ii. Issues related to sustained negative work environments for such individuals;

iii. How these environments value diversity, equity, and inclusion; and

iv. Other significant barriers to success for such individuals, where success is indicated by factors including, but not limited to, promotions, raises, continued employment, and reasonable accommodations;

2. Where feasible and to the extent possible without revealing personally identifiable information, demographic data related to the status of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, including, but not limited to, the following information:

i. The total number of individuals working in nontraditional careers in the city and the number of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, for the past ten years, disaggregated by year, gender, sexuality, race, ethnicity, zip code, and age;

ii. The total number of individuals in management positions who identify as women or gender non-binary, non-conforming, and intersex workers in nontraditional careers, for the past ten years, disaggregated by year;

iii. The average salary of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, for the past ten years, disaggregated by year, gender, sexuality, race, ethnicity, zip code, and age; and

iv. Current actions being taken to promote the inclusion of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, in each industry;

3. An overview of city resources and information available to such individuals, and an overview of any actions and efforts underway to support such individuals in pursuing, obtaining, succeeding in, and staying in nontraditional careers; and

4. Recommendations for potential mechanisms, resources, and avenues to build upon existing resources, strengthen support, and to empower women and gender non-binary, non-conforming, and intersex workers to pursue and succeed in nontraditional careers, including, but not limited to, recommendations for policy and legislation.

c. Such report shall be created in consultation with the commission on gender equity, the city commission on human rights, the economic development corporation, the department of small business services, the department of consumer and worker protection, at least three individuals who are currently employed in a nontraditional career, at least two individuals who work at unions or organizations conducting work or research related to women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, and at least one representative from a university or similar academic institution with academic experience and expertise in the study and analysis of labor markets and policy.

§ 2. This local law takes effect immediately.

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JAMES F. GENNARO, JENNIFER GUTIÉRREZ, KRISTIN RICHARDSON JORDAN, ALTHEA V. STEVENS; 6-0-0; Committee on Women and Gender Equity, June 1, 2022 (Remote Hearing).

Laid Over by the Council.

## GENERAL ORDERS CALENDAR

Report for L.U. No. 39 & Res. No. 218

**Report of the Committee on Land Use in favor of approving, as modified, Application number C 200246 ZMQ (146-93 Guy Brewer Boulevard Rezoning) submitted by Ranbir, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 19b: changing from an R3-2 District to an R6A District and establishing within the proposed R6A District a C2-2 District, Borough of Queens, Community District 13, Council District 31.**

The Committee on Land Use, to which the annexed Land Use item was referred on April 14, 2022 (Minutes, page 631) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on May 19, 2022 (Minutes, page 1002) , respectfully

### REPORTS:

#### SUBJECT

#### **QUEENS CB-13 - TWO APPLICATIONS RELATED TO 146-93 GUY R. BREWER BOULEVARD REZONING**

##### **C 200246 ZMQ (Pre. L.U. No. 39)**

City Planning Commission decision approving an application submitted by Ranbir, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 19b:

1. changing from an R3-2 District to an R6A District property bounded by 146th Terrace, a line 100 feet easterly of Guy R. Brewer Boulevard, 147th Avenue, and Guy R. Brewer Boulevard; and
2. establishing within the proposed R6A District a C2-2 District bounded by 146th Terrace, a line 100 feet easterly of Guy R. Brewer Boulevard, 147th Avenue, and Guy R. Brewer Boulevard;

as shown on a diagram (for illustrative purposes only) dated November 1, 2021, and subject to the conditions of CEQR Declaration E-646.

##### **N 200247 ZRQ (Pre. L.U. No. 40)**

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

#### INTENT

To approve the amendment to rezone the project area from an R3-2 zoning district to an R6A/C2-2 zoning district and amend the zoning text to establish a Mandatory Inclusionary Housing area to facilitate the development of an eight-story mixed-use building with residential and commercial uses located at 146-93 Guy R. Brewer Boulevard in the Springfield Gardens neighborhood of Queens, Community District 13.

**PUBLIC HEARING**

**DATE:** April 12, 2022

**Witnesses in Favor:** Three

**Witnesses Against:** Three

**SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 10, 2022

The Subcommittee recommends that the Land Use Committee approve the motion to file pursuant to withdrawal of the application by the Applicant on Pre. L.U. No. 40 and approve with modifications the decision of the City Planning Commission on Pre. L.U. No. 39.

**In Favor:**

Riley  
Moya  
Louis  
Abreu  
Bottcher  
Hanks  
Schulman  
Carr

**Against:**

None

**Abstain:**

None

**COMMITTEE ACTION**

**DATE:** May 12, 2022

The Committee recommends that the Council approve the attached resolutions.

**In Favor:**

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

**Against:**

None

**Abstain:**

None

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

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

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

Res. No. 218

**Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 200246 ZMQ, a Zoning Map amendment (Preconsidered L.U. No. 39).**

By Council Members Salamanca and Riley.

**WHEREAS**, Ranbir, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 19b, changing from an R3-2 District to an R6A District and establishing within the proposed R6A District a C2-2 District, which in conjunction with the related action would facilitate the development of an eight-story mixed-use building with residential and commercial uses located at 146-93 Guy R. Brewer Boulevard in the Springfield Gardens neighborhood of Queens, Community District 13 (ULURP No. C 200246 ZMQ) (the "Application");

**WHEREAS**, the City Planning Commission filed with the Council on April 8, 2022 its decision dated March 16, 2022 (the "Decision") on the Application;

**WHEREAS**, the Application is related to application N 200247 ZRQ (Pre. L.U. No. 40), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on April 12, 2022;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the Negative Declaration issued November 1<sup>st</sup>, 2021 (CEQR No. 20DCP163Q) which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-646) (the "Negative Declaration").

**RESOLVED:**

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-646) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 200246 ZMQ incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

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

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 19b:

1. changing from an R3-2 District to an ~~R6A~~R5B District property bounded by a line 100 feet southerly of 146th Terrace, a line 100 feet easterly of Guy R. Brewer Boulevard, 147th Avenue, and Guy R. Brewer Boulevard; and
2. establishing within the proposed ~~R6A~~R5B District a C2-2 District bounded by 146th Terrace, a line 100 feet easterly of Guy R. Brewer Boulevard, 147th Avenue, and Guy R. Brewer Boulevard;

as shown on a diagram (for illustrative purposes only) dated November 1, 2021, and subject to the conditions of CEQR Declaration E-646, Borough of Queens, Community District 13.

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Darlene Mealy; *Conflict*: Ari Kagan; Committee on Land Use, May 12, 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. 41 & Res. No. 219

**Report of the Committee on Land Use in favor of approving, as modified, Application number C 210312 ZMK (103 Lee Avenue) submitted by Sbeny holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d: eliminating from within an existing R6 District a C1-3 District, changing from an R6 District to an R7X District, and establishing within the proposed R7X District a C2-4 District, Borough of Brooklyn, Community District 1, Council District 33.**

The Committee on Land Use, to which the annexed Land Use item was referred on April 14, 2022 (Minutes, page 631) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on May 19, 2022 (Minutes, page 1005) , respectfully

#### **REPORTS:**

#### **SUBJECT**

**BROOKLYN CB-1 - TWO APPLICATIONS RELATED TO 103 LEE AVENUE**

**C 210312 ZMK (Pre. L.U. No. 41)**

City Planning Commission decision approving an application submitted by Sbeny Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d:

1. eliminating from within an existing R6 District a C1-3 District bounded by Williamsburg Street East, Lee Avenue, and the southwesterly prolongation of a line midway between Keap Street and Hooper Street;
2. changing from an R6 District to an R7X District property bounded by Williamsburg Street East, Keap Street and its southwesterly centerline prolongation, a line 100 feet northeasterly of Lee Avenue, and a line midway between Keap Street and Hooper Street and its southwesterly prolongation; and
3. establishing within the proposed R7X District a C2-4 District bounded by Williamsburg Street East, Keap Street and its southwesterly centerline prolongation, a line 100 feet northeasterly of Lee Avenue, and a line midway between Keap Street and Hooper Street and its southwesterly prolongation;

as shown on a diagram (for illustrative purposes only) dated November 15, 2021.

#### **N 210313 ZRK (Pre. L.U. No. 42)**

City Planning Commission decision approving an application submitted by Sbeny Holdings, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

#### **INTENT**

To approve the amendment to rezone the project area from an R6 and R6/C1-3 zoning districts to an R7X/C2-4 zoning district and amend the zoning text to designate a Mandatory Inclusionary housing (MIH) area to facilitate the construction of an eight-story mixed-use building with 52 dwelling units, 16 of which would be permanently affordable, as well as approximately 7,800 square feet of ground floor commercial space at 103 Lee Avenue (Block 2200, Lot 6) in the Williamsburg neighborhood of Brooklyn, Community District 1.

#### **PUBLIC HEARING**

**DATE:** April 12, 2022

**Witnesses in Favor:** Four

**Witnesses Against:** One

#### **SUBCOMMITTEE RECOMMENDATION**

**DATE:** May 10, 2022

The Subcommittee recommends that the Land Use Committee approve with modifications the decisions of the City Planning Commission on Pre. L.U. Nos. 41 and 42.

<b>In Favor:</b>	<b>Against:</b>	<b>Abstain:</b>
Riley	None	None
Moya		
Louis		
Abreu		
Bottcher		
Hanks		
Schulman		
Carr		

**COMMITTEE ACTION**

**DATE:** May 12, 2022

The Committee recommends that the Council approve the attached resolutions.

<b>In Favor:</b>	<b>Against:</b>	<b>Abstain:</b>
Salamanca	None	None
Moya		
Rivera		
Louis		
Riley		
Brooks-Powers		
Bottcher		
Hanks		
Krishnan		
Sanchez		
Borelli		

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

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

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

Res. No. 219

**Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 210312 ZMK, a Zoning Map amendment (Preconsidered L.U. No. 41).**

By Council Members Salamanca and Riley.



**WHEREAS**, Sbeny Holdings, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d, by eliminating from within an existing R6 District a C1-3 District, changing from an R6 District to an R7X District, and establishing within the proposed R7X District a C2-4 District, which in conjunction with the related actions would facilitate the construction of an eight-story mixed-use building with 52 dwelling units, 16 of which would be permanently affordable, as well as approximately 7,800 square feet of ground floor commercial space at 103 Lee Avenue (Block 2200, Lot 6) in the Williamsburg neighborhood of Brooklyn, Community District 1 (ULURP No. C 210312 ZMK) (the "Application");

**WHEREAS**, the City Planning Commission filed with the Council on April 8, 2022 its decision dated March 16, 2022 (the "Decision") on the Application;

**WHEREAS**, the Application is related to application N 210313 ZRK (Pre. L.U. No. 42), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on April 12, 2022;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the Negative Declaration issued November 15<sup>th</sup>, 2021 (CEQR No. 20DCP144K) which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-638) (the "Negative Declaration").

**RESOLVED:**

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-638) and Negative Declaration.

Pursuant to Sections 197-d and 201 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 210312 ZMK incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

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

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section 12d:

- ~~1. eliminating from within an existing R6 District a C1-3 District bounded by Williamsburg Street East, Lee Avenue, and the southwesterly prolongation of a line midway between Keap Street and Hooper Street;~~
21. changing from an R6 District to an R7X District property bounded by Williamsburg Street East, Keap Street and its southwesterly centerline prolongation, a line 100 feet northeasterly of Lee Avenue, ~~and a~~

line midway between Keap Street and Hooper Street and its southwesterly prolongation, and Lee Avenue;  
and

~~32.~~ establishing within the proposed R7X District a C2-4 District bounded by ~~Williamsburg Street East~~, Keap Street and its southwesterly centerline prolongation, a line 100 feet northeasterly of Lee Avenue, ~~and~~ a line midway between Keap Street and Hooper Street and its southwesterly prolongation, and Lee Avenue;

as shown on a diagram (for illustrative purposes only) dated November 15, 2021, Borough of Brooklyn, Community District 1.

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Darlene Mealy; *Conflict*: Ari Kagan; Committee on Land Use, May 12, 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. 42 & Res. No. 220

**Report of the Committee on Land Use in favor of approving, as modified, Application number N 210313 ZRK (103 Lee Avenue) submitted by Sbeny Holdings, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Brooklyn, Community District 1, Council District 33.**

The Committee on Land Use, to which the annexed Land Use item was referred on April 14, 2022 (Minutes, page 632) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on May 19, 2022 (Minutes, page 1007) , respectfully

#### REPORTS:

**(For text of report, please see the Report of the Committee on Land Use for L.U. No. 41 printed above in the General Order Calendar section of these Minutes)**

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

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

Res. No. 220

**Resolution approving with modifications the decision of the City Planning Commission on Application No. N 210313 ZRK, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 42).**

By Council Members Salamanca and Riley.

**WHEREAS** Sbeny Holdings LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing Area, which in conjunction with the related action would facilitate the construction of an eight-story mixed-use building with 52 dwelling units, 16 of which would be permanently affordable, as well as approximately 7,800 square feet of ground floor commercial space at 103 Lee Avenue (Block 2200, Lot 6) in the Williamsburg neighborhood of Brooklyn, Community District 1 (ULURP No. N 210313 ZRK) (the “Application”);

**WHEREAS**, the City Planning Commission filed with the Council on April 8, 2022, its decision dated March 16, 2022 (the “Decision”), on the Application;

**WHEREAS**, the Application is related to application C 210312 ZMK (Pre. L.U. No. 41), a zoning map amendment to change R6 and R6/C1-3 zoning districts to an R7X/C2-4 zoning district;

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

**WHEREAS**, upon due notice, the Council held a public hearing on the Decision and Application on April 12, 2022;

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

**WHEREAS**, the Council has considered the relevant environmental issues, including the Negative Declaration issued November 15<sup>th</sup>, 2021 (CEQR No. 20DCP144K) which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise (E-638) (the “Negative Declaration”).

**RESOLVED:**

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-638) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 210313 ZRK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

- Matter underlined is new, to be added;
- Matter ~~struck out~~ is to be deleted;
- Matter within # # is defined in Section 12-10;
- \* \* \* indicates where unchanged text appears in the Zoning Resolution
- Matter ~~double struck out~~ is old, deleted by the City Council;
- Matter double-underlined is new, added by the City Council

\* \* \*

**APPENDIX F  
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

\* \* \*

**BROOKLYN**

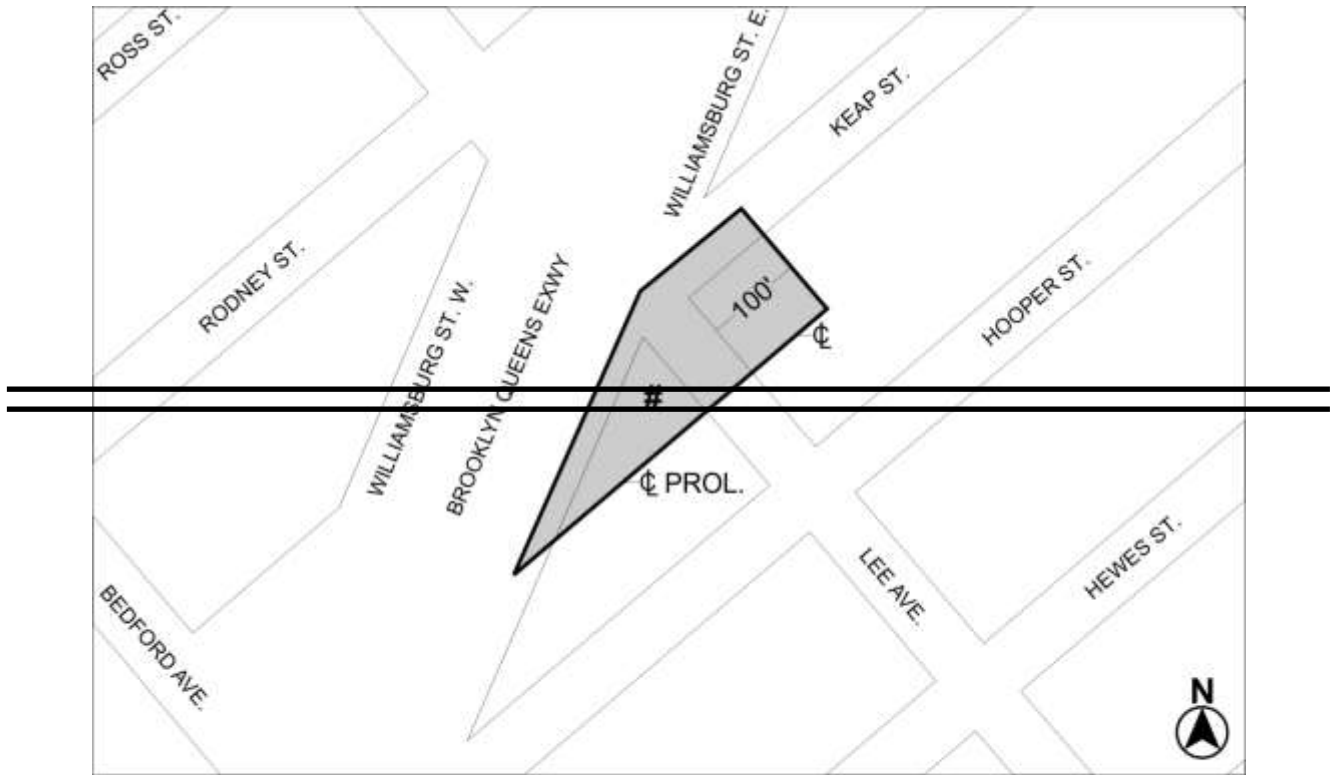
\* \* \*

**Brooklyn Community District 1**

\* \* \*

Map 5 – [date of adoption]

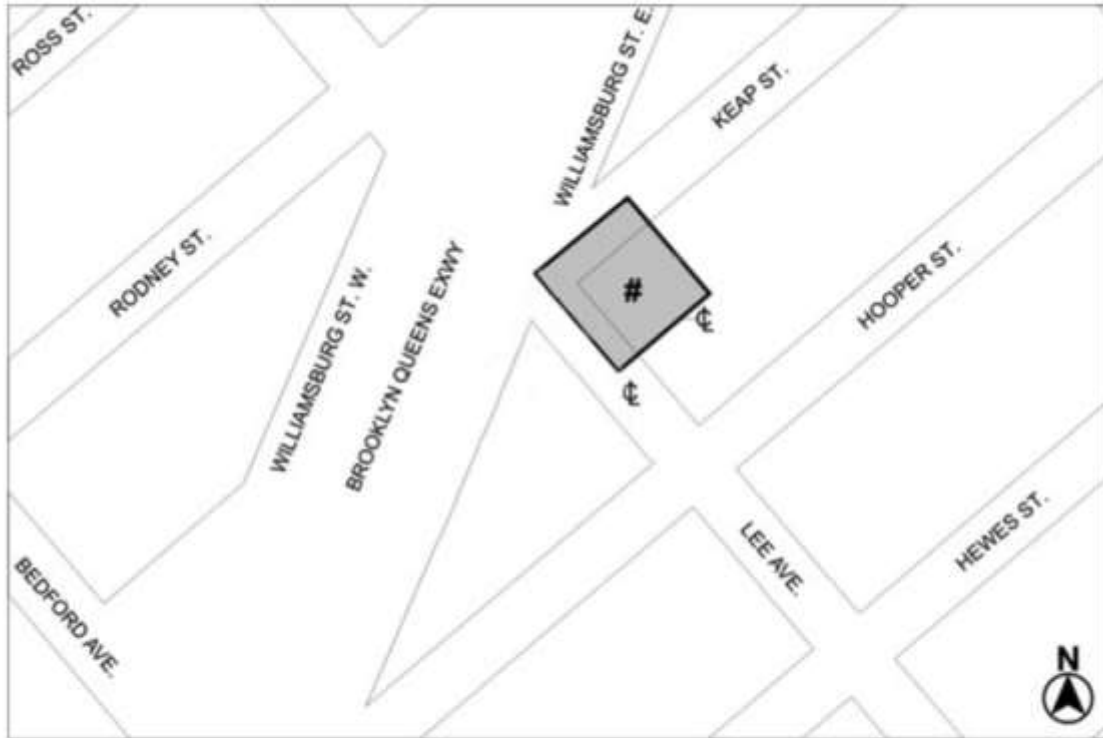
~~[PROPOSED MAP]~~




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

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

[MODIFIED MAP]



 **Mandatory Inclusionary Housing Area** *see Section 23-154(d)(3)*  
**Area # — [date of adoption] — MIH Program Option 1 and Option 2**

Portion of Community District 1, Brooklyn

\* \* \*

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 11-0-0; *Absent*: Darlene Mealy; *Conflict*: Ari Kagan; Committee on Land Use, May 12, 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).

**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>
Monica Guardiola	38 Gouverneur St New York, New York 10002	2
Anochye Vincent	168-34 127th Ave, Apt 5G Queens, New York 11434	28
Barbara Pena	84-23 103 Ave, Apt 3E Queens, New York 11417	32
Clata Hitt	1140 St. Johns Place, Apt 19 Brooklyn, New York 11213	35
Francesca Chery	642 Rockaway Parkway Brooklyn, New York 11236	42
Haeley Galeote	185 Park Hill Ave, Apt 6R Staten Island, New York 10304	49
Anthony Braxton	55 Kensington Ave, 1st Floor Staten Island, New York 10305	50
Frank Vega	132 Kramer Street, Apt 4B Staten Island, New York 10305	50

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

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

- |                                    |  |
|------------------------------------|--|
| (1) <b>Int 103 -</b>               | Increase in the amount to be expended annually in the Sutphin Boulevard Business Improvement District, and an increase in the maximum total amount to be expended for improvements in such district, and providing for the dissolution of the one hundred sixty-fifth street mall special assessment district, and the dissolution of the Jamaica Center mall special assessment district. |
| (2) <b>Int 208-A -</b>             | Inspections of self-closing doors and fire safety notices in residential buildings.  |
| (3) <b>Preconsidered Res 191 -</b> | Discount percentage for early payment of real estate taxes be set at one-half of one percent per annum for Fiscal Year 2023.   |
| (4) <b>Preconsidered Res 204 -</b> | <b>State Open Meetings Law</b> providing that the Council and its Committees and Subcommittees may use videoconferencing to conduct meetings.  |
| (5) <b>L.U. 39 &amp; Res 218 -</b> | <b>App C 200246 ZMQ (146-93 Guy Brewer Boulevard Rezoning)</b> Borough of Queens, Community District 13, Council District 31.  |
| (6) <b>L.U. 41 &amp; Res 219 –</b> | <b>App. C 210312 ZMK (103 Lee Avenue)</b> Borough of Brooklyn, Community District 1, Council District 33.  |
| (7) <b>L.U. 42 &amp; Res 220 –</b> | <b>App. N 210313 ZRK (103 Lee Avenue)</b> Borough of Brooklyn, Community District 1, Council District 33.  |
| (8) <b>L.U. 50 &amp; Res 209 –</b> | <b>App. C 210299 ZMK (840 Lorimer Street Rezoning)</b> Borough of Brooklyn, Community District 1, Council District 33.   |

- (9) **L.U. 51 & Res 210 -** App. N **210300 ZRK (840 Lorimer Street Rezoning)** Borough of Brooklyn, Community District 1, Council District 33.
- (10) **L.U. 53 & Res 211 -** App. C **220134 ZMM (One 45/Museum of Civil Rights)** Borough of Manhattan, Community District 10, Council District 9 **(Coupled to be Filed).**
- (11) **L.U. 54 & Res 212 -** App. N **220135 ZRM (One 45/Museum of Civil Rights)** Borough of Manhattan, Community District 10, Council District 9 **(Coupled to be Filed).**
- (12) **L.U. 55 & Res 213 -** App. C **220136 ZSM (One 45/Museum of Civil Rights)** Borough of Manhattan, Community District 10, Council District 9 **(Coupled to be Filed).**
- (13) **L.U. 56 & Res 214 -** App. C **220137(A) ZSM (One 45/Museum of Civil Rights)** Borough of Manhattan, Community District 10, Council District 9. **(Coupled to be Filed).**
- (14) **L.U. 57 & Res 215 -** App. C **220142 ZSM (One 45/Museum of Civil Rights)** Borough of Manhattan, Community District 10, Council District 9. **(Coupled to be Filed).**
- (15) **L.U. 58 & Res 216 -** App. C **210391 ZMX (1930 Adee Avenue Rezoning)** Borough of the Bronx, Community District 12, Council District 12.
- (16) **L.U. 59 & Res 217 -** App N **210392 ZRX (1930 Adee Avenue Rezoning)** Borough of the Bronx, Community District 12, Council District 12.
- (17) **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, 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**.

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

The following was the vote recorded for **Int. No. 103**:

**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, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **49**.

**Negative** – Yeger - **1**.

The following was the vote recorded for **Preconsidered Res. No. 204**:

**Affirmative** – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Shulman, Stevens, Ung, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **44**.

**Negative** – Ariola, Carr, Holden, Paladino, Yeger, and the Minority Leader (Council Member Borelli) - **6**.

The following was the vote recorded for **L.U. No. 39 & Res. No. 218**:

**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, 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) - **49**.

**Negative** – Barron - **1**.

The following was the vote recorded for **L.U. No. 41 & Res. No. 219 and L.U. No. 42 & Res. No. 220**:

**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, 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) - **49**.

**Negative** – Barron - **1**.

The following was the vote recorded for **L.U. No. 50 & Res. No. 209 and L.U. No. 51 & Res. No. 210**:

**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, 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) - **49**.

**Negative** – Barron - **1**.

*The following Introductions were sent to the Mayor for his consideration and approval:  
Int. Nos. 103 and 208-A.*

## INTRODUCTION AND READING OF BILLS

Int. No. 458

By The Speaker (Council Member Adams) and Council Members Louis, Hudson, Brannan, Hanif, Brooks-Powers, Brewer, Joseph, Nurse, Ung, Gutiérrez, Abreu, Restler, Won, Bottcher, Avilés, Cabán, Farías, Ossé, De La Rosa, Dinowitz, Narcisse, Marte, Krishnan, Ayala and Williams.

### **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 maintain language access services for abortion providers**

*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 17-174.1 to read as follows:

*§ 17-174.1 Language access services for abortion providers. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Abortion. The term “abortion” means (i) the procedure to terminate a pregnancy for purposes other than producing a live birth, including, but not limited to, a termination using pharmacological agents and (ii) any services related to such procedure, including, but not limited to, pre-abortion and post-abortion counseling.*

*Abortion provider. The term “abortion provider” includes, but is not limited to, a hospital or a licensed medical provider that is located in the city and provides abortions.*

*Interpretation services. The term “interpretation services” means oral, contemporaneous interpretation of oral communications.*

*Language access services. The term “language access services” means interpretation services or translation services.*

*Translation services. The term “translation services” means oral explanation or written translation of documents.*

*b. The department shall maintain prompt language access services for each abortion provider, including, but not limited to, any equipment or any staff necessary for such services, to ensure an individual obtaining an abortion may communicate with an abortion provider in such individual’s preferred language.*

*c. The department, in consultation with abortion providers, shall inform individuals seeking an abortion of the availability of language access services as required by subdivision b of this section. Nothing in this section shall preclude an individual from having an adult, including, but not limited to, a friend or a relative, accompany such individual to the abortion provider to provide language access services.*

*d. Beginning no later than one year after the effective date of the local law that added this section, and annually thereafter, the department shall report on the language access services as required by subdivision b of this section. The department shall submit such report to the mayor and the speaker of the council and post such report on its website. Such annual report shall include, but not be limited to, the following information for the previous calendar year:*

*1. A description of the language access services that the department provided to abortion providers including how many times each language was requested;*

*2. The timeframe it took the department to provide such language access services; and*

*3. Any difficulties that the department had in maintaining prompt language access services and the department’s efforts to address such difficulties.*

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

Referred to the Committee on Women and Gender Equity.

## Int. No. 459

By Council Members Abreu, Nurse, Louis, Hudson, Brewer, Joseph, Gutiérrez, Narcisse, Avilés, Restler, Schulman, Marte, Ossé, Velázquez, Williams, Richardson Jordan and Riley.

**A Local Law to amend the administrative code of the city of New York, in relation to rat mitigation zones**

*Be it enacted by the Council as follows:*

Section 1. Subdivision c of section 16-120 of the administrative code of the city of New York, as amended by local law number 6 for the year 2006, is amended to read as follows:

c. Incinerator[,] residue, ashes, refuse and liquid waste shall be stored in the building or dwelling or at the rear of the building or dwelling as may be required by the department of health and mental hygiene or the department of housing preservation and development until time for removal and kept in tightly covered metal receptacles or containers made of other materials of a type and grade acceptable to the department, department of health and mental hygiene, and the department of housing preservation and development. Notwithstanding any other provision of law, the owner, lessee, agent, occupant or other person who manages or controls a building that contains nine or more dwelling units and that is located in a rat mitigation zone designated pursuant to section 17-133.2 shall not place solid waste or recyclable material out for collection by the department at any time except between the hours of 4:00 a.m. and 6:00 a.m. on the scheduled day of collection for the time period beginning April 1 and ending October 31 of each calendar year, provided that if solid waste or recyclable material is placed out for collection after 6:00 a.m. on the scheduled day of collection, but before collection occurs, then the department shall not issue a violation for failure to place solid waste or recyclable material out for collection between the hours of 4:00 a.m. and 6:00 a.m. After the contents have been removed by the department or other collection agency any receptacles remaining shall be removed from the front of the building or dwelling before 9:00 p.m. on the day of collection, or if such collection occurs after 4:00 p.m., then before 9:00 a.m. on the day following collection. The receptacles shall at all times be kept covered or closed and kept in a manner satisfactory to the department, the department of health and mental hygiene, and in the case of residential premises, the department of housing preservation and development. No receptacles, refuse, incinerator residue or ashes, or liquid waste shall be kept so as to create a nuisance. Yard sweepings, hedge cuttings, grass, leaves, earth, stone or bricks shall not be mixed with household wastes.

§ 2. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-133.2 to read as follows:

§ 17-133.2 *Rat mitigation zones. a. The department shall designate, by rule, one or more rat mitigation zones. In designating such zones, the department shall consider current and historical data for the following criteria:*

*1. The number and percentage of inspections for rat activity for properties within a given sanitation district or community district that resulted in the issuance of an order pursuant to section 151.02 of the New York city health code or an agency referral letter related to rat activity, and the location of such properties within such sanitation or community district;*

*2. The number and percentage of inspections for rat activity for properties within a given sanitation district or community district that have resulted in the issuance of a notice of violation pursuant to section 3.05 or section 151.02 of the New York city health code, and the location of such properties within such sanitation or community district;*

*3. The number of rat exterminations at properties within a given sanitation district or community district executed by the department pursuant to section 17-147 of this code, following a failure to comply with an order issued pursuant to section 151.02 of the New York city health code, and the location of such properties within such sanitation or community district;*

*4. The number and nature of 311 complaints related to rat activity within any twelve-month period within a given sanitation district or community district; and*

*5. The susceptibility of any properties managed by the department of parks and recreation within a given sanitation district or community district to rat infestation.*

*b. The department shall periodically review the criteria set forth in subdivision a of this section and may, by rule, and in accordance with such review, eliminate existing rat mitigation zones, change the boundaries of existing rat mitigation zones, or designate new rat mitigation zones.*

*c. The department may, in conjunction with any action taken pursuant to subdivision a or b of this section, and in consultation with the department of sanitation, review the boundaries of sanitation districts, or sections within sanitation districts, and may establish boundaries of rat mitigation zones that are, in whole or in part, coterminous with sanitation districts, or sections within sanitation districts.*

*d. The department may, in conjunction with any action taken pursuant to subdivision a or b of this section, consider the availability of resources to implement rat mitigation measures and, in designating rat mitigation zones, eliminating existing rat mitigation zones, or changing the boundaries of existing rat mitigation zones, exercise its discretion to maximize the efficient use of such resources.*

*e. If the department, following any review conducted pursuant to subdivision b of this section, determines, in consultation with the department of sanitation, that any rat mitigation measure applicable pursuant to law or rule only within a rat mitigation zone should be continued, then the department need not eliminate, or change the boundaries of, a rat mitigation zone, regardless of whether such review otherwise indicates that such rat mitigation zone should be eliminated, or its boundaries changed. If a review indicates that only certain rat mitigation measures should be continued in a rat mitigation zone, the department may continue only those measures and eliminate or limit other rat mitigation measures applicable pursuant to law or rule only within a rat mitigation zone.*

§ 3. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 460

By Council Members Abreu, Nurse, Bottcher, Louis, Hudson, Hanif, Brewer, Joseph, Gutiérrez, Avilés, Restler, Schulman, Marte, Ossé, Velázquez, Williams, Won, Krishnan, Richardson Jordan, Riley and Paladino.

**A Local Law to amend the administrative code of the city of New York, in relation to receptacles in a building or dwelling that has a high concentration of rodent infestation**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 16-120 chapter 1 of title 16 of the administrative code of the city of New York, as amended by local law number 22 for the year 2002, is amended to read as follows:

§ 16-120 Receptacles for the removal of waste material. a. *1. The owner, lessee, agent, occupant or other person who manages or controls a building or dwelling shall provide and maintain in accordance with this section separate receptacles for the deposit of incinerator residue and ashes; refuse, and liquid waste. The receptacles shall be provided for the exclusive use of each building or dwelling and shall be of sufficient size and number to contain the wastes accumulated in such building or dwelling during a period of seventy-two hours. The receptacles shall be made of metal or other material of a grade and type acceptable to the department, the department of health and mental hygiene and the department of housing preservation and development. Receptacles used for liquid waste shall be constructed so as to hold their contents without leakage. Metal containers shall be provided with tight fitting metal covers.*

*2. Where a building or dwelling has received two or more violations pursuant to section 151.02 of the New York city health code or section 27-2018 of the housing maintenance code within a twelve month period, commencing after the effective date of the local law that added this paragraph, and such violations are upheld by the environmental control board, the receptacles required pursuant to paragraph one of this subdivision shall be of a material or design approved by the department, department of health and mental hygiene and department of housing preservation and development to minimize rodent access and harborage. This requirement shall apply for such building or dwelling until a two-year period, commencing after initial application of the requirement,*

*has elapsed in which no such violations have been issued to such building or dwelling and upheld by the environmental control board.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

Int. No. 461

By Council Members Ariola, Borelli, Yeger and Nurse.

**A Local Law to amend the administrative code of the city of New York, in relation to identifying and removing boats from New York city’s littoral waters**

*Be it enacted by the Council as follows:*

Section 1. Title 22 of the administrative code of the city of New York is amended by adding a new chapter 13 to read as follows:

**CHAPTER 13  
ABANDONED BOAT REMOVAL**

§ 22-1301 *Definitions.*

§ 22-1302 *Abandoned Boat Log.*

§ 22-1303 *Abandoned Boat Removal Protocol.*

§ 22-1301 *Definitions.* As used in this chapter, the following terms have the following meanings:

*Abandoned.* The term “abandoned” means permanent relinquishment of possession or control.

*Department.* The term “department” means the department of small business services.

*Littoral waters.* The term “littoral waters” means any waters within or bounding a city to a distance of 1,500 feet from the shore.

§ 22-1302 *Abandoned Boat Log.* The department, in consultation with any other relevant agency, including, but not limited to, the department of parks and recreation and the department of finance, shall create and maintain a log of abandoned boats and their locations in New York city’s littoral waters. The department shall make the log publicly available online, and shall update the log on a monthly basis.

§ 22-1303 *Abandoned Boat Removal Protocol.* The department of finance shall develop a protocol for the removal of abandoned boats in New York city’s littoral waters. Such protocol shall require the office of the sheriff of the city of New York:

1. to establish a means of identifying abandoned boats in New York city’s littoral waters, including but not limited to direct inspection by city employees and receipt of reports from the public; and

2. to establish a system whereby personnel of the office of the sheriff of the city of New York shall be deployed to assess and remove abandoned boats from New York city’s littoral waters.

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

Referred to the Committee on Resiliency and Waterfronts.

Res. No. 189

**Resolution calling upon the New York State Legislature to pass, and Governor to sign, Senate Bill S.6453 and Assembly Bill A.1466C, the “NYS Build Public Renewables Act” enabling the New York Power Authority to own and build new renewable generation, storage, and transmission.**

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

**Whereas**, In 2021, New York State’s electric grid was comprised of approximately 30% renewable generation resources, with approximately 4% provided by wind, 2.5% solar assets statewide. Environmental advocates have expressed concerns that there are insufficient renewable projects in the pipeline to meet the Climate Leadership and Community Protection Act’s (CLCPA) mandated target of 70% renewable energy by 2030, and a zero emission grid by 2040; and

**Whereas**, In New York City, electricity is largely generated via the combustion of fossil fuels, with approximately 85% of the electric supply sourced from fossil-fuel combustion plants in 2021, compared to upstate, where only 12% is sourced from fossil-fuel combustion plants and 88% of the electricity is supplied via renewable generation; and

**Whereas**, The combustion of fossil fuels for energy production leads to the emission of airborne pollutants such as sulfur dioxide (SO<sub>2</sub>), nitrogen oxides (NO<sub>x</sub>), particulate matter (PM), carbon dioxide (CO<sub>2</sub>), mercury (Hg), among others; and

**Whereas**, According to the United States Environmental Protection Agency, exposure to these pollutants has been linked to a variety of negative health effects, both physical and psychological. Positive correlations have been found between exposure to elevated levels of airborne pollutants and worsened mental health outcomes, increased rates of certain cancers, higher incidences of asthma, bronchitis, heart disease, emergency room visits, and premature death; and

**Whereas**, Statistical analysis in California suggests that power plants, are more likely to be sited in economically disadvantaged communities, a trend that holds true when plotting the location of NYC’s in-city power plants over maps showing concentrations of persons of self-identified minority status and percentages of communities at or below the federal poverty guideline; and

**Whereas**, The New York City Mayor’s Office of Climate and Environmental Justice acknowledges that the City must maximize the use of renewables within the city, and increase transmission from clean power sources outside the city, in order to meet the CLCPA mandated goal of an 100% zero emissions grid by 2040; and

**Whereas**, The New York Power Authority (NYPA) is the largest public utility in the country, providing approximately 25% of New York’s energy, around 80% of which is renewable hydroelectric power, the most affordable source of energy available in the state; and

**Whereas**, The NYPA is currently barred by its charter from owning more than six generation projects over 25 megawatts, a restriction that would be removed by The Build Public Renewables Act, allowing the NYPA to scale up new large-scale renewable sources faster, cheaper, and, as a public entity accountable to New Yorkers, potentially more democratically than private developers can; and

**Whereas**, The legislation will enable the NYPA to sell additional low-cost renewable energy directly to all customer classes at wholesale prices, with disadvantaged communities and low-income customers prioritized and automatically enrolled to receive the lowest-cost NYPA power on an opt-out basis; and

**Whereas**, The advocacy group Public Power NY estimates that the bill would be revenue neutral for the State and could be financed through a combination of NYPA’s low-cost bond issuances and progressive electric rates, helping to ensure that the renewable transition is undertaken as affordably as possible; and

**Whereas**, According to a study published by environmental advocacy group The Climate + Community Project, the bill has the potential to generate \$48.6-\$93.5 billion in economic activity statewide by 2030, and would help ensure that more of the dollars New Yorkers spend on energy stay within the state by reducing reliance on fossil fuel purchased from out of state, and reducing reliance on corporations for the buildout of renewable resources like offshore wind; and

**Whereas**, The study also estimates that the bill has the potential to create 28,410 to 51,133 well-paying green jobs, would assist in the just transition for fossil fuel industry workers to the green economy, as all NYPA projects must pay prevailing wages, remain neutral to unionization, and remain subject to project labor agreements; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the New York State Legislature to pass, and Governor to sign, Senate Bill S.6453 and Assembly Bill A1466C, the “NYS Build Public Renewables Act” enabling the New York Power Authority to own and build new renewable generation, storage, and transmission.

Referred to the Committee on Environmental Protection.

Res. No. 190

**Resolution calling upon the New York State Legislature and Governor to provide their share of the additional three billion dollars annually, that must be reinvested into NYCHA in order to address capital needs resulting from decades of disinvestment in its building stock.**

By Council Members Avilés, Louis, Hanif, Brewer, Joseph, Nurse, Abreu, Restler and Won.

**Whereas**, The New York City Housing Authority (NYCHA) is the largest public housing authority in North America, providing homes for over 6% of New York City residents or approximately 550,000 people, across 177,611 apartments within 335 housing developments; and

**Whereas**, Formed in 1935 with a mission statement of providing decent, affordable housing for low- and moderate-income New Yorkers, NYCHA has suffered from decades of disinvestment at the federal, state, and city level; and

**Whereas**, More than half of the affordable housing in New York City that is accessible to residents with incomes at or below 30% of the area median income is located within NYCHA developments; and

**Whereas**, NYCHA is prohibited from charging residents more than 30% of their household income in rent, and must rely on federal, state, and city subsidies to cover the difference between rental income and maintenance and operation costs; and

**Whereas**, Since 2000, NYCHA has faced severe federal funding shortfalls, consistently receiving less money than it is eligible for under United States Department of Housing and Urban Development (HUD) formulas; and

**Whereas**, NYCHA housing units that were constructed with state funds and thus ineligible for federal funding under Section 9, were further burdened when New York State terminated operating support for those units in 1998; and

**Whereas**, Chronic disinvestment has forced NYCHA to reduce staffing and defer necessary maintenance, leading to a continued decline in the condition of its housing stock, and significantly increasing the cost and complexity of the work necessary to bring its buildings back to a state of good repair; and

**Whereas**, Shortfalls in NYCHA's operating subsidies have caused the agency to respond by transferring funds from its capital subsidy to cover operating costs, with 54 million dollars of NYCHA's federal capital subsidy used to cover daily operating costs instead of being put towards capital improvements of buildings in 2017; and

**Whereas**, Funding cuts have directly correlated with an increase in NYCHA complaints for heat and hot water outages, leaks, mold, peeling paint, and pest issues. From 2005 to 2017, NYCHA housing went from having comparable or lower deficiency rates than private-sector low-income housing to having rates over twice as high; and

**Whereas**, Inadequate access to heat and hot water, exposure to lead paint, mold, and pest issues can have severe deleterious long-term consequences for the health and wellbeing of NYCHA residents; and

**Whereas**, The advocacy group Citizens Budget Commission, warns that absent dramatic efforts to address the material conditions within the agency's building stock within the next 10 years, nearly 90 percent of NYCHA's housing units could be at risk of deteriorating beyond the point at which it is cost-effective to repair; and

**Whereas**, NYCHA's current plan to address funding shortages by privatizing the management of certain buildings via the Rental Assistance Determination/Permanent Affordability Commitment Together (RAD/PACT) has been criticized for overstating the program's ability to attract private unsubsidized funding; and

**Whereas**, There are concerns that RAD/PACT conversions negatively affect tenant access to services and protections afforded to them under NYCHA tenancy, and preliminary evidence that eviction rates are higher in converted buildings; and



**Whereas,** A recent report from Community Preservation Corporation, a nonprofit affordable housing financing company, argues the city and state will each need to allocate an additional \$1.5 billion annually for the comprehensive modernization of whole developments, in order to address the decades of disinvestment and the resulting deterioration of conditions in NYCHA's building stock; now, therefore, be it

**Resolved,** That the Council of the City of New York calls upon the New York State Legislature and Governor to provide their share of the additional three billion dollars annually, that must be reinvested into NYCHA in order to address capital needs resulting from decades of disinvestment in its building stock.

Referred to the Committee on Public Housing.

Int. No. 462

By Council Members Ayala, Louis, Hanif, Joseph, Nurse, Gutiérrez, Abreu, Restler and Won.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring pharmacies enrolled in a city program to dispense opioid antagonists under a standing order of the department of health and mental hygiene to post signs announcing their enrollment and that patients may procure opioid antagonists at such pharmacy**

*Be it enacted by the Council as follows:*

Section 1. Section 20-712 of the administrative code of the city of New York, as added by local law number 25 for the year 2003 amended by local law 80 for the year 2021, is amended to read as follows:

As used in this subchapter, the following terms have the following meanings:

Emergency contraception. The term "emergency contraception" means one or more prescription drugs, used separately or in combination, to be administered to or self-administered by the patient in a dosage and manner for preventing pregnancy when used after intercourse, found safe and effective for that use by the United States food and drug administration, and dispensed for that purpose in accordance with professional standards of practice.

Pharmacy. The term "pharmacy" means any retail outlet selling prescription drugs within the city.

Prescription drugs. The term "prescription drugs" means any drug which may be dispensed only with a physician's prescription.

*Opioid antagonist. The term "opioid antagonist" means naloxone or 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.*

§ 2. Subchapter 3 of chapter 5 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-713.2 to read as follows:

*§ 20-713.2 Display of information relating to opioid antagonists. a. Sign indicating enrollment in a program to dispense an opioid antagonist required. Any pharmacy enrolled in a program to dispense an opioid antagonist to anyone who requests it, without a patient-specific prescription, pursuant to a citywide non-patient specific prescription issued by the department of health and mental hygiene must conspicuously post, at or adjacent to each counter over which prescription drugs are sold, a sign indicating, in large type, that the pharmacy is enrolled in such program and that patients may procure opioid antagonists at such pharmacy.*

*b. Rulemaking. The commissioner of consumer affairs, in consultation with the commissioner of health and mental hygiene, shall promulgate such rules and regulations as are necessary to enforce this section.*

§ 3. Section 20-715 of the administrative code of the city of New York, as amended by local law number 25 for the year 2003, is amended to read as follows:

§ 20-715 Penalties. Any person who violates the provisions of sections 20-713.1, 20-713.2 or regulations promulgated pursuant to this subchapter shall pay a civil penalty of [one hundred seventy-five dollars] \$175 for the first offense, [five hundred dollars] \$500 for the second offense and [seven hundred and fifty dollars] \$750 for the third offense and each succeeding offense and shall, upon conviction thereof, be punished by a fine of

not less than [two hundred fifty dollars] \$250 nor more than [five hundred dollars] \$500 for the first offense and for each succeeding offense a fine of not less than [five hundred dollars] \$500 nor more than [seven hundred fifty dollars] \$750 for each such violation. For the purposes of this section, if on any single day the required signage is not displayed in accordance with section 20-713.1 or regulations promulgated pursuant to this subchapter, it shall be considered a single violation.

§ 4. This local law takes effect 120 days after it becomes law, except that the commissioner of consumer affairs 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 Health.

Preconsidered Res. No. 191

**Resolution to establish that the discount percentage for early payment of real estate taxes be set at one-half of one percent per annum for Fiscal Year 2023.**

By Council Members Ayala and Nurse.

**Whereas**, Pursuant to section 1519-a(7)(b) of the New York City charter, the Banking Commission is required to recommend to the City Council, not later than the 13th day of May, the proposed discount percentage allowed for early payment of real estate taxes; and

**Whereas**, Section 1519-a(7)(c) of the New York City charter provides that the Council may adopt a discount percentage for early payment of real estate taxes no earlier than the 14th day of May; and

**Whereas**, The Banking Commission forwarded its recommendation to the Council, by letter dated May 13, 2022, that the discount percentage for early payment of real estate taxes for Fiscal Year 2023 be set at one-half of one percent per annum; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the discount percentage for early payment of real estate taxes be set at one-half of one percent per annum for Fiscal Year 2023.

Adopted by the Council (preconsidered and approved by the Committee on Finance).

Preconsidered Res. No. 192

**Resolution to establish that the interest rate be four percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.**

By Council Members Ayala and Abreu

**Whereas**, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York the Banking Commission is required to recommend to the City Council, not later than the 13th day of May of each year, the proposed interest rate to be charged for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments; and

**Whereas**, The Banking Commission is required to propose a rate at least equal to the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "Prime Rate"); and

**Whereas**, The Banking Commission notes that as of May 12, 2021, the Prime Rate stands at four percent as published by the Board of Governors of the Federal Reserve System; and

**Whereas**, the Federal Reserve plans to raise interest rates multiple times this year, and has acted to scale back other pandemic-era economic supports, in order to strengthen its efforts to fight the highest inflation in 40 years. The Federal Reserve is expecting that a steady series of rate hikes will slash inflation and stabilize the economy, at a time when there is uncertainty in the global economy; and

**Whereas**, It is in the best interest of the City to encourage the prompt payment of taxes on real estate by all taxpayers; and

**Whereas**, The Banking Commission forwarded its recommendation to the Council, by letter dated May 13, 2022, that the interest rate to be charged for the non-payment of taxes on properties where the assessed value is not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments, be six percent per annum for Fiscal Year 2023; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the interest rate be four percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of not more than \$250,000, or not more than \$250,000 per residential unit for cooperative apartments.

Adopted by the Council (preconsidered but laid over by the Committee on Finance).

Preconsidered Res. No. 193

**Resolution to establish that the interest rate be seven percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of more than \$250,000 but less than or equal to \$450,000, or more than \$250,000 but less than or equal to \$450,000 per residential unit for cooperative apartments.**

By Council Members Ayala and Abreu.

**Whereas**, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York, the Banking Commission is required to recommend to the City Council, not later than the 13th day of May of each year, the proposed interest rate to be charged for non-payment of taxes on properties with an assessed value of more than \$250,000 but less than or equal to \$450,000, or more than \$250,000 but less than or equal to \$450,000 per residential unit for cooperative apartments; and

**Whereas**, The Banking Commission is required to propose a rate of at least four percent per annum greater than the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the "Prime Rate"); and

**Whereas**, The Banking Commission notes that as of May 12, 2022, the Prime Rate stands at four percent as published by the Board of Governors of the Federal Reserve System; and

**Whereas**, It is in the best interest of the City to encourage the prompt payment of taxes on real estate by all taxpayers; and

**Whereas**, The Banking Commission forwarded its recommendation to the Council, by letter dated May 13, 2022, that the interest rate to be charged for non-payment of taxes on properties where the assessed value on a parcel is more than \$250,000 but less than or equal to \$450,000, or more than \$250,000 but less than or equal to \$450,000 per residential unit for cooperative apartments, be 12 percent per annum for Fiscal Year 2023; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the interest rate be seven percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of over 250,000 but less than or equal to \$450,000, or more than \$250,000 but less than or equal to \$450,000 per residential unit for cooperative apartments.

Adopted by the Council (preconsidered but laid over by the Committee on Finance).

## Preconsidered Res. No. 194

**Resolution to establish that the interest rate be 14 percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments.**

By Council Members Ayala and Abreu.

**Whereas**, Pursuant to Section 11-224.1 of the Administrative Code of the City of New York the Banking Commission is required to recommend to the City Council, not later than the 13th day of May of each year, the proposed interest rate to be charged for non-payment of taxes on properties with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments; and

**Whereas**, The Banking Commission is required to propose a rate at least six percentage points per annum greater than the prevailing interest rate charged for commercial loans extended to prime borrowers by commercial banks operating in the City (the “Prime Rate”); and

**Whereas**, The Banking Commission notes that as of May 12, 2022, the Prime Rate stands at four percent as published by the Board of Governors of the Federal Reserve System; and

**Whereas**, It is in the best interest of the City to encourage the prompt payment of taxes on real estate by all taxpayers; and

**Whereas**, The Banking Commission forwarded its recommendation to the Council, by letter dated May 13, 2022, that the interest rate to be charged for the non-payment of taxes on properties where the assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments, be 18 percent per annum for Fiscal Year 2023; now, therefore, be it

**Resolved**, That the Council of the City of New York establishes that the interest rate be 14 percent per annum for Fiscal Year 2023 for non-payment of taxes on properties with an assessed value of more than \$450,000, or more than \$450,000 per residential unit for cooperative apartments.

Adopted by the Council (preconsidered but laid over by the Committee on Finance).

Int. No. 463

By Council Members Barron, Richardson Jordan, Ossé, Avilés, Louis, Hanif and Farías.

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

*Be it enacted by the Council as follows:*

Section 1. Chapter 18-a of the New York city charter is REPEALED and a new chapter 18-a is added to read as follows:

*CHAPTER 18-a  
ELECTED CIVILIAN REVIEW BOARD*

*§ 440. Elected Civilian Review Board. a. Declaration of legislative findings and intent. The Council finds that the people of the city of New York require a mechanism for the investigation of complaints of misconduct and possible uses of excessive force by officers and employees of the New York city police department toward members of the public, and determination of appropriate disciplinary actions that is comprehensive, thorough, and impartial. These investigations must be conducted fairly and independently. Therefore, the Council finds*

*that an independent elected civilian review, comprised solely of members of the public with the authority to investigate allegations of police misconduct, is necessary to ensure independence, thoroughness, and impartiality.*

*b. Composition of the elected civilian review board.*

*1. There shall be an elected civilian review board to consist of 17 members of the public who shall be elected from districts comprised of three adjacent city council districts as follows:*

- District 1 includes city council districts 1, 2, and 3*
- District 2 includes city council districts 4, 5 and 6*
- District 3 includes city council districts 7, 9 and 10*
- District 4 includes city council districts 8, 16 and 17*
- District 5 includes city council districts 11, 14 and 15*
- District 6 includes city council districts 12, 13 and 18*
- District 7 includes city council districts 19, 23 and 27*
- District 8 includes city council districts 20, 24 and 29*
- District 9 includes city council districts 21, 22 and 25*
- District 10 includes city council districts 28, 31 and 32*
- District 11 includes city council districts 26, 30 and 34*
- District 12 includes city council districts 33, 35 and 36*
- District 13 includes city council districts 38, 39 and 40*
- District 14 includes city council districts 37, 41 and 42*
- District 15 includes city council districts 43, 44 and 47*
- District 16 includes city council districts 45, 46 and 48*
- District 17 includes city council districts 49, 50 and 51*

*2. Board members shall be elected for a term of four years, coinciding with the terms of office and scheduled elections of city council members. Members shall be eligible for reelection without term limits.*

*3. Candidates for board member must submit a petition signed by 200 enrolled voters who reside within the district the candidate seeks to represent. No person shall be eligible to hold the office of member of the elected civilian review board if such person (a) has not, at the time such person is elected, resided within New York City for the preceding three years and within the relevant district for the preceding 12 months (b) is less than 18 years of age, (c) has been employed by any police department or law enforcement agency for any length of time, or (d) is an immediate family member of any person who has been employed by any police department or law enforcement agency within the preceding 10 years. No person shall be eligible to hold the office of member of the elected civilian review board for a district in which such person has not, at the time such person is elected to hold such office, resided for at least one year. No member of the board shall hold any other public office or employment.*

*4. In the event of a vacancy during the term of office, a successor may be nominated by the city council members representing the corresponding city council districts and appointed by a majority of such council members. A board member appointed to fill a vacancy shall serve for the balance of the unexpired term.*

*§ 441. Powers and duties of the board.*

*a. The board shall have the power to receive, investigate, hear, make findings and impose discipline upon police officers for police misconduct based on complaints made by members of the public or initiated independently by the board. The board shall investigate any incident involving a serious injury or death caused by an officer. For the purposes of this chapter, the term "police misconduct" means any action taken by a member of the New York police department involving:*

- 1. The use or threat of excessive or unnecessary force;*
- 2. An arrest or threat of an arrest without probable cause;*
- 3. Unlawful searches and seizures of a person or property;*
- 4. Tampering with evidence;*
- 5. Falsifying official reports, giving false testimony to any investigating agency, or perjury;*
- 6. Sexual harassment;*
- 7. Use of abusive or offensive language;*

8. *Discrimination on the basis of age, sex, race, ethnicity, religion, creed, national origin, immigration status, political views, union membership, sexual orientation, gender identity and expression, or physical ability;*

9. *Mistreatment of an individual based on their state of mental health;*

10. *Discrimination based on an individual's record of criminal history or incarceration with no valid law enforcement purpose;*

11. *Harassment, discrimination or intimidation of any person in relation to a complaint made to the board;*

12. *The violation of an individual's constitutional rights;*

13. *Surveillance, infiltration or disruption of political, social, or religious activities without authorization from the police department; and*

14. *Violation of any department rules or procedures related to the misconduct defined in this subdivision.*

b. *For the purposes of imposing discipline and sanctions as part of an officer's employment by the police department, the board shall have the exclusive authority to determine whether to substantiate an allegation of misconduct made pursuant to this chapter and the type of disciplinary action to be imposed on an officer for all such substantiated allegations of misconduct. Disciplinary action may include training, counseling, reassignment, suspension, or dismissal. The board shall promptly notify the commissioner of the police department that the subject officer of a complaint is under investigation by the board. After rendering its decision, the board shall promptly notify the commissioner whether the board intends to take disciplinary action against such officer. The board shall refer any complaint that constitutes a criminal offense to the appropriate district attorney or prosecutor pursuant to section 444.*

c. *The board shall promulgate rules of procedure in accordance with the city administrative procedure act and all other applicable laws, including rules that prescribe the manner in which investigations and hearings are to be conducted, determinations on disciplinary actions are to be made, and the manner by which a member of the public is to be informed of the status of his or her complaint. Such rules shall provide for the establishment of panels of no fewer than three members of the board, which shall be empowered to hear, make findings, and determine appropriate disciplinary actions. No finding or determination shall be based solely upon an unsworn complaint or statement, nor shall prior unsubstantiated, unfounded, or withdrawn complaints be the basis for any such finding or disciplinary determination. Board members shall not participate in investigations, except as provided in paragraph e of this subdivision.*

d. *The board shall appoint an executive director, whose duties shall include: the supervision of all investigations and prosecutions before the board; the hiring of civilian employees as necessary to exercise its powers and fulfill its duties, including representation from groups most impacted by police misconduct; develop an annual training program for the board and civilian employees; and any other administrative functions the board may delegate to the executive director.*

e. *The board, by majority vote of its members, may compel the attendance of witnesses and require the production of such records and other materials as are necessary for the investigation of matters within its jurisdiction. The board may request the corporation counsel to institute proceedings in a court of appropriate jurisdiction to enforce the subpoena power exercised pursuant to this section, and the board itself may, subject to chapter 17 of the charter, institute such proceedings. The board may, subject to any conditions it deems appropriate, delegate to and revoke from its executive director such subpoena authority and authority to institute proceedings.*

f. *The board shall create a disciplinary matrix, which shall include a fixed range of penalties for each act of misconduct based on the gravity of misconduct, the officer's disciplinary history, and other aggravating and mitigating circumstances. The board shall seek public comment on the disciplinary matrix prior to implementation and shall review the disciplinary matrix no less than every five years.*

g. *The board shall establish a citywide system for receiving complaints from members of the public at all times.*

h. *The board shall establish a mediation program through which a complainant may voluntarily choose to resolve a complaint by means of informal conciliation.*

i. *The board shall develop and administer an ongoing program for the education of the public regarding the provisions of this chapter, the method for initiating a complaint, and the duties and actions of the board.*

j. *Each member of the board shall convene a publicly advertised monthly community assembly within their district that is open to the public. Each such assembly shall include a report by the board member or his or her designee on the work of the board including information and statistics on the number and type of complaints*

received and actions taken by the board, and an opportunity for community members to comment on issues related to the board. Minutes of each meeting shall be made available to the public on the board's website.

k. The board shall issue to the mayor and city council a semi-annual report, which shall describe its activities and summarize its actions.

§ 442. Cooperation of the police department.

a. The police department shall fully cooperate with investigations by the board and provide to the board and its investigators all requested records and other materials within 30 days of any such request.

b. The police commissioner shall ensure that officers and employees of the police department appear before and respond to inquiries of the board and its investigators, provided that such inquiries are conducted in accordance with department procedures for interrogation of its members.

§ 443. Budget. The appropriations available to pay for the expenses of the elected civilian review board during each fiscal year shall not be less than one percentum of the appropriations available to pay for the expenses of the police department during such fiscal year.

§ 444. Prosecutor.

a. There shall be an independent prosecutor elected to serve for a term of four years, coinciding with the terms of office and scheduled elections of the mayor and city council members, to prosecute criminal offenses committed by police officers.

b. Qualifications. A prosecutor must have resided in New York city for at least the three years preceding their election and must submit a petition supporting her or his candidacy signed by 100 residents of New York city. The prosecutor must be qualified to practice in all courts of this state and must have been so qualified for at least five years preceding their election. The prosecutor shall hold no other office or paid employment.

c. Powers.

1. The prosecutor shall institute, attend, and conduct, on behalf of the people, all criminal cases against police officers acting under color of law arising in New York City and upon violation of the provisions of this charter or the laws of the city or state in the court of original jurisdiction, and on appeal.

2. The prosecutor shall have access to the complaints, arrest reports, investigation reports, and evidence made, kept, or obtained by the New York police department, the board, or other city agencies that maintain records or files concerning the actions of its employees when they act in the capacity of police officers within the scope or course of their employment.

d. Duties.

1. The prosecutor shall give advice or opinions in writing to any member of the board or board staff upon request by such member or staff.

2. The prosecutor shall keep in their office proper books of record and registry of all actions in their charge in which the city or any member of the board is a party or is interested.

3. The prosecutor is authorized, within appropriations available, to appoint such employees as are necessary to exercise its powers and fulfill its duties, and shall appoint a staff of civilian investigators. Hiring of investigators and other staff shall ensure representation of groups most impacted by police misconduct.

4. The prosecutor shall request from the board all cases considered by that board for disciplinary action, for the purposes of review in deciding whether criminal prosecution is warranted.

§ 2. Subdivision a of section 434 of the New York city charter is amended to read as follows:

a. The commissioner shall have cognizance and control of the government, administration, disposition and discipline of the department, and of the police force of the department[.], *except as provided in chapter 18-a.*

§ 3. Chapter 18-b of the New York city charter is REPEALED

§ 4. Section 14-115 of the administrative code of the city of New York is amended to read as follows:

a. *Subject to the provisions of chapter 18-a of the New York city charter and subdivision e of this section,* [T]the commissioner shall have power, in his or her discretion, on conviction by the commissioner, or by any court or officer of competent jurisdiction, of a member of the force of any criminal offense, or neglect of duty, violation of rules, or neglect or disobedience of orders, or absence without leave, or any conduct injurious to the public peace or welfare, or immoral conduct or conduct unbecoming an officer, or any breach of discipline, to punish the offending party by reprimand, forfeiting and withholding pay for a specified time, suspension, without pay during such suspension, or by dismissal from the force; but no more than thirty days' salary shall be forfeited or deducted for any offense. All such forfeitures shall be paid forthwith into the police pension fund.

b. Members of the force, except as elsewhere provided herein, shall be fined, reprimanded, removed, suspended or dismissed from the force only: 1. on written charges made or preferred against them, after such charges have been examined, heard and investigated by the commissioner or one of his or her deputies upon such reasonable notice to the member or members charged, and in such manner or procedure, practice, examination, and investigation as such commissioner may, by rules and regulations, from time to time prescribe[.]; or, 2. after a hearing conducted pursuant to chapter 18-a of the charter.

c. The commissioner is also authorized and empowered in his or her discretion, *subject to chapter 18-a of the New York city charter and subdivision e of this section*, to deduct and withhold salary from any member or members of the force, for or on account of absence for any cause without leave, lost time, sickness or other disability, physical or mental; provided, however, that the salary so deducted and withheld shall not, except in case of absence without leave, exceed one-half thereof for the period of such absence; and provided, further, that not more than one-half pay for three days shall be deducted on account of absence caused by sickness.

d. Upon having found a member of the force guilty of the charges preferred against him or her, either upon such member's plea of guilty or after trial, the commissioner or the deputy examining, hearing and investigating the charges, in his or her discretion, may suspend judgment and place the member of the force so found guilty upon probation, for a period not exceeding one year; and the commissioner may impose punishment at any time during such period.

e. *Upon written notice from the elected civilian review board indicating that an investigation into specific allegations of misconduct made pursuant to chapter 18-a of the charter is pending, the commissioner shall not have the authority to impose discipline against any officer named in such notice for such acts of misconduct. The commissioner's authority to impose discipline for the specified acts of misconduct shall be restored upon subsequent written notice that the elected civilian review board does not intend to take disciplinary action against a named officer.*

§ 5. This local law takes effect immediately after it is submitted for the approval of the qualified electors of the city at the next general election held after its enactment and is approved by a majority of such electors voting thereon, except that the provisions of sections 1 through 4 of this local law do not take effect until the last member of the board established by chapter 18-a of the New York city charter, as provided in section 1 of this local law, takes office.

Referred to the Committee on Public Safety

Int. No. 464

By Council Members Brewer, Powers, Rivera, Menin, Bottcher, Abreu, Ayala, Marte, Louis, Yeger and Nurse  
(in conjunction with the Manhattan Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to exempting certain grocery stores from the commercial rent tax**

*Be it enacted by the Council as follows:*

Section 1. Section 11-704 of the administrative code of the city of New York is amended by adding a new subdivision j to read as follows:

j. *Grocery stores. 1. A tenant that is a grocery store and has obtained the certification required by paragraph 2 of this subdivision is exempt from the tax imposed by this chapter.*

2. *The commissioner of finance or a designee shall approve for certification any grocery store that receives less than 50 percent of its store sales from pharmacy sales, and that:*

(a) *Exceeds 3,500 square feet of retail floor space, excluding any storage space, loading dock, food preparation and serving space, and eating area designated for the consumption of prepared food, and that apportions such retail floor space in the following manner: (i) 50 percent or more is utilized for the sale of a general line of food products intended for home preparation, consumption and utilization; (ii) 30 percent or*



more is utilized for the sale of perishable goods including dairy, fresh produce, frozen foods and fresh meats; and (iii) 500 square feet or more is utilized exclusively for the sale of fresh produce;

(b) Satisfies affordability requirements, as determined by the commissioner of finance in consultation with the commissioner of health and mental hygiene, for such general line of food products as set out in subparagraph (a) of this paragraph; and

(c) Accepts payment from customers using the supplemental nutrition assistance program, special supplemental nutrition program for women, infants and children, or any successor programs.

3. The commissioner of finance shall inspect grocery stores that are exempt from the tax imposed by this chapter pursuant to paragraph 1 of this subdivision annually to ensure continued compliance with paragraph 2 of this subdivision.

4. The commissioner of finance shall promulgate rules, as necessary, in relation to the requirements set out in paragraph 2 of this subdivision.

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

Referred to the Committee on Finance

Res. No. 195

**Resolution calling upon the New York State Legislature to pass, and the Governor to sign, The Reproductive Freedom and Equity Program (S.9078/A.10148A), which would establish a grant program to provide funding to New York abortion providers and non-profit organizations to increase access to abortion care**

By Council Members Brewer, Menin, Rivera, Louis, Hudson, Brannan, Hanif, Joseph, Nurse, Bottcher, Abreu, Narcisse, Restler, Won, Avilés, Cabán, Gutiérrez, Powers, Ossé, Ung, Schulman, Krishnan, Farias, Williams, The Speaker (Council Member Adams), Restler, De La Rosa, Dinowitz, Marte, Ayala and Sanchez.

**Whereas**, Abortion, a simple and common medical procedure that ends a pregnancy, is essential healthcare for millions of individuals; and

**Whereas**, A lack of access to safe, timely, affordable and respectful abortion care poses a risk to not only the physical, but also the mental and social well-being of women, girls and others who can become pregnant; and

**Whereas**, In 1970, the State of New York (“New York” or “State”) became one of the first states in the country to decriminalize abortion, three years prior to the Supreme Court of the United States (“Supreme Court” or “SCOTUS”) decision in *Roe v. Wade*, which created the constitutional right to seek an abortion; and

**Whereas**, Despite a constitutional and state right to abortion care, barriers to accessing abortions persist, disproportionately impacting those who have trouble accessing healthcare, especially people of color and other marginalized, low-income people; and

**Whereas**, Barriers to accessing abortion care can include an inability to afford the cost of care, the distance one must travel to access it, the costs associated with travel, such as transportation, childcare, lodging, lost wages and more; and

**Whereas**, Such barriers to care are often intensified for immigrants, young people, people with disabilities and those living in rural areas; and

**Whereas**, According to a recently leaked initial draft majority opinion by the Supreme Court in the case *Dobbs v. Jackson Women’s Health Organization*, SCOTUS has voted to strike down the landmark *Roe v. Wade* decision; and

**Whereas**, According to an analysis conducted by the Guttmacher Institute, if SCOTUS overturns or fundamentally weakens *Roe v. Wade*, 26 states have laws or constitutional amendments already in place that would make them certain or likely to ban abortion; and

**Whereas**, As a consequence, at least 36 million women, girls and others who can become pregnant would lose access to care; and

**Whereas,** Access to abortion varies by geographic region; many of the most hostile states are concentrated in the Midwest, the Plains and the South, meaning that accessing care by traveling to a neighboring state may not be possible for many; and

**Whereas,** Following state bans on abortion across the country, New York would be the nearest provider of care for an estimated 190,000 to 280,000 more individuals of reproductive age; and

**Whereas,** Prior to *Roe v. Wade*, per historian Ruth Rosen, “[a]dvocates of abortion reform estimated that close to one million women had illegal abortions annually... and they attributed some five thousand deaths directly to illegal abortions”; and

**Whereas,** Rosen’s quote exemplifies how, throughout history, laws banning abortion do not prevent them from happening and instead makes them humiliating and unsafe, to the point of sometimes being fatal; and

**Whereas,** Between 1970 and the passage of *Roe v. Wade*, New York was a magnet for women who wanted abortions but were unable to access care in their home state; and

**Whereas,** During that time, health officials estimated that more than 400,000 abortions were performed in the State, nearly two-thirds of which were for women who had traveled from outside New York to take advantage of the policy; and

**Whereas,** Abortion restrictions are borne out of discrimination and systemic racism and disproportionately impact those who have limited resources to overcome financial and logistic barriers, including young people, people with disabilities, people who identify as LGBTQI+, people with low incomes and those in rural areas, as well as Black, Indigenous and other people of color; and

**Whereas,** S.9078/A.10148A, sponsored by State Senator Cordell Cleare and State Assembly Member Jessica González-Rojas respectively, would establish the Reproductive Freedom and Equity Program (“Program”) to provide support to abortion providers, increase access to care, fund uncompensated care, and address the support needs of individuals accessing abortion care; and

**Whereas,** Under the Program, which will be funded through the State budget process, the State Department of Health would issue grant funding for which abortion providers and non-profit organizations that facilitate access to care are eligible to apply; and

**Whereas,** This funding would support provider capacity building in the event *Roe v. Wade* is overturned or otherwise diminished, fund uncompensated care for those who lack coverage or for those whose coverage is not usable and support the practical support needs for individuals facing barriers to abortion care; and

**Whereas,** In 2019, the State Legislature passed the Reproductive Health Act to codify the protections of *Roe v. Wade* into State law, affirming the right of an individual to access abortion care in New York; and

**Whereas,** New York City (“City”) has also been a leader in abortion care access; in 2019, the City Council made history when it allocated \$250,000 to the New York Abortion Access Fund allow about 500 low-income women who travel from other states to obtain abortions in the City; and

**Whereas,** Establishing the Program is a necessary extension of the State legislature’s work to protect the right to abortion in New York; and

**Whereas,** With SCOTUS poised to overturn or dramatically weaken federal protections around the right to abortion care, the State must be prepared to respond to the dramatically changing national landscape of abortion access; and

**Whereas,** By supporting access to abortion, New York will be standing up for the human rights of pregnant people and doing its part to ensure abortion is affordable and available for everyone who needs it; now, therefore be it

**Resolved,** That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, The Reproductive Freedom and Equity Program (S.9078/A.10148A), which would establish a grant program to provide funding to New York abortion providers and non-profit organizations to increase access to abortion care.

Referred to the Committee on Women and Gender Equity.

Res. No. 196

**Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.9137/A.10357, which would allow out-of-state physicians to provide reproductive health services in this state while awaiting full licensure**

By Council Members Brooks-Powers, Louis, Hudson, Hanif, Joseph, Nurse, Ung, Bottcher, Abreu, Restler, Won, Avilés, Cabán, Farías, Ossé, De La Rosa, Dinowitz, Narcisse, Brewer, Marte, Krishnan, Ayala, Williams and The Speaker (Council Member Adams).

**Whereas**, Abortion care is an essential component of sexual and reproductive healthcare that nearly one-in-four women in the United States (U.S.) will obtain by age 45, per an analysis by the Guttmacher Institute; and

**Whereas**, In 1970, the State of New York (“New York” or “State”) became one of the first states in the country to decriminalize abortion, three years prior to the Supreme Court of the United States (“Supreme Court” or “SCOTUS”) decision in *Roe v. Wade*, which created the constitutional right to seek an abortion; and

**Whereas**, Between 1970 and the passage of *Roe v. Wade*, New York was a magnet for women who wanted abortions but were unable to access care in their home state; and

**Whereas**, During that time, health officials estimated that more than 400,000 abortions were performed in New York, nearly two-thirds of which were for women who had traveled from out-of-state to take advantage of the policy; and

**Whereas**, Now, according to a recently leaked initial draft majority opinion by the Supreme Court in the case *Dobbs v. Jackson Women’s Health Organization*, SCOTUS has voted to strike down the landmark *Roe v. Wade* decision that had stood for nearly 50 years; and

**Whereas**, According to an analysis conducted by the Guttmacher Institute, if SCOTUS overturns or fundamentally weakens *Roe v. Wade*, 26 states have laws or constitutional amendments already in place that would make them certain or likely to ban abortion; and

**Whereas**, As a consequence, at least 36 million women, girls and others who can become pregnant would lose access to care; and

**Whereas**, Following state bans on abortion across the country, New York would be the nearest provider of care for an estimated 190,000 to 280,000 more individuals of reproductive age; and

**Whereas**, As such, it is anticipated that, once again, an influx of out-of-state residents will seek reproductive health services in New York; and

**Whereas**, The State must therefore be prepared to respond to the dramatically changing national landscape of abortion access; and

**Whereas**, S.9137/A.10356, sponsored by State Senator James Gaughran and State Assembly Member Kimberly Jean-Pierre respectively, would allow out-of-state physicians who are board certified in obstetrics and gynecology, and who are in good standing in their home state or territory, to provide reproductive health services in New York while awaiting full licensure; and

**Whereas**, This bill is meant to ensure that New York will have enough providers to meet increased demand; and

**Whereas**, It is not uncommon for New York to permit out-of-state practitioners practice privileges in the State; out-of-state practitioners were granted practice privileges in New York during the COVID-19 pandemic, and they are also regularly provided with temporary practice authority for largely attended events, such as marathons; and

**Whereas**, In 2019, the State Legislature passed the Reproductive Health Act to codify the protections of *Roe v. Wade* into State law, affirming the right of an individual to access abortion care in New York; and

**Whereas**, New York City (“City”) has also been a leader in abortion care access; in 2019, the City Council made history when it allocated \$250,000 to the New York Abortion Access Fund allow about 500 low-income women who travel from other states to obtain abortions in the City; and

**Whereas**, Abortion restrictions are borne out of discrimination and systemic racism and disproportionately impact those who have limited resources to overcome financial and logistic barriers, including young people, people with disabilities, people who identify as LGBTQI+, people with low incomes and those in rural areas, as well as Black, Indigenous and other people of color; and

**Whereas**, New Yorkers cannot remain silent as the Supreme Court is poised to violate the human rights of pregnant people in complete disregard for the human right to bodily autonomy, which could also set a dangerous legal precedent to overturn healthcare and other legal rights for other marginalized and vulnerable people; now, therefore be it

**Resolved**, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, S.9137/A.10357, which would allow out-of-state physicians to provide reproductive health services in this state while awaiting full licensure.

Referred to the Committee on Women and Gender Equity.

Int. No. 465

By Council Members Cabán, Louis, Hudson, Brewer, Joseph, Nurse, Ung, Gutiérrez, Abreu, Restler, Avilés, Farías, Ossé, De La Rosa, Dinowitz, Narcisse, Marte, Ayala, Williams and The Speaker (Council Member Adams).

**A Local Law to amend the administrative code of the city of New York, in relation to a report on the provision of medical services related to reproductive health care**

*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 17-199.3.2 to read as follows:

§ 17-199.3.2 *Report on medical services relating to reproductive health care. a. Definitions. As used in this section, the following terms have the following meanings:*

*Abortion. The term “abortion” means the procedure to terminate a pregnancy for purposes other than producing a live birth, including, but not limited to, a termination using pharmacological agents.*

*Medical service. The term “medical service” means a service provided by a licensed medical provider that includes any treatment, procedure, medication, examination, diagnostic test, assessment or counseling.*

*Reproductive health care. The term “reproductive health care” means any medical services provided to a person who can become pregnant relating to the reproductive system and its processes, functions and organs. Reproductive health care includes, but is not limited to, contraception, sterilization, preconception care, maternity care, abortion care and counseling regarding reproductive health care.*

*b. No later than March 1, 2023, and annually thereafter, the department shall submit a report to the mayor and the speaker of the council on the provision of medical services in the city related to reproductive health care, including, but not limited to, the following:*

*1. The total number of individuals who sought medical services related to reproductive health care in the city in the preceding calendar year;*

*2. The total number of individuals who received medical services related to reproductive health care in the city in the preceding calendar year;*

*3. The total number of individuals who sought medical services related to an abortion in the city in the preceding calendar year;*

*4. The total number of individuals who received medical services related to an abortion in the city in the preceding calendar year;*

*5. The total number of individuals who are residents of New York city that sought medical services related to reproductive health care in the city in the preceding calendar year;*

*6. The total number of individuals who are residents of New York city that received medical services related to reproductive health care in the city in the preceding calendar year;*

*7. The total number of individuals who are residents of New York city that sought medical services related to an abortion in the city in the preceding calendar year;*

8. *The total number of individuals who are residents of New York city that received medical services related to an abortion in the city in the preceding calendar year;*
  9. *The total number of individuals who are residents of other municipalities located in New York state that sought medical services related to reproductive health care in the city in the preceding calendar year;*
  10. *The total number of individuals who are residents of other municipalities located in New York state that received medical services related to reproductive health care in the city in the preceding calendar year;*
  11. *The total number of individuals who are residents of other municipalities located in New York state that sought medical services related to an abortion in the city in the preceding calendar year;*
  12. *The total number of individuals who are residents of other municipalities located in New York state that received medical services related to an abortion in the city in the preceding calendar year;*
  13. *The total number of individuals who are residents of other states that sought medical services related to reproductive health care in the city in the preceding calendar year;*
  14. *The total number of individuals who are residents of other states that received medical services related to reproductive health care in the city in the preceding calendar year;*
  15. *The total number of individuals who are residents of other states that sought medical services related to an abortion in the city in the preceding calendar year;*
  16. *The total number of individuals who are residents of other states that received medical services related to an abortion in the city in the preceding calendar year;*
  17. *The projected total number of individuals who will seek medical services related to reproductive health care in the city in the next year;*
  18. *The ability of licensed medical providers in the city to accommodate such projected total number of individuals who will seek medical services related to reproductive health care in the next year, and any potential issues with providing medical services to such number of individuals;*
  19. *The projected total number of individuals who will seek medical services related to an abortion in the city in the next year;*
  20. *The ability of licensed medical providers in the city to accommodate such projected total number of individuals who will seek medical services related to an abortion over the next year, and any potential issues with providing medical services to such number of individuals;*
  21. *Recommendations for increasing the capacity of medical services provided to individuals in the city related to reproductive health care, including medical services related to abortions;*
  22. *Any challenges or limitations faced by licensed medical providers or individuals seeking medical services related to reproductive health care in the city, including medical services related to abortions, in providing or receiving such medical services, such as access to such providers and language barriers;*
  23. *Any additional resources needed to provide support to licensed medical providers and individuals in the city seeking medical services related to reproductive health care, including medical services related to abortions; and*
  24. *Recommendations for improving the provision of medical services in the city related to reproductive health care, including medical services related to abortions.*
- c. The report required by subdivision b shall be created in consultation with the commissioner of the mayor's office for people with disabilities, at least two individuals who have experience and expertise in advocating for gender equity in the medical field, at least two individuals who have experience and expertise in advocating for racial equity and culturally competent care in the medical field, at least two individuals who have experience and expertise in the area of criminal justice and reproductive health care, at least two individuals who have experience and expertise in protecting the privacy of individuals who travel to New York city to seek or receive medical services related to reproductive health care, and at least one individual who has experience and expertise in travel support for individuals seeking access to medical services.*
- d. Information required to be reported pursuant to this section shall be reported in a manner that does not violate any applicable provision of federal, state or local law relating to the privacy of personally identifiable information.*

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

Referred to the Committee on Women and Gender Equity.

## Int. No. 466

By Council Member Cabán, the Public Advocate (Mr. Williams) and Council Members Hanif, Hudson, Joseph, Nurse, Gutiérrez, Abreu, Restler, Avilés, Farías, Ossé, Louis, De La Rosa, Dinowitz, Narcisse, Brewer, Marte, Krishnan, Ayala and The Speaker (Council Member Adams).

**A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the use of city resources to enforce abortion restrictions and create a private right of action related to detention**

*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 10-184 to read as follows:

*§ 10-184 Abortion enforcement. a. Definitions. As used in this section, the following terms have the following meanings:*

*Abortion. The term “abortion” has the same meaning as is set forth in subsection (a) of section 20-815.*

*City property. The term “city property” means any real property leased or owned by the city that serves a city governmental purpose and over which the city has operational control.*

*b. No city resources, including, but not limited to, time spent by employees, officers, contractors, or subcontractors while on duty, or the use of city property, shall be utilized for:*

*1. Detaining persons for performing or aiding in the performance of an abortion within this state, or in procuring an abortion in this state, if the abortion is performed in accordance with the provisions of article 25-a of the public health law or any other applicable law of this state, or*

*2. Cooperating with or providing information to any individual or out-of-state agency or department regarding the provision of a lawful abortion perform in this state.*

*b. Nothing in this section shall prohibit the investigation of any criminal activity in this state, provided that no information relating to any medical procedure performed on a specific individual may be shared with an out-of-state agency or any other individual.*

*c. Any person detained in violation of this section may bring an action in any court of competent jurisdiction for a claim of unlawful detention in violation of this section, for any damages, including punitive damages, and for declaratory and injunctive relief and such other remedies as may be appropriate. The court, in issuing any final order in any section brought pursuant to this section, may award costs of litigation, to the prevailing party whenever the court determines such an award is appropriate. This section does not limit or abrogate any claim or cause of action such person has under common law or by other law or rule.*

*§ 2. This local law takes effect immediately.*

Referred to the Committee on Women and Gender Equity.

## Res. No. 197

**Resolution declaring New York City a safe city for all those in need of abortion-related care.**

By Council Members Cabán, Velázquez, the Public Advocate (Mr. Williams) and Council Members Hudson, Brannan, Hanif, Brewer, Joseph, Nurse, Ung, Louis, The Speaker (Council Member Adams), Restler, Won, Avilés, Farías, Ossé, De La Rosa, Dinowitz, Narcisse, Marte, Krishnan, Ayala and Sanchez.

**Whereas**, According to Amnesty International, an abortion is a medical procedure that ends a pregnancy; and

**Whereas**, Abortion is a basic healthcare need for millions of people who can become pregnant, and, worldwide, an estimated 1 in 4 pregnancies end in an abortion every year; and

**Whereas**, Regardless of whether abortion is legal or not, people still require and regularly access abortion services; and

**Whereas**, According to the Guttmacher Institute, a United States-based reproductive health non-profit, the abortion rate is 37 per 1,000 people in countries that prohibit abortion altogether or allow it only in instances to save a person's life, and 34 per 1,000 people in countries that broadly allow for abortion, a difference that is not statistically significant; and

**Whereas**, According to the World Health Organization, lack of access to safe, timely, affordable, and respectful abortion care poses a risk to not only the physical, but also the mental and social, well-being of people who can become pregnant; and

**Whereas**, Worldwide, 45 percent of all abortions are unsafe; and

**Whereas**, According to the Kaiser Family Foundation, in recent years many states in the United States have passed laws restricting access to abortion, and the Trump administration had made a number of changes to federal reproductive health policy, including major changes to the federal Title X family planning program; and

**Whereas**, On Monday, May 2, 2022, the news outlet Politico published what appears to be an initial draft majority opinion, written by Justice Samuel Alito and reportedly circulated inside the court, suggesting that the U.S. Supreme Court intends to strike down *Roe v. Wade*, which established a person's constitutional right to abortion; and

**Whereas**, Since the leak, advocates and policymakers have reignited their efforts to either protect or restrict abortion access; and

**Whereas**, According to a Kaiser Family Foundation poll released in 2020, a majority of the public do not want to see the Supreme Court overturn *Roe v. Wade*; and

**Whereas**, While most Republicans (57 percent) would like to see *Roe* overturned, larger majorities of Democrats (91 percent) and independents (70 percent) do not want it overturned; and

**Whereas**, Most people (67 percent) think state regulations on abortion providers or people seeking abortions are intended to make access to abortion more difficult as opposed "to protecting the health and safety of women" (32 percent); and

**Whereas**, According to a 2022 Pew Research Center survey, approximately six in 10 U.S. adults (61 percent) believe abortion should be legal in "all or most cases"; and

**Whereas**, The American College of Obstetricians and Gynecologists (ACOG), along with other medical organizations, opposes interference with the patient-clinician relationship and affirm the importance of this relationship in the provision of high-quality medical care; and

**Whereas**, ACOG affirms that individuals require access to safe, legal abortion, and that adolescents, people of color, those living in rural areas, those with low incomes, and incarcerated people can face disproportionate effects of restrictions on abortion access; and

**Whereas**, Despite public opinion and the growing need to increase access to high quality and equitable health care, including care to combat the maternal health crisis, many states and the Supreme Court have nonetheless indicated the threat of continued abortion restrictions; and

**Whereas**, One can look at Texas, where abortion is effectively outlawed by prohibiting abortion after six weeks, to see how restricted access to abortion can impact a person's care; and

**Whereas**, National Public Radio (NPR) reported that individuals seeking abortions in Texas have been put in potentially life-threatening situations and have needed to seek care outside of the state, which is unattainable for many individuals due to financial and logistical reasons; and

**Whereas**, In many states, abortion care is hard to access due to lack of health care infrastructure, education, and other factors; and

**Whereas**, As we continue to see the rights of women, girls, and people who can become pregnant restricted, New York City publicly declares that it is a safe haven for all those needing abortion-related care; and

**Whereas**, New York City and State are committed to providing care and support to those needing abortion-related care, and are acting swiftly to draft and pass abortion-related legislation furthering the protections of those seeking abortions both within the state and from other parts of the country; and

**Whereas**, Abortion is health care, and access to health care is a fundamental human right; now, therefore, be it

**Resolved**, That the Council of the City of New York declares New York City a safe city for all those in need of abortion-related care.

Referred to the Committee on Women and Gender Equity.

Int. No. 467

By Council Members De La Rosa, Hanif, Joseph, Abreu, Won and Krishnan (by request of the Queens Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to New York City agencies policies regarding work-related communications during non-work hours**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 12 of the administrative code of the city of New York is hereby amended to add a new section 12-141 to read as follows:

§ 12-141. *Work-related communications during non-work hours. a. Within 90 days of the enactment of this local law, each agency of the city of New York shall generate a policy regarding the off-hour work-related usage of electronic communications, including but not limited to, mobile phones and electronic mail. Such policy may contain:*

- (a) Guidelines for usage by such agency's employees of city-owned mobile phones during non-work hours;*
- (b) guidelines for such agency's employees accessing of city electronic mail accounts during non-work hours;*
- (c) guidelines for such agency's employees usage of other forms of communication in connection with their employment during non-work hours;*
- (d) clear differentiation, if necessary, if any elements of the policy are different for managerial and non-managerial employees; and*
- (e) exceptions, if any, to such policy.*

*b. Within 120 days of the enactment of this local law, each agency shall transmit its policy regarding work-related communications during non-work hours to the mayor.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Civil Service and Labor.

Int. No. 468

By Council Members Gennaro and Nurse.

**A Local Law to amend the administrative code of the city of New York, in relation to an invasive species advisory board**

*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 new section 18-107.1 to read as follows:

§ 18-107.1 *Invasive species advisory board. a. There shall be an invasive species advisory board consisting of 11 members as follows:*

- 1. The commissioner of parks and recreation or the commissioner's designee, who shall serve as chair;*



2. *The commissioner of environmental protection or the commissioner's designee;*
  3. *The commissioner of transportation or the commissioner's designee;*
  4. *The director of the department of city planning or the director's designee;*
  5. *The director of the office of long term planning and sustainability or the director's designee;*
  6. *A representative from the New York city soil and water conservation district, appointed by the mayor;*
  7. *A specialist in terrestrial invasive species, appointed by the speaker of the council;*
  8. *Two representatives from environmental advocacy organizations, one appointed by the mayor and one appointed by the speaker of the council; and*
  9. *Two representatives from the nursery industry, one appointed by the mayor and one appointed by the speaker of the council.*
- b. The mayor may invite representatives from the Brooklyn botanic garden, the New York botanical garden, the nature conservancy, the New York state department of environmental conservation, the federal fish and wildlife service and the federal department of agriculture to participate in the work of the advisory board.*
- c. All appointments required by this section shall be made no later than 90 days after the effective date of the local law that added this section.*
- d. Each member of the advisory board shall serve at the pleasure of the officer who appointed the member. In the event of a vacancy on the advisory board, a successor shall be appointed in the same manner as the original appointment for the remainder of the unexpired term. All members of the advisory board shall serve without compensation.*
- e. The chair shall convene the first meeting of the advisory board no later than 30 days after the last member has been appointed, except that where not all members of the advisory board have been appointed within the time specified in subdivision c of this section, the chair shall convene the first meeting of the task force within 10 days of the appointment of a quorum.*
- f. The advisory board shall meet at least quarterly, keep a record of its proceedings, and determine the rules of its own proceedings with special meetings to be called by the chair upon such chair's own initiative or upon receipt of a written request signed by at least four members of the board. Written notice of the time and place of such special meetings shall be given by the secretary to each member at least two weeks before the date fixed by the notice for such special meeting.*
- g. The invasive species advisory board may conduct such hearings and meetings at any place or places within the city designated by the advisory board for the purpose of obtaining necessary information or other data to assist it in the proper performance of its duties and functions as it deems necessary.*
- h. The meeting requirement of subdivision f of this section shall be suspended when the advisory board submits its report as required by subdivision i of this section.*
- i. No later than two years after the first meeting of the invasive species advisory board, the advisory board shall submit a written report of its findings and determinations, together with its recommendations for action, to the mayor and the speaker of the council. Such report may include a list of invasive species for which the advisory board recommends a prohibition on the import, sale, purchase or possession in the city.*
- j. The invasive species advisory board shall develop recommendations for:*
1. *A control policy designed to eradicate, suppress, reduce or manage invasive plant species populations, including preventing the spread of invasive species where they are present, including the restoration of native species or habitats;*
  2. *Detecting and responding rapidly to and controlling populations of invasive species in a cost-effective and environmentally sound manner;*
  3. *Enhancing monitoring of invasive species populations accurately and reliably;*
  4. *Restoring native species and habitat conditions in ecosystems that have been invaded and conducting research on invasive species and detection protocols to prevent introduction; and*
  5. *Making taxonomic information more readily available to the public and promoting public education on invasive species control.*
- k. The invasive species advisory board shall also work to foster greater coordination between agencies and the public, examine existing staff and funding resources needed to implement the proposed programs and recommend ways to close any potential staff or funding gaps which could impede implementation.*
- l. The invasive species advisory board shall terminate 180 days after the date on which it submits its report as required by subdivision i of this section.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 469

By Council Members Gennaro, Hanif, Joseph and Abreu.

**A Local Law to amend the administrative code of the city of New York, in relation to signs near diaper changing tables**

*Be it enacted by the Council as follows:*

Section 1. Chapter 5 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-518.2 to read as follows:

*§ 24-518.2 Signs near diaper changing tables. The owner of a building containing space that (i) is intended for public or common use and (ii) contains a diaper changing table within a restroom shall post and maintain a sign on or near the entrance to each such restroom stating that baby wipes should not be flushed. Such sign shall be posted and maintained in a form and manner determined by the commissioner of environmental protection.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

Int. No. 470

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

**A Local Law to amend the administrative code of the city of New York, in relation to phasing out the use of fuel oil grade no. 4**

*Be it enacted by the Council as follows:*

Section 1. Subdivision (d) of section 24-168 of the administrative code of the city of New York, as amended by local law 38 for the year 2015 and as further amended by local law 31 for the year 2018, is amended to read as follows:

(d) Except as provided in subdivision (f) of this section, no person shall cause or permit a boiler to burn fuel oil grade no. 4 on or after [January 1, 2030, or for a boiler used to generate electricity and/or steam in an electric, steam, or combined electric and steam generation facility, on or after] January 1, 2025; *and on or after December 31, 2023, for the following boilers: (i) a boiler that uses natural gas as primary fuel and fuel oil grade no. 4 as a backup fuel, other than a boiler used to generate electricity and/or steam in an electric, steam, or combined electric and steam generation facility, (ii) a boiler that uses an above-ground oil storage tank, other than a boiler used to generate electricity and/or steam in an electric, steam, or combined electric and steam generation facility or (iii) a newly installed boiler.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Environmental Protection.

## Int. No. 471

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

**A Local Law in relation to clarifying the effective date of local law number 92 for the year 2019 and local law number 94 for the year 2019**

*Be it enacted by the Council as follows:*

Section 1. Section 3 of local law number 92 for the year 2019 is amended to read as follows:

§ 3. This local law takes effect on the same date that [a local law for the year 2019 amending the New York city building code, relating to requiring that the roofs of certain buildings be covered in green roofs or solar photovoltaic electricity generating systems, as proposed in introduction number 1032,] *local law number 94 for the year 2019* takes effect, *and shall not apply to applications for construction document approval filed prior to such effective date*, except that the commissioner of buildings shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to its effective date.

§ 2. Section 5 of local law number 94 for the year 2019 is amended to read as follows:

§ 5. This local law takes effect 180 days after it becomes law, *and shall not apply to applications for construction document approval filed prior to such effective date*, except that the commissioner of buildings shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

§ 3. This local law takes effect immediately and is retroactive to and deemed to have been in effect on the same date as local law 92 for the year 2019 and local law 94 for the year 2019.

Referred to the Committee on Environmental Protection,

## Res. No. 198

**Resolution calling upon the United States Secretary of the Interior to assemble a group of tribal leaders to consider renaming the United States Department of the Interior's Bureau of Indian Affairs to include the phrase Indigenous People(s).**

By Council Members Gennaro, Joseph, Nurse and Restler.

**Whereas**, In 1775, Indian affairs in the United Colonies were governed by the Continental Congress who formed the Committee on Indian Affairs which was overseen by Benjamin Franklin; and

**Whereas**, In 1778, the first United States (U.S.) treaty with an American tribe was ratified with the Lenape tribe of Delaware in hopes of gaining the tribes' alliance in advance of the imminent Revolutionary War; and

**Whereas**, The Commerce Clause of the U.S. Constitution, Article I, Section 8, permitted Congress to make all laws pertaining to Indian trade and included the regulation of commerce with foreign nations, commerce among the States and commerce with all Indian tribes; and

**Whereas**, In 1824, the Bureau of Indian Affairs was created to oversee and carry out Federal government trade and treaty relations until 1849 when the Bureau was transferred to the U.S. Department of the Interior; and

**Whereas**, Since 1849, the Bureau of Indian Affairs has been known by a variety of names including the Indian Office, the Indian Bureau, the Indian Department and the Indian Service until it was formally given the name of Bureau of Indian Affairs on September 17, 1957; and

**Whereas**, The Bureau of Indian Affairs' stated mission is to enhance the quality of life, to promote economic opportunity and carry out the responsibility to protect and improve the trust assets of American Indians, Indian tribes and Alaska Natives; and

**Whereas**, The Bureau of Indian Affairs has historically been staffed by American Indians who have reported the agency has a long and complicated history with Indigenous People having first been established under the

War Department in 1824 with the explicit purpose of assimilating Native Americans into non-Native culture; and

**Whereas**, Advocates for Indigenous people have long sought to reclaim the right to self-determination, sovereignty and gain federal recognition with regard to internal tribal matters; and

**Whereas**, The colonizers used the term Indian or American Indian to describe the Indigenous people of the United States, however the preferred terminology among Indigenous people is to be called by their specific tribal name whenever possible; and

**Whereas**, There are currently 547 federally recognized tribes in the United States who are eligible for grants, funding, contracts and compacts; and

**Whereas**, There are eight federally recognized Indian tribes in New York State including the Cayuga Nation of New York, the Oneida Nation of New York, the Onondaga Nation of New York, the Saint Regis Mohawk Tribe, New York, the Seneca Nation of New York, the Shinnecock Nation, the Tonowanda Band of Seneca Indians of New York and the Tuscarora Nation of New York; and

**Whereas**, The tribes of the Lenape, the Rockaway and the Carnarsie people once occupied what is now New York City; and

**Whereas**, According to the 2020 Current Population Survey (CPS), within the five boroughs of New York City, 180,866 New Yorkers—or two percent of the population—identify as American Indian or Alaskan Native; and

**Whereas**, On March 15, 2021, the first Indigenous woman, Deb Haaland, was confirmed to lead the Department of the Interior as Secretary; and

**Whereas**, Secretary Haaland is the first Secretary of the Interior with a lived understanding of tribal sovereignty and has the opportunity to reshape the federal government’s approach to working with Indigenous Peoples; and

**Whereas**, In 2021, New York City public schools officially replaced Columbus Day with Indigenous People’s Day in an effort to put a spotlight on the history, cultures and traditions of Indigenous people; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the United States Secretary of the Interior to assemble a group of tribal leaders to consider renaming the United States Department of the Interior’s Bureau of Indian Affairs to include the phrase Indigenous People(s).

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 472

By Council Members Gutiérrez, Louis, Hudson, Hanif, Brooks-Powers, Brewer, Nurse, Ung, Mealy, Velázquez, De La Rosa, Stevens, Menin, Williams, Schulman, Dinowitz, Farías, Sanchez, Richardson Jordan, Cabán, Riley, Avilés, Abreu, Restler, Won, Narcisse, Ayala and The Speaker (Council Member Adams) (in conjunction with the Brooklyn Borough President).

**A Local Law in relation to establishing a pilot program in the department of health and mental hygiene to train doulas and provide doula services to residents in all five boroughs**

*Be it enacted by the Council as follows:*

Section 1. a. Definitions. For the purposes of this local law, the following terms have the following meanings:

Commissioner. The term “commissioner” means the commissioner of health and mental hygiene.

Department. The term “department” means the department of health and mental hygiene.

Doula. The term “doula” means: (i) a trained person who provides continuous physical, emotional, and informational support to a pregnant person and the family before, during, or shortly after childbirth, for the purpose of assisting a pregnant person through the birth experience; or (ii) a trained person who supports the

family of a newborn during the first days and weeks after childbirth, providing evidence-based information, practical help, and advice to the family on newborn care, self-care and nurturing of the new family unit.

§ 2. No later than October 1, 2022, the commissioner shall establish a pilot program for training doulas and providing professional, no-cost doula services to residents of neighborhoods in all five boroughs. The commissioner shall determine the standard used to determine which neighborhoods will be included in the pilot and the standard for how many visits each doula shall provide, provided that each program participant is provided with the option of having at least two visits with a doula. Such pilot shall include no fewer than 50 doulas. Participating doulas shall be trained on, at minimum, the practical roles and responsibilities of a doula. Such training shall be designed in consultation with community members and may include additional topics including, but not limited to, trauma-informed care, perinatal mood and anxiety disorders, respectfully navigating the hospital environment, and support services available to low-income birthing people and their families. Within such pilot program, where a birthing person presents to the department with a possible developmental, intellectual or physical disability, the department shall assess whether such person is receiving any supportive services related to the perceived disability and coordinate with the doula to ensure that appropriate services are provided.

§ 3. Such pilot program shall continue until January 1, 2024 and may continue past that date at the discretion of the commissioner.

§ 4. No later than October 30, 2023, the commissioner shall submit to the mayor and the speaker of the council and post online a report on such pilot program. The report shall include, but not be limited to: (i) the number of doulas trained through the pilot, disaggregated by type of doula if they identify with a subsector of the field; (ii) an overview of topics covered in such doula training; (iii) the number of individuals served by doulas involved in the pilot; (iv) a list of the zip codes that such individuals live in; (v) an evaluation of the benefits of the pilot and how such benefits were measured or evaluated; (vi) an overview of challenges or lessons learned from the pilot, and (vii) recommendations as to whether and how such pilot program should continue or be expanded.

§ 5. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 473

By Council Members Gutiérrez, Restler, De La Rosa, Ayala, Yeger, Hudson, Brannan, Brewer, Joseph, Nurse, Ung, Mealy, Velázquez, Stevens, Williams, Brooks-Powers, Schulman, Dinowitz, Sanchez, Louis, Richardson Jordan, Riley, Avilés, Abreu, Won and Paladino.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring text to 911 and next generation 911 to be available in the designated citywide languages**

*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 10-174.1 to read as follows:

§ 10-174.1 *Text to 911 and next generation 911 language access. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

*Designated citywide languages. The term “designated citywide languages” has the same meaning ascribed to such term in subdivision a of section 23-1101.*

*Next generation 911. The term “next generation 911” has the same meaning ascribed to such term in subdivision a of section 10-174.*

*Text to 911. The term “text to 911” means an interim service that allows people in need of emergency services to text 911, bridging the gap between the current analog 911 system and next generation 911.*

*b. Designated citywide languages requirement. Text to 911 and next generation 911 shall be available in the designated citywide languages.*

*c. Report. No later than one year after the effective date of the local law that added this section, and annually thereafter, the commissioner of information technology and telecommunications, in consultation with the police commissioner and the fire commissioner, shall submit to the mayor and the speaker of the council and post on the department of information technology and telecommunications website a report regarding the provision of text to 911 and next generation 911 in the designated citywide languages. Such report shall include, but not be limited to, the following:*

*1. The following information about next generation 911 and text to 911 until the implementation of next generation 911:*

*(a) The number of designated citywide languages that text to 911 services are provided in;*

*(b) An explanation regarding why text to 911 is not available in a designated citywide language, if applicable;*

*(c) The number of unique instances in which an individual used text to 911 and the following information for each such instance:*

*(1) The date of such instance;*

*(2) The zip code of such instance; and*

*(3) The language used in such instance and whether such language is a designated citywide language; and*

*(d) The plan and the progress on such plan to make next generation 911 available in the designated citywide languages upon its implementation; and*

*2. The following information regarding next generation 911, upon its implementation:*

*(a) The number of designated citywide languages that next generation 911 services are provided in;*

*(b) The number of unique instances in which an individual used next generation 911 and the following information for each such instance:*

*(1) The date of such instance;*

*(2) The zip code of such instance; and*

*(3) The language used in such instance and whether such language is a designated citywide language; and*

*(c) The plan and the progress on such plan to make next generation 911 available in the designated citywide languages.*

§ 2. This local law takes effect 90 days after it becomes law, except that the police commissioner and the commissioner of information technology and telecommunications 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 Technology.

Int. No. 474

By Council Member Hanif, the Public Advocate (Mr. Williams) and Council Members Williams, Hudson, Cabán, Avilés, Powers, Krishnan, Brannan, Joseph, Nurse, Dinowitz, Ung, Menin, Brooks-Powers, Schulman, Gutiérrez, Richardson Jordan, Abreu, Louis, Restler, Brewer, Won, Velázquez, Riley, Fariás, Ossé, De La Rosa, Narcisse and The Speaker (Council Member Adams).

**A Local Law to amend the administrative code of the city of New York, in relation to a public information and outreach campaign regarding safe access to reproductive health care**

*Be it enacted by the Council as follows:*

Section 1. Title 8 of the administrative code of the city of New York is amended by adding a new section 8-135 to read as follows:

§ 8-135. *Outreach and Education on Safe Access to Reproductive Health Care. a. The commission shall develop materials and conduct a public outreach campaign on safe access to reproductive health care in the city, including information related to the access to reproductive healthcare facilities law. For purposes of this section the access to reproductive healthcare facilities law means the provisions contained in chapter 10 of title*

10 of this code. Such materials shall be posted on the commission's website, made available in the designated citywide languages as defined in section 23-1101 and shall include the following:

- (1) Information related to protections for those seeking services at or employed by a reproductive healthcare facility as defined in section 10-1002 under the reproductive health care facilities law and;
- (2) Information related to title 8 protections related to sexual and reproductive health decisions, including protections from discrimination and harassment;
- (2) The remedies available under title 8, including the right to bring a civil action to enjoin discriminatory harassment; and
- (3) The right to bring a civil action for violations of the access to reproductive health care facilities law and for actual damages based on such law.

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

Referred to the Committee on Civil and Human Rights.

Int. No. 475

By Council Members Hanif, Cabán, the Public Advocate (Mr. Williams) and Council Members Louis, Rivera, Hudson, Farías, Avilés, Powers, Krishnan, Brannan, Joseph, Dinowitz, Ung, Menin, Schulman, Richardson Jordan, Abreu, Restler, Won, Riley, Ossé, De La Rosa, Narcisse, Brewer, Marte, Ayala, Sanchez and The Speaker (Council Member Adams).

**A Local Law to amend the administrative code of the city of New York, in relation to creating a private right of action related to interference with medical care**

*Be it enacted by the Council as follows:*

Section 1. Title 17 of the administrative code of the city of New York is amended by adding a new chapter 21 to read as follows:

**CHAPTER 21**  
*Interference with Medical Care*

§ 17-2101 *Interference with medical care. a. A person is subject to interference with medical care if any civil action is commenced against such person in any state and:*

*1. Liability, in whole or in part, or any theory of vicarious, joint, several or conspiracy liability derived therefrom, is based on the alleged provision, receipt, assistance in receipt or provision of, or material support for medical care that is legally permitted in the city; and*

*2. The acts that formed the basis for liability occurred, in whole or in part, in the city.*

*b. Interference with medical care shall not include the commencement of any civil action that is founded in tort, contract or statute and for which a similar claim would exist under the laws of the state of New York or of the city and which is:*

*1. Brought by the patient who received the medical care or the patient's authorized legal representative for damages suffered by the patient or damages derived from an individual's loss of consortium of the patient; or*

*2. Brought by a party with a contractual relationship with the person that is the subject of the action.*

§ 17-2102 *Civil action for interference with medical care. Any person allegedly subject to interference with medical care as set forth in section 17-2101 may bring an action in any court of competent jurisdiction for any damages, including punitive damages, and such other remedies as may be appropriate. The court, in issuing any final order in any action brought pursuant to this section, may award costs of litigation to the prevailing party whenever the court determines such an award is appropriate. This section does not limit or abrogate any claim or cause of action such person has under common law or by other law or rule.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Women and Gender Equity.

## Int. No. 476

By Council Members Holden and Nurse.

**A Local Law to amend the administrative code of the city of New York, in relation to procurement opportunities for veteran owned business enterprises**

*Be it enacted by the Council as follows:*

Section 1. Section 6-138 of the administrative code of the city of New York, as added by local law number 144 for the year 2013, is amended to read as follows:

§ 6-138 Participation by veteran owned business enterprises in city procurement. *a. Definitions. For the purposes of this section, the following terms have the following meanings:*

*Commissioner. The term “commissioner” means the commissioner of small business services.*

*Veteran owned business enterprise. The term “veteran owned business enterprise” means a business enterprise authorized to do business in this state, including sole proprietorships, partnerships and corporations, in which (i) at least 51 percent of the ownership interest is held by United States citizens or lawful permanent residents who are veterans, as defined in section 3101 of the charter; (ii) the ownership interest of such individuals is real, substantial and continuing; and (iii) such individuals have and exercise the authority to control independently the day to day business decisions of the enterprise. Veteran owned business enterprise includes a business enterprise that is licensed by or located in the city of New York and that has been verified as a service-disabled veteran-owned small business or a veteran-owned small business pursuant to part 74 of title 38 of the code of federal regulations, or certified as a service-disabled veteran-owned business enterprise pursuant to subdivision 5 of section 369-i of the executive law.*

*b. Report. The commissioner [of the department of small business services], in consultation with the city chief procurement officer, shall analyze veteran owned business enterprises and opportunities for such business enterprises in city procurements and shall, by December 1, 2014, determine the need for a citywide program to promote opportunities in city procurement for veterans. At such time, the commissioner shall submit to the council a report on such analysis including the basis for such determination. If the commissioner determines that there is a need for such a citywide program, such report shall also contain recommendations concerning measures to enhance the opportunities of such businesses with respect to city procurement, which shall include but need not be limited to, outreach and notification of contract opportunities, certification of veteran owned business enterprises, recommendations regarding the establishment of participation goals, and tracking and reporting the utilization of such business enterprises. The commissioner shall periodically review opportunities for veterans in city procurement and, if the commissioner determines necessary, prepare and submit an updated report to the council with recommendations for additional city procurement opportunities for veteran owned business enterprises.*

*c. Registration as veteran owned business enterprise. The commissioner, in consultation with the city chief procurement officer, shall include a mechanism wherever businesses register to conduct business with the city, including on the city website and any other means of registration, for veteran owned business enterprises to identify as a veteran owned business enterprise.*

*d. Veteran leadership advisory program. The commissioner, in consultation with the department of veterans’ services, shall establish a veteran leadership advisory program to educate veteran owned business enterprises about federal, state and city procurement opportunities and to support veteran owned business enterprises when applying for such procurement opportunities. The veteran leadership advisory program shall be located within the department of small business services and shall coordinate and facilitate technical assistance and educational programs, including but not limited to procurement workshops and mentorship programs, to enhance participation in city procurement for veteran owned business enterprises.*

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

Referred to the Committee on Veterans.



## Int. No. 477

By Council Members Hudson, Menin, Brooks-Powers, Joseph, Nurse, Abreu, Louis, Restler, Avilés, Cabán, Gennaro, De La Rosa and The Speaker (Council Member Adams).

**A Local Law in relation to establishing a child care task force**

*Be it enacted by the Council as follows:*

Section 1. Definitions. For purposes of this local law, the following terms have the following meanings:

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

Task force. The term “task force” means the child care task force established by this local law.

§ 2. Task force established. There is hereby established a task force to be known as the child care task force.

§ 3. Duties. The task force shall study how to make child care more affordable through free or low-cost child care, determine how to make child care more accessible for families in the city, examine ways to provide support and funding to child care providers and workers, and make recommendations for establishing child care for all children ages five and under in the city. Such recommendations shall take into account the number of children ages five and under in the city, the capacity of child care providers, the average incomes of families with children in the city, the projected costs of implementing any recommended programs, and any other considerations the task force deems relevant.

§ 4. Membership. a. The task force shall be composed of the following members:

1. The commissioner of health and mental hygiene or such commissioner’s designee, who shall be designated as chair;

2. The chancellor of the city school district of the city of New York or such chancellor’s designee;

3. The commissioner of buildings or such commissioner’s designee;

4. The commissioner of children’s services or such commissioner’s designee;

5. One school principal employed by the department of education to be appointed by the mayor;

6. One teacher employed by the department of education to be appointed by the speaker of the council;

7. One child care provider of a child care program in the city to be appointed by the mayor;

8. One child care worker of a child care program in the city to be appointed by the speaker of the council;

9. One parent of a child under the age of three who is enrolled in a child care program in the city to be appointed by the mayor;

10. One parent of a child between the ages of four and five who is enrolled in a child care program in the city to be appointed by the mayor; and

11. Three members to be appointed by the mayor in consultation with the speaker of the council and the public advocate, who are experts in child care advocacy or reform or are members, employees or directors of, or otherwise affiliated with, an organization engaged in child care advocacy or reform work.

b. The mayor shall invite the commissioner of the office of children and family services or such commissioner’s designee to participate in the work of the task force, and may invite other officers and representatives of relevant federal, state and local agencies and authorities to participate in the work of the task force.

c. All appointments required by this section shall be made no later than 90 days after the effective date of this local law.

d. Each member of the task force shall serve at the pleasure of the officer who appointed the member. In the event of a vacancy on the task force, a successor shall be appointed in the same manner as the original appointment for the remainder of the unexpired term. All members of the task force shall serve without compensation.

§ 5. Meetings. a. The chair shall convene the first meeting of the task force no later than 30 days after the last member has been appointed, except that where not all members of the task force have been appointed within the time specified in section four of this local law, the chair shall convene the first meeting of the task force within 10 days of the appointment of a quorum.

b. The task force may invite experts and stakeholders to attend its meetings and to provide testimony and information relevant to its duties.

c. The task force shall meet no less than once each month to carry out the duties described in section three of this local law.

d. The meeting requirement of subdivision c of this section shall be suspended when the task force submits its report as required by section six of this local law.

§ 6. Report. a. No later than 270 days after the effective date of this local law, the task force shall submit a report to the mayor, the speaker of the council and the public advocate setting forth its recommendations for establishing child care for all children ages five and under in the city, making child care more affordable and accessible for families in the city and providing support and funding to child care providers and workers, and shall include but need not be limited to the following:

1. Any challenges associated with implementing child care programs in each city school district;
2. The projected costs associated with implementing child care programs in all city school districts;
3. Recommendations for policies and programs to make the costs of child care in the city more affordable for families;
4. Recommendations for increasing support and funding to child care providers and workers, such as providing training or other free or low-cost resources;
5. Recommendations for increasing the number of child care facilities in the city, including ways to increase the number of applications for licensed child care programs; and
6. A summary of information the task force considered in formulating its recommendations.

b. The commissioner of health and mental hygiene shall publish the report required by this section on the website of the department of health and mental hygiene no later than 10 days after its submission to the mayor and the speaker of the council.

§ 7. Agency support. Each agency affected by this local law shall provide appropriate staff and resources to support the work of such agency related to the task force.

§ 8. Termination. The task force shall terminate 180 days after the date on which it submits its report, as required by section six of this local law.

§ 9. This local law takes effect immediately.

Referred to the Committee on General Welfare.

*Editor's Note: Int. No. 477 was re-assigned to the Committee on Women and Gender Equity on June 10, 2022.*

#### Int. No. 478

By Council Members Hudson, Gutiérrez, Louis, Hanif, Brooks-Powers, Nurse, Mealy, Velázquez, De La Rosa, Stevens, Menin, Williams, Schulman, Dinowitz, Farías, Sanchez, Richardson Jordan, Cabán, Riley, Avilés, Abreu, Restler, Won, Ayala and The Speaker (Council Member Adams) (in conjunction with the Brooklyn Borough President).

#### **A Local Law to amend the administrative code of the city of New York, in relation to an outreach and education campaign on the benefits and services provided by doulas and midwives**

*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 17-199.3.2 to read as follows:

§ 17-199.3.2 Education and outreach campaign on the benefits of doulas and midwives. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Doula. The term “doula” means: 1. a trained person who provides continuous physical, emotional, and informational support to a pregnant person and the family before, during or shortly after childbirth, for the purpose of assisting a pregnant person through the birth experience; or 2. a trained person who supports the family of a newborn during the first days and weeks after childbirth, providing evidence-based information, practical help, and advice to the family on newborn care, self-care and nurturing of the new family unit.

Midwife. The term “midwife” means an individual who is licensed or certified to practice midwifery in New York state.

b. Education and outreach. No later than January 31, 2023, and by January 31 every five years thereafter, the department shall conduct an education and outreach campaign for birthing people, healthcare workers, health and safety advocates, community organizations, women’s rights advocates, reproductive health rights advocates, and other populations the department deems relevant, in all five boroughs. Such campaign should highlight the services offered by doulas and midwives, increase awareness of the evidence-based benefits of such services, any efforts to improve access to such services and share information about free and low-cost resources related to such services in New York city. Such campaign shall also include, but not be limited to, distribution of educational materials, outreach utilizing social media, radio and television, public service announcements and both in-person and online events, such as educational workshops or forums. Any written materials disseminated by the department pertaining to such campaign shall be made available in the top ten languages most commonly spoken within the city as determined by the department of city planning.

c. Reporting. No later than May 31, 2023, and by May 31 every five years thereafter, the department shall submit to the mayor and speaker of the council, and post online, a report describing the methods of targeted outreach used to comply with this section.

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

Referred to the Committee on Health.

Res. No. 199

### **Resolution declaring June Caribbean Heritage Month.**

By Council Member Hudson, the Public Advocate (Mr. Williams), and Council Members Farias, Brooks-Powers, Narcisse, Joseph, Riley, Stevens, Nurse, Williams, Richardson Jordan, Ossé, Sanchez, Avilés, Louis, Marte, Velázquez, Abreu, Salamanca, Gutiérrez, Feliz, De La Rosa, Hanif, Ung and Won.

**Whereas**, The Caribbean is home to nearly 44 million people as of May 2022, according to Worldometer and based on United Nations estimates; and

**Whereas**, According to data from the American Community Survey from 2015-2019, over 861,000 New York City residents were Caribbean-born, including many from the Dominican Republic, Jamaica, Haiti, and Trinidad and Tobago; and

**Whereas**, According to the Institute for Caribbean Studies (ICS), Caribbean immigrants have been contributing to the well-being of American society since its founding; and

**Whereas**, Alexander Hamilton, the First Secretary of the Treasury, was from the Caribbean Island of Nevis; and

**Whereas**, Secretary of State Colin Powell, Cicely Tyson, and W.E.B Dubois are a representation of famous Americans with Caribbean ancestry who made lasting impacts on the country; and

**Whereas**, In 1999, ICS began its efforts to create a Caribbean American Heritage Month by sharing a petition with President Bill Clinton; and

**Whereas**, In 2000, ICS began leading activities in celebration of June as Caribbean American Heritage Month in Washington, DC; and

**Whereas**, The official campaign for a National Caribbean American Heritage Month began in 2004 when a legislative bill was tabled in Congress by Congresswoman Barbara Lee; and

**Whereas**, The bill was reintroduced and passed the House in June 2005 and the Senate in February 2006, and a Proclamation making the resolution official was signed by President George W. Bush on June 5, 2006; and

**Whereas,** According to Congresswoman Barbara Lee, Caribbean Heritage Month is crucial because Caribbean Americans bring tremendous pride, love, and dedication to this nation, and their hard work uplifts our nation and brings communities together; and

**Whereas,** New York City, which is home to numerous Caribbean American communities, should follow the federal government’s example and officially recognize June as Caribbean Heritage Month; and

**Whereas,** As reported by AM New York, the multiplicity of the Caribbean community, comprised of nearly 30 countries and with half a dozen commonly spoken languages, is a vibrant example of what makes New York City distinct; and

**Whereas,** According to Shelley Worrell, founder of Caribbeing, an organization that highlights and celebrates Caribbean culture in the city, “New York is the Caribbean capital of the world[, and it’s] the largest and most diverse Caribbean community outside of the Caribbean itself”; and

**Whereas,** While Caribbean Heritage month would serve as a time to celebrate Caribbean communities, it could also be an opportunity for individuals to engage in educational activities to better understand and to reflect on the importance of Caribbean culture, individuals, and institutions; and

**Whereas,** Caribbean New Yorkers must be recognized for their impact on the City, including their work during the COVID-19 pandemic, which disproportionately impacted immigrant, Black, and Latino/x communities, including Caribbean communities; now, therefore, be it

**Resolved,** That the Council of the City of New York declares June Caribbean Heritage Month.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 479

By Council Members Kagan, Schulman, Hudson, Hanif, Abreu, Restler and Riley.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring leading pedestrian interval signals at intersections adjacent to hospitals, libraries, schools, and senior centers**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 3 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-195.2 to read as follows:

§ 19-195.2 *Leading pedestrian interval signals.* a. *For the purposes of this section, the following terms have the following meanings.*

1. *“Hospital” means a general hospital as defined in section twenty-eight hundred one of the public health law.*

2. *“Leading pedestrian interval signal” means a pedestrian control signal that displays a walk indication before a green indication for the parallel direction of traffic.*

3. *“Library” means any branch of the New York public library, the Brooklyn public library, the Queens public library, or any other public library.*

4. *“Park” means any park under the jurisdiction of the department of parks and recreation.*

5. *“School” means any buildings, grounds, facilities, property, or portion thereof in which educational instruction is provided to at least 250 students at or below the twelfth grade level.*

6. *“Senior center” has the same meaning as in section 21-201 of the code.*

b. *The department shall annually install leading pedestrian interval signals at not less than four hundred intersections with traffic control signal indicators that are adjacent to a hospital, library, school, or senior center, until all such intersections have leading pedestrian interval signals, however, if fewer than four hundred intersections with traffic control signal indicators that are adjacent to a hospital, library, school, or senior center do not have leading pedestrian interval signals in a given year, the department shall install such signals at all such intersections in such year.*

§ 2. This local law takes effect January 1, 2024.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 480

By Council Members Krishnan, Abreu, The Speaker (Council Member Adams), Ariola, Aviles, Ayala, Barron, Borelli, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farias, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Kagan, Marte, Mealy, Menin, Nurse, Osse, Paladino, Restler, Rivera, Sanchez, Schulman, Stevens, Ung, Vernikov, Williams and Louis.

**A Local Law in relation to the naming of 79 thoroughfares and public places, Clara Belle Place, Borough of Queens, NYPD SCG Lorraine P. Elliott Way, Borough of Queens, Trinidad and Tobago Street, Borough of Queens, Juan M. Díaz Way, Borough of Manhattan, Hubert T. Delany Way, Borough of Manhattan, Ritawantee “Auntie Rita” Persaud Way, Borough of Queens, Sandra Santos-Vizcaino Street, Borough of Brooklyn, Hiram Maristany Way, Borough of Manhattan, Melvin A. Faulkner Way, Borough of Brooklyn, Jose Rosado Way, Borough of Brooklyn, Frederick Law Olmsted Way, Borough of Staten Island, Firefighter James Cooney Street, Borough of Staten Island, Robert Trentlyon Way, Borough of Manhattan, Jim Houghton Way, Borough of Manhattan, Ralph Schiano’s Corner, Borough of Brooklyn, Ballet Hispánico Way, Borough of Manhattan, W. O’Brien Way, Borough of Queens, Oswald Grannum Way, Borough of Queens, Salah Hassanein Way, Borough of Queens, FDNY Lt. Joseph W. Maiello Way, Borough of Staten Island, NYPD Detective Christopher B. McDonnell Way, Borough of Staten Island, Vincent “Jimmy” Anthony Navarino Way, Borough of Staten Island, Joseph Vincent Madory Way, Borough of Staten Island, Ramona Elizabeth Rodriguez Way, Borough of Manhattan, Jason “TATA” Rivera Way, Borough of Manhattan, Victor Aurelio “Classico” Tapia Way, Borough of Manhattan, James F. Nolan Way, Borough of Manhattan, Bill Stone Way, Borough of the Bronx, Marie Reed Way, Borough of the Bronx, Detective Raymond Abear Way, Borough of Queens, Rabbi Fabian Schonfeld Way, Borough of Queens, Detective Barbara Taylor-Burnette Way, Borough of Brooklyn, Aidan Seeger Way, Borough of Brooklyn, Little Bangladesh, Borough of Brooklyn, Kenny “Scats” Scanlon Way, Borough of Staten Island, The Force MD’s Way, Borough of Staten Island, Monsignor Peter Finn Way, Borough of Staten Island, Monsignor Ferdinando Berardi Way, Borough of Staten Island, Louis Iorio Way, Borough of Queens, Captain Thomas G. Abbey Place, Borough of Queens, Mary Anne Verbil Walter Way, Borough of Queens, Msgr. Peter Zendzian Way, Borough of Queens, Eudes Pierre Way, Borough of Brooklyn, Lou’s Deli Way, Borough of Brooklyn, Frank Giordano Way, Borough of Brooklyn, Francesco LoPresti Street, Borough of Brooklyn, Dr. Sergio I. Rubio Way, Borough of Queens, Little Thailand Way, Borough of Queens, Harold Lui Way, Borough of Manhattan, Edie Windsor and Thea Spyer Way, Borough of Manhattan, Beastie Boys Square, Borough of Manhattan, Kade Ashton Tyler Lewin Way, Borough of Brooklyn, Jimmy Neary Way, Borough of Manhattan, Pujari Basdeo Mangal Way, Borough of Brooklyn, Delrawn Small Way, Borough of Brooklyn, Police Officer Raymond Harris Way, Borough of Brooklyn, SGT Firefighter Shawn E. Powell Way, Borough of Brooklyn, Bishop Marvin D. Williams, Sr. Way, Borough of Brooklyn, Police Officer Timothy Motto Way, Borough of Queens, James “Big Jim” Corcoran Way, Borough of Queens, Jane Walentas Way, Borough of Brooklyn, Rita Saunders Way, Borough of Brooklyn, Dr. May Edward Chinn Place, Borough of Manhattan, Adela Fargas Way, Borough of Manhattan, Private First Class Luis Moreno Way, Borough of the Bronx, Joseph Hennessy Way, Borough of Queens, Greg Stein Way, Borough of Queens, Venancio “Benny” Catala, Jr. Way, Borough of the Bronx, Bishop Earl W. McKay Way, Borough of the Bronx, Don Capalbi Way, Borough of Queens, Boris Talis Way, Borough of Brooklyn, Rabbi Melvin I. Burg Way, Borough of Brooklyn, Ukrainian Way, Borough of Brooklyn, Sarita Rein Way, Borough of Brooklyn, Fred Schneider Way, Borough of Brooklyn, Detective Mollie A. Gustine Way, Borough of Queens, Dharmacharya Seerattan Way, Borough of Queens, Maharshi Dayananda**

**Gurukula Way, Borough of Queens, David and Renee Bluford Way, Borough of Queens and the repeal of section 105 of local law number 54 for the year 2022.**

*Be it enacted by the Council as follows:*

Section 1. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Clara Belle Place	None	At the intersection of Waltham Street and 105th Avenue

§2. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
NYPD SCG Lorraine P. Elliott Way	None	At the intersection of Lefferts Boulevard and Rockaway Boulevard

§3. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Trinidad and Tobago Street	None	At the intersection of 131st Street and Liberty Avenue

§4. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Juan M. Díaz Way	West 157th Street	Between Broadway and Amsterdam Avenue

§5. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Hubert T. Delany Way	None	At the intersection of 145 <sup>th</sup> Street and Riverside Drive

§6. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ritawantee "Auntie Rita" Persaud Way	None	At the intersection of 92nd Street and 103rd Avenue

§7. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Sandra Santos-Vizcaino Street	57th Street	Between 3rd Avenue and 4th Avenue

§8. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Hiram Maristany Way	None	At the intersection of 111th Street and Madison Avenue

§9. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Melvin A. Faulkner Way	None	At the intersection of Schenck Avenue and Cozine Avenue

§10. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Jose Rosado Way	None	At the intersection of Cozine Avenue and Williams Avenue

§11. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Frederick Law Olmsted Way	None	At the intersection of Woods of Arden Road and Hylan Boulevard

§12. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Firefighter James Cooney Street	None	At the intersection of Corbin Avenue and Nahant Street

§13. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Robert Trentlyon Way	None	At the intersection of West 23rd Street and 11th Avenue

§14. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Jim Houghton Way	None	At the intersection of Dyer Avenue and 10th Avenue

§15. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ralph Schiano's Corner	None	At the intersection of 92nd Street and 3rd Avenue

§16. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ballet Hispánico Way	West 89th Street	Between Columbus Avenue and Amsterdam Avenue

§17. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
W. O'Brien Way	148th Road	Between 241st Street and Edgewood Street

§18. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Oswald Grannum Way	148th Drive	Between 241st Street and Edgewood Street

§19. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.



New Name	Present Name	Limits
Salah Hassanein Way	None	At the intersection of 21st Street and 30th Road

§20. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
FDNY Lt. Joseph W. Maiello Way	None	At the intersection of O'Connor Avenue and Caswell Avenue

§21. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
NYPD Detective Christopher B. McDonnell Way	None	At the intersection of Jennifer Place and Morani Street

§22. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Vincent "Jimmy" Anthony Navarino Way	None	At the intersection of Vincent Avenue and Coverly Street

§23. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Joseph Vincent Madory Way	None	At the intersection of Richmond Road and Bancroft Avenue

§24. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ramona Elizabeth Rodriguez Way	None	At the intersection of 167th Street and Audubon Avenue

§25. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Jason "TATA" Rivera Way	None	At the intersection 204th Street and Sherman Avenue

§26. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Victor Aurelio "Classico" Tapia Way	None	At the intersection of 214th Street and 10th Avenue

§27. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
James F. Nolan Way	None	At the intersection of Isham Street and Cooper Street

§28. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Bill Stone Way	None	At the intersection of Hudson Terrace and West 237th Street

§29. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Marie Reed Way	None	At the intersection of Lafayette Avenue and Soundview Avenue

§30. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Detective Raymond Abear Way	None	At the intersection of 164th Place and Goethals Avenue

§31. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rabbi Fabian Schonfeld Way	None	At the intersection of 150th Street and 70th Road

§32. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Detective Barbara Taylor-Burnette Way	None	At the intersection of Scholes Street and Humboldt Street

§33. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Aidan Seeger Way	None	At the intersection of Prospect Avenue and Terrace Place

§34. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Little Bangladesh	None	At the intersection of Macdonald Avenue and Church Avenue

§35. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Kenny "Scats" Scanlon Way	None	At the intersection of Elwood Place and Hunter Place

§36. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
The Force MD's Way	None	At the intersection of Brabant Avenue and Grandview Avenue

§37. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Monsignor Peter Finn Way	None	At the intersection of Forest Avenue and Manor Road

§38. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Monsignor Ferdinando Berardi Way	None	At the intersection of Manor Road and Forest Avenue

§39. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Louis Iorio Way	60th Drive	Between 84th Street and the dead end of the block

§40. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Captain Thomas G. Abbey Place	82 <sup>nd</sup> Place	Between 64 <sup>th</sup> Road and Furmanville Avenue

§41. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Mary Anne Verbil Walter Way	None	At the intersection of 58th Avenue and Brown Place

§42. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Msgr. Peter Zendzian Way	None	At the intersection of 61st Street and 56th Road

§43. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Eudes Pierre Way	None	At the intersection of Eastern Parkway and Utica Avenue

§44. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Lou's Deli Way	None	At the intersection of Kings Highway and East 2nd Street

§45. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Frank Giordano Way	None	At the intersection of Mermaid Avenue and West 15th Street

§46. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Francesco LoPresti Street	None	At the intersection of Bay 20th Street and Bath Avenue

§47. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dr. Sergio I. Rubio Way	None	At the intersection of Northern Boulevard and 89th Street

§48. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Little Thailand Way	Woodside Avenue	Between 76th Street and 79th Street

§49. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Harold Lui Way	None	At the intersection of Walker Street and Centre Street

§50. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Eddie Windsor and Thea Spyer Way	None	At the intersection of Fifth Avenue and Washington Square North

§51. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Beastie Boys Square	None	At the intersection of Ludlow Street and Rivington Street

§52. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Kade Ashton Tyler Lewin Way	None	At the intersection of East 56th Street and Linden Boulevard

§53. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Jimmy Neary Way	None	At the intersection of 57 <sup>th</sup> Street and First Avenue

§54. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Pujari Basdeo Mangal Way	Van Siclen Avenue	Between Atlantic Avenue and Liberty Avenue

§55. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Delrawn Small Way	None	At the intersection of Bradford Street and Atlantic Avenue

§56. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Police Officer Raymond Harris Way	None	At the intersection of Sumner Place and Lewis Avenue

§57. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
SGT Firefighter Shawn E. Powell Way	None	At the intersection of Monroe Street and Marcy Avenue

§58. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Bishop Marvin D. Williams, Sr. Way	None	At the intersection of Myrtle Avenue and Tompkins Avenue

§59. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Police Officer Timothy Motto Way	None	At the intersection of 28th Avenue and Ulmer Street

§60. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
James "Big Jim" Corcoran Way	None	At the intersection of Corbett Road and 217th Street

§61. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Jane Walentas Way	Dock Street	Between Front Street and Water Street

§62. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rita Saunders Way	Bond Street	Between Baltic Street and Butler Street

§63. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dr. May Edward Chinn Place	None	At the intersection of East 29th Street and 1st Avenue

§64. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Adela Fargas Way	None	At the intersection of East 5th Street and Avenue C

§65. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Private First Class Luis Moreno Way	None	At the intersection of Grand Concourse and Fordham Road

§66. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Joseph Hennessy Way	None	At the intersection of 108th Street and 62nd Drive

§67. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Greg Stein Way	None	At the intersection of Queens Boulevard and 77th Avenue

§68. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Venancio "Benny" Catala, Jr. Way	None	At the intersection of Teller Avenue and 166th Street

§69. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Bishop Earl W. McKay Way	None	At the intersection of 165th Street and Gerard Avenue

§70. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Don Capalbi Way	136th Street	Between 57th Road and 58th Avenue



§71. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Boris Talis Way	None	At the intersection of West 1st Street and Seabreeze Avenue

§72. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rabbi Melvin I. Burg Way	None	At the intersection of Ocean Avenue and Avenue V

§73. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ukrainian Way	None	At the intersection of Brighton Beach Avenue and Coney Island Avenue

§74. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Sarita Rein Way	None	At the intersection of Avenue L and East 17th Street

§75. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Fred Schneider Way	None	At the intersection of Neptune Avenue and West 12th Street

§76. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Detective Mollie A. Gustine Way	None	At the intersection of 117th Road and 192nd Street

§77. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dharmacharya Seerattan Way	173rd Street	Between Jamaica Avenue and 93rd Avenue

§78. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Maharshi Dayananda Gurukula Way	94th Avenue	Between 150th Street and 94th Avenue

§79. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
David and Renee Bluford Way	None	At the intersection of 178th Place and Murdock Avenue

§80. Section 105 of local law number 54 for the year 2022 is hereby REPEALED.

§81. This local law shall take effect immediately.

Referred to the Committee on Parks and Recreation.

Int. No. 481

By Council Members Lee, Yeger, Hudson, Brannan, Brooks-Powers, Brewer, Nurse, Ung, Kagan, Menin, Marte, Farías, Williams, Holden, Schulman, Dinowitz, Ossé, Abreu, Restler, Avilés and Ariola.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of transportation to notify property owners ordered to repair sidewalks of existing department plans to make repairs on same sidewalks**

*Be it enacted by the Council as follows:*

Section 1. Subdivision c of section 19-152 of the administrative code of the city of New York, as amended by local law number 120 for the year 2018, is amended to read as follows:

c. Whenever the department shall determine that a sidewalk flag should be installed, constructed, reconstructed, or repaved, or that a vacant lot should be fenced, or a sunken lot filled or a raised lot cut down, it may order the owner of the property abutting on such sidewalk flag or the owner of such vacant, sunken or raised lot by issuing a violation order to perform such work. Such order shall provide a detailed explanation of the inspection and the sidewalk defects according to sidewalk flags including a detailed diagram of the property and defects by type. The order shall also inform the owner of the existence of the borough offices within the department together with an explanation of the procedures utilized by the borough office as provided for in paragraph eighteen of subdivision a of section twenty-nine hundred three of the New York city charter as well as a complaint and appeal process, including the right to request a reinspection and then the right to appeal by filing a notice of claim with the office of the comptroller of the city of New York and thereafter a petition for appeal and commence a proceeding to review and/or correct the notice of account and/or the quality of the work performed under the direction of or by the department as provided herein and the procedures as to how to appeal by filing a notice of claim with the office of the comptroller of the city of New York and how to file a petition

and commence a proceeding to review and/or correct the notice of account and/or the quality of the work performed as provided herein and the location where the forms may be obtained. Such order shall specify the work to be performed, an estimate of the cost of the work to repair the defects and the order shall also specify a reasonable time for compliance, provided that the time for compliance shall be a minimum of 75 days. The department shall, by appropriate regulations, provide for a reinspection by a different departmental inspector than the inspector that conducted the first or original inspection upon request of the property owner to the appropriate borough office. Where appropriate, the department shall notify the property owner of the date of reinspection at least five days prior to the reinspection date. Such inspector conducting the reinspection shall conduct an independent inspection of the property without access to the reports from the first inspection. The inspector conducting the reinspection shall file a new report and the department shall issue a new order to the owner specifying the results of the reinspection with a detailed diagram of the property and defects by type. Such order shall also advise the owner of the procedures utilized by the borough office as provided for in paragraph eighteen of subdivision a of section twenty-nine hundred three of the New York city charter and also of the right to challenge the notice of account and/or the quality of the work performed by filing a notice of claim with the office of the comptroller and thereafter a petition and commence a proceeding to review and/or correct the notice of account and/or the quality of the work performed under the direction of or by the department as provided in sections 19-152.2 and 19-152.3 of the code and specify the procedures as to how to appeal by filing a notice of claim with the office of the comptroller of the city of New York and how to file a petition and commence a proceeding to review and/or correct the notice of account and/or the quality of the work performed and the location where the forms may be obtained. *Prior to issuing an order pursuant to this subdivision, the department shall determine if either the department or the department of parks and recreation has any existing plans to install, construct, reconstruct, repave or repair a sidewalk flag which is the subject of the order, and if such plans exist, the order must notify the owner of such plans, except if work pursuant to such plans is scheduled to commence within 90 days then the department shall not issue such order.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 482

By Council Members Louis, Nurse, Abreu, Narcisse, Velázquez, Brooks-Powers and Ayala.

**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 report on polycystic ovary syndrome and endometriosis**

*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 17-199.3.2 to read as follows:

*§ 17-199.3.2 Report on polycystic ovary syndrome and endometriosis. a. No later than March 1, 2023, and annually thereafter, the department shall submit to the speaker of the council and post on the department's website a report on diagnosed cases of polycystic ovary syndrome and endometriosis in hospitals. To the extent such information is available to the department, such report shall include, but need not be limited to, the following information for the preceding calendar year for each hospital in the city:*

- 1. The total number of individuals who were diagnosed with polycystic ovary syndrome, including the age group and race or ethnicity of such individuals by percentage;*
- 2. The total number of individuals who were diagnosed with endometriosis, including the age group and race or ethnicity of such individuals by percentage; and*
- 3. Whether each such hospital has staff that specialize in polycystic ovary syndrome or endometriosis diagnosis and treatment, and if so, the total number of such staff.*

*b. Information required to be reported pursuant to this section shall be reported in a manner that does not violate any applicable provision of federal, state or local law relating to the privacy of personally identifiable information.*

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

Referred to the Committee on Health.

Int. No. 483

By Council Members Marte, Hudson, Hanif, Joseph, Nurse and Abreu.

**A Local Law to amend the New York city charter, in relation to requiring simultaneous translation of certain city public meetings**

*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 1063-a as follows:

§ 1063-a. *Language services in public meetings. a. Definitions. As used in this section:*

*City entity. The phrase “city entity” means any community board, task force and any entity subject to paragraph d of section 1063.*

*Simultaneous language services. The term “simultaneous language services” means (i) the contemporaneous interpretation of everything that is spoken in a public meeting from English into another language, including sign language, whether in person or via a real-time feed and whether by means of another person or software and (ii) if practicable, prior or simultaneous translation of written text central to the meeting at issue, including documents covered by subdivision e of section 103 of the public officers law.*

*b. Except as otherwise provided by law, each city entity, for every meeting thereof (i) that is required to be public pursuant to article 7 of the public officers law and which 65 or more members of the public are expected to attend, or (ii) that is open to the public pursuant to section 42, 43, 85 or 2800 of the charter, shall ensure that simultaneous language services for such meeting are available in each of the top three non-English languages spoken, as determined by the department of city planning, in the city or in the relevant borough or community district, as applicable.*

*c. Except as otherwise provided by law, each city entity, for every meeting thereof required by law to be public shall provide a mechanism by which members of the public may request simultaneous language services for any meeting or language not required by subdivision b of this section. Such city entity shall, upon receiving such a request, provide the requested simultaneous language services if possible. Providing such services is presumed to be possible if the request is received at least 72 hours in advance of the meeting at issue.*

*d. This section does not create any cause of action or constitute a defense in any legal, administrative or other proceeding, and does not authorize any violation of any other federal, state or local law.*

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

Referred to the Committee on Governmental Operations.

Int. No. 484

By Council Members Marte, Brannan, Nurse and Abreu.

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

*Be it enacted by the Council as follows:*

Section 1. Chapter 2 of Title 28 of the administrative code of the city of New York is amended by adding a new section 28-201.5 to read as follows:

*§28-201.5 Photographic Evidence of Violations. a. All notices of violation issued by the department for a violation, which as determined by the commissioner by rule is viewable and capable of being captured by photograph, shall contain a photograph of the underlying condition resulting in the violation.*

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

*c. The department shall publish on its website a list of violations subject to the requirements of subdivision a of this section.*

§ 2. This local law shall take effect 120 days after its enactment except that except that the commissioner may take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such date.

Referred to the Committee on Housing and Buildings.

Int. No. 485

By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, The Speaker (Council Member Adams), Hanif, Brooks-Powers, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Abreu, Velázquez, Williams, Ossé, Restler, Gennaro, Feliz, Fariás, Avilés, Mealy, Rivera, Hanks, Richardson Jordan, Moya, Vernikov and the Public Advocate (Mr. Williams).

**A Local Law to amend the administrative code of the city of New York, in relation to an electronic child care directory**

*Be it enacted by the Council as follows:*

Section 1. Chapter 13 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1308 to read as follows:

*§ 17-1308 Child care directory. a. Definitions. As used in this section, the term “child care program” means any program that meets the definition provided in subdivision d of section 47.01 of the New York city health code, and any program that provides child day care as such term is defined in paragraph (a) of subdivision 1 of section 390 of the New York state social services law, including group family day care homes, family day care homes and school age child care as such terms are defined in paragraphs (d), (e) and (f) of subdivision 1 of section 390 of the New York state social services law.*

*b. Electronic directory. By October 1, 2022, the department shall coordinate with the department of information technology and telecommunications to publish a website that provides a list of all child care programs located within the city. Such website shall include, for each child care program, the name, address, telephone number, program type, status of any permit or license required to operate the program, and whether such program is regulated by the state of New York or the city of New York. Such website shall include a search function that allows users to search by key words for child care programs by name and location, including by borough, city school district, community district and zip code.*

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

Referred to the Committee on General Welfare.

*Editor’s Note:* Int. No. 485 was re-assigned to the Committee on Women and Gender Equity on June 10, 2022.

## Int. No. 486

By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, The Speaker (Council Member Adams), Brooks-Powers, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Bottcher, Powers, Velázquez, Williams, Ossé, Hanif, Gennaro, Abreu, Feliz, Farías, Avilés, Mealy, Rivera, Hanks, Moya and the Public Advocate (Mr. Williams).

**A Local Law to amend the New York city charter, in relation to establishing a child care advisory board**

*Be it enacted by the Council as follows:*

Section 1. Chapter 24-b of title the New York city charter is amended by adding a new section 620 to read as follows:

§ 620 *Child care advisory board. a. Definitions. As used in this section, the term “board” means the child care advisory board established by this section.*

*b. Board established. There is hereby established a child care advisory board.*

*c. Duties. The board shall have the power and duty to conduct studies and reports on child care in the city, including to provide an assessment of the needs of the city’s child care programs, and the city’s progress towards providing universal child care. The board shall also have the power and duty to make recommendations to the mayor and the speaker of the council on legislation, regulation, policies, procedures and initiatives to help to make child care more affordable.*

*d. Membership. 1. The board shall be comprised of the following members:*

*(a) The commissioner of the administration for children’s services, or such commissioner’s designee;*

*(b) The chancellor of the city school district of the city of New York, or such chancellor’s designee;*

*(c) The commissioner of the department of health and mental hygiene, or such commissioner’s designee;*

*(d) One member to be appointed by the mayor;*

*(e) One member to be appointed by the speaker of the council;*

*(f) One member to be appointed by the comptroller; and*

*(g) One member to be appointed by the public advocate.*

*2. All members shall serve for a term of two years and shall serve without compensation. Members may be removed by the appointing officer for cause.*

*3. All appointments required by this section shall be made no later than 90 days after the effective date of the local law that added this section.*

*4. Upon appointment of all members, the board shall elect a chair from its membership by a majority vote of such board. Any vacancy on the board shall be filled in the same manner as the original appointment.*

*e. Meetings. The board shall keep a record of its deliberations and determine its own rules of procedure, which shall include a procedure or mechanism by which members of the public may make submissions to the board. The first meeting of the advisory board shall be convened within 120 days after the effective date of the local law that added this section. The board shall meet quarterly, and such meetings shall be open to the public.*

*f. Report. No later than September 1, 2023, and annually thereafter, the board shall submit a report to the mayor and the speaker of the council setting forth its assessment of child care programs in the city, and recommendations for making child care more affordable, and shall include, but need not be limited to, the following for the preceding fiscal year:*

*1. Any challenges child care programs faced in providing quality child care;*

*2. The city’s advancement towards universal child care, including any actions taken by city agencies or legislation or policies introduced;*

*3. The projected annual costs for the next five years associated with implementing universal child care;*

*4. The recommended costs associated with expanding child care subsidies to families in the city whose income equals up to 300% and 400% of the federal poverty guidelines; and*

*6. A summary of information the board considered in formulating its recommendations to make child care more affordable.*

§ 2. The title of section 619 of the New York city charter, as added by local law number 61 for the year 2010, is amended to read as follows:

*Juvenile justice advisory [Advisory] board.*

§ 3. This local law takes effect immediately.

Referred to the Committee on General Welfare.

*Editor's Note:* Int. No. 486 was re-assigned to the Committee on Women and Gender Equity on June 10, 2022.

Int. No. 487

By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, The Speaker (Council Member Adams), Hanif, Brooks-Powers, Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Bottcher, Abreu, Velázquez, Williams, Ossé, Restler, Gennaro, Feliz, Fariás, Avilés, Mealy, Rivera, Hanks, Moya and the Public Advocate (Mr. Williams).

**A Local Law to amend the administrative code of the city of New York, in relation to establishing a child care subsidy information portal**

*Be it enacted by the Council as follows:*

Section 1. Chapter 13 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-1308 to read as follows:

§ 17-1308 *Child care subsidy information portal. a. Within 180 days of the effective date of this local law, the department, in collaboration with the department of health and mental hygiene and the department of information technology and telecommunications, shall create and maintain on the department's website a publicly accessible online portal of information on child care subsidies. The portal shall include, but need not be limited to, the following information:*

- 1. Each child care subsidy provided by local, state and federal agencies;*
- 2. Eligibility requirements for each such subsidy;*
- 3. Instructions on how to apply for each such subsidy; and*
- 4. All of the forms needed to apply for each such subsidy, including electronic forms that may be submitted for application through the portal as practicable.*

*b. Privacy. The department, in consultation with the mayor's office of information privacy, shall ensure the online portal as required by subdivision a of this section is secure to protect the privacy of families who access and utilize such portal to obtain information about and apply for child care subsidies.*

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

Referred to the Committee on General Welfare.

*Editor's Note:* Int. No. 487 was re-assigned to the Committee on Women and Gender Equity on June 10, 2022.

Int. No. 488

By Council Members Menin, Ayala, Schulman, Riley, Won, Narcisse, Hudson, Joseph, De La Rosa, Stevens, Gutiérrez, Cabán, Louis, Lee, The Speaker (Council Member Adams), Hanif, Brooks-Powers, Krishnan, Dinowitz, Sanchez, Nurse, Marte, Ung, Bottcher, Abreu, Velázquez, Williams, Ossé, Restler, Gennaro, Feliz, Fariás, Avilés, Mealy, Rivera, Moya and the Public Advocate (Mr. Williams).

**A Local Law to amend the administrative code of the city of New York, in relation to establishing a child care program fund**

*Be it enacted by the Council as follows:*

Section 1. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-922 to read as follows:

§ 21-922 *Child care program fund. a. Definitions. As used in this section, the term “fund” means the child care program fund established by this section.*

*b. Fund. 1. No later than July 1, 2023, the commissioner shall establish, subject to appropriation, a child care program fund from which grants may be awarded to child care programs, in accordance with the requirements of this section.*

*2. The commissioner may award to a child care program annually a grant in an amount equal to \$1,000 per full-time employee of the child care program, up to a maximum of 20 full-time employees, except that the total combined grants paid to all child care programs in a fiscal year shall not exceed the appropriations for the fund for such fiscal year. The commissioner may award a grant to a child care program pursuant to this section only if the commissioner determines that there is a significant risk of closure or displacement of the child care program, and the child care program:*

*(a) Files an application for the grant with ACS on a form prepared by the commissioner;*

*(b) Certifies the number of full-time employees employed by the child care program; and*

*(c) Meets any other requirements for the grant established by rules promulgated by the commissioner in accordance with this section.*

*c. Rules. No later than May 1, 2023, the commissioner shall promulgate rules to carry out the provisions of this section, including with respect to criteria for determining how grant awards from the fund may be allocated to child care programs each year in the most equitable manner.*

*d. Report. No later than September 1, 2024, and annually thereafter, the commissioner shall submit to the mayor and the speaker of the council a report that includes, but need not be limited to, the following information for each grant awarded pursuant to this section in the preceding fiscal year:*

*1. The name and address of the grant recipient;*

*2. The amount of the grant;*

*3. The type of child care program operated by the grant recipient;*

*4. Whether the grant recipient has previously received a grant under this section, and if so, the amount of each such grant; and*

*5. The reasons for providing a grant to the grant recipient.*

*e. Website. No later than July 1, 2023, ACS shall post on its website, and update as appropriate, information on child care program grants available through the fund. Such information shall include, but need not be limited to, eligibility for grants, instructions for the application process and required documentation.*

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

*Editor’s Note: Int. No. 488 was re-assigned to the Committee on Women and Gender Equity on June 10, 2022.*

Int. No. 489

By Council Members Menin, Louis, The Speaker (Council Member Adams), Krishnan, Brewer, Dinowitz, Sanchez, Nurse, Marte, Ung, Schulman, Bottcher, Abreu, Velázquez, Williams, Ossé, Hanif, Feliz, Farías, Avilés, Mealy, Rivera, Cabán, Moya, Gennaro, De La Rosa and the Public Advocate (Mr. Williams).

**A Local Law to amend the administrative code of the city of New York, in relation to a child care certification program**

*Be it enacted by the Council as follows:*



Section 1. Subchapter 1 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-119.6 to read as follows:

§ 3-119.6 *Child care certification program. a. Definitions. As used in this section, the following terms have the following meanings:*

*Administering agency. The term “administering agency” means the agency that the mayor designates to administer the child care certification program established by this section.*

*Child care. The term “child care” means care for a child on a regular basis provided away from the child’s residence for less than 24 hours per day by a person other than the parent, step-parent, guardian or relative within the third degree of consanguinity of the parents or step-parents of such child.*

*Program. The term “program” means the child care certification program established by this section.*

*b. Certification. The mayor shall designate an agency to administer a child care certification program by which building owners that provide space in buildings for child care programs may apply to be recognized as a child care certified building by the administering agency. A certification issued pursuant to this section shall be valid for a period of three years, and may be renewed upon satisfaction of the requirements set forth in this section. The administering agency shall provide to a building owner issued a certification pursuant to this section a seal stating the building’s status as a child care certified building, which may be placed on the interior of the front door of the building.*

*c. Requirements. The administering agency shall issue a certification pursuant to this section to any building owner that:*

- 1. Applies for certification on a form prescribed by the administering agency;*
- 2. Provides documentation that a child care program with a valid permit or license to operate is located in such owner’s building; and*
- 3. Complies with the requirements of this section and any other requirements as prescribed by the administering agency.*

*d. Program. The program shall include, but need not be limited to, the following:*

- 1. A process for building owners to apply for certification pursuant to this section;*
- 2. Assistance to ensure that the space in buildings provided for child care programs meet the requirements for operation of such programs; and*
- 3. Any other non-financial assistance that the administering agency deems appropriate.*

*e. Renewal. A certification issued pursuant to this section shall expire three years after the date of issuance. To renew a certification, a building owner shall submit an application for renewal on a form, and provide other relevant documentation, as prescribed by the administering agency.*

*f. Revocation. The administering agency may revoke a building owner’s certification upon finding that such owner has failed to comply with the requirements of the program.*

*g. Website. The administering agency shall maintain, and update as necessary, a database on the administering agency’s website of all buildings that are certified pursuant to this section.*

§ 2. This local law takes effect 120 days after it becomes law, except that the administering agency 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 General Welfare.

*Editor’s Note: Int. No. 477 was re-assigned to the Committee on Women and Gender Equity on June 10, 2022.*

Int. No. 490

By Council Members Menin, Louis, Hudson, Hanif, Nurse, Narcisse, Avilés, Velázquez, Brooks-Powers, Ayala and The Speaker (Council Member Adams).

**A Local Law to amend the administrative code of the city of New York, in relation to the establishment of an office of sexual and reproductive health within the New York city department of health and mental hygiene**

*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 Office of sexual and reproductive health. a. The department shall establish an office of sexual and reproductive health. Such office shall have the power and duty to:*

*1. Provide outreach, education, and support to adults, and adolescents, especially low-income individuals and those without health insurance, regarding issues related to sexual and reproductive health, including but not limited to:*

*(a) Contraception, including a broad range of methods such as long-acting reversible contraception;*

*(b) Preconception health services;*

*(c) Abortion services;*

*(d) Family planning services;*

*(e) Counseling and testing for HIV;*

*(f) Testing and treatment for sexually transmitted infections;*

*(g) Routine screening for breast and cervical cancer; and*

*(h) Health education in community settings to promote reproductive health, to prevent unintended pregnancy, and to promote access to reproductive and preventive health services.*

*2. Make referrals to affordable and accessible services related to contraception, abortion, family planning, breast and cervical cancer screenings, and counseling, testing, and treatment for HIV and sexually transmitted infections.*

*3. Conduct research on sexual and reproductive health disparities across New York city.*

*§ 2. This local law takes effect 1 year after it becomes law.*

Referred to the Committee on Health.

Int. No. 491

By Council Members Menin, Abreu and Restler.

**A Local Law to amend the administrative code of the city of New York, in relation to reducing civil penalties where food service establishments donate left over food**

*Be it enacted by the Council as follows:*

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

*§ 16-144 Food donations. a. As used in this section, the following terms have the following meanings:*

*Eligible violation. The term “eligible violation” means (i) a violation which is set forth in rule by the department as eligible for the food donation program and (ii) a violation issued for a failure to comply with any provision of the code or the rules of the city of New York, which is enforced by the department and requires source separation, the recycling of designated materials or the posting of signage.*

*Food service establishment. The term “food service establishment” means a premises or part of a premises where food is provided directly to the consumer whether such food is provided free of charge or sold, and whether consumption occurs on or off of the premises or is provided from a pushcart, stand or vehicle and shall include, but not be limited to, full-service restaurants, fast food restaurants, cafes, delicatessens, coffee shops, grocery stores, vending trucks or carts and cafeterias.*

*Not-for-profit corporation. The term “not-for-profit corporation” means a not-for-profit corporation as defined in subparagraph 5 or subparagraph 7 of subdivision a of section 102 of the New York state not-for-profit corporation law.*

*Qualifying excess food. The term “qualifying excess food” means food that (i) such food service establishment does not intend to make, or intends to stop making available to its customers and (ii) meets all quality and labeling standards imposed by federal, state and local laws and rules.*

*b. Notwithstanding any other provision of law, the commissioner shall establish a food donation program. Such program shall allow an owner of a food service establishment who is issued an eligible violation to have the civil penalties for such violation waived where such owner (i) had not received the same or a substantially similar violation within the six month period prior to the issuance of such eligible violation, (ii) enters into an agreement, approved by the department, with a not-for-profit corporation to donate such establishment’s qualifying excess food for a period to be determined by the department and (iii) provides to the department, at the end of such period, a statement from such not-for-profit corporation certifying that such establishment has donated its qualifying excess food over such period.*

*c. An owner who enters into such a regulatory agreement pursuant to subdivision b of this section and is found not to be in compliance with such agreement shall have the original civil penalty reinstated and doubled.*

§ 2. Title 20 of the administrative code of the city of New York is amended by adding a new chapter 16 to read as follows:

**CHAPTER 16  
INCENTIVIZING FOOD DONATIONS**

§ 20-1601 *Incentivizing food donations.*

§ 20-1601 *Incentivizing food donations. a. As used in this chapter, the following terms have the following meanings:*

*Eligible violation. The term “eligible violation” means (i) a violation which is set forth in rule by the department as eligible for the food donation program and (ii) a violation which is issued for a failure to comply with any provision of the code or the rules of the city of New York which is enforced by the department and requires the display of prices, the accuracy of scanners or the posting of signage.*

*Food service establishment. The term “food service establishment” means a premises or part of a premises where food is provided directly to the consumer whether such food is provided free of charge or sold, and whether consumption occurs on or off of the premises or is provided from a pushcart, stand or vehicle and shall include, but not be limited to, full-service restaurants, fast food restaurants, cafes, delicatessens, coffee shops, grocery stores, vending trucks or carts and cafeterias.*

*Not-for-profit corporation. The term “not-for-profit corporation” means a not-for-profit corporation as defined in subparagraph 5 or subparagraph 7 of subdivision a of section 102 of the New York state not-for-profit corporation law.*

*Qualifying excess food. The term “qualifying excess food” means food that (i) such food service establishment does not intend to make, or intends to stop making available to its customers and (ii) meets all quality and labeling standards imposed by federal, state and local laws and rules.*

*b. Notwithstanding any other provision of law, the commissioner shall establish a food donation program. Such program shall allow an owner of a food service establishment who is issued an eligible violation to have the civil penalties for such violation waived where such owner (i) has not received the same or a substantially similar violation within the six month period prior to the issuance of such eligible violation, (ii) enters into an agreement, approved by the department, with a not-for-profit corporation to donate such establishment’s qualifying excess food for a period to be determined by the department and (iii) provides to the department, at the end of such period, a statement from such not-for-profit corporation certifying that such establishment has donated its qualifying excess food over such period.*

*c. An owner who enters into such a regulatory agreement pursuant to subdivision b of this section and is found not to be in compliance with such agreement shall have the original civil penalty reinstated and doubled.*

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

Referred to the Committee on Small Business.

## Res. No. 200

**Resolution declaring January 22, 2023 as *Roe v. Wade* Day in the City of New York to commemorate the 50th anniversary of the landmark United States Supreme Court decision.**

By Council Members Menin, Hanif, Brooks-Powers, Nurse, Ung, Abreu, Louis and The Speaker (Council Member Adams), Restler, Avilés, Cabán, Farías, Ossé, De La Rosa, Dinowitz, Narcisse, Marte, Krishnan and Ayala

**Whereas,** In 1970, Jane Roe filed a lawsuit on behalf of herself and others against Dallas County Texas District Attorney Henry Wade, challenging a Texas law making abortion illegal except by a doctor's orders to save a woman's life; and

**Whereas,** In the lawsuit, Roe argued the state abortion laws were unconstitutionally vague and abridged her right of personal privacy as protected by the First, Fourth, Fifth, Ninth and Fourteenth Amendments; and

**Whereas,** On January 22, 1973, the United States (U.S) Supreme Court issued a 7-2 decision in favor of Jane Roe, ruling that women had a fundamental right to choose whether or not to have an abortion without excessive government restriction, thereby striking down Texas's abortion ban as unconstitutional; and

**Whereas,** *Roe v. Wade* ruled the U.S. Constitution provided a right to privacy protecting a person's right to choose, it also decided the right to abortion is not absolute and must be balanced against the government's interest in protecting health and prenatal life; and

**Whereas,** According to the World Health Organization (WHO), unsafe abortion is a leading but preventable cause of maternal deaths and morbidities around the world, and the proportion of unsafe abortions is significantly higher in countries with highly restrictive abortion laws than in countries with less restrictive laws; and

**Whereas,** According to the 2020 WHO list of essential health care services, comprehensive abortion care can be effectively managed by a wide range of health workers using medication or a surgical procedure and is deemed a safe health care intervention; and

**Whereas,** In 1970, New York State legalized abortion up to 24 weeks into a pregnancy, becoming the first state in the country to provide the freedom of choice for individuals to terminate their pregnancies regardless of residency; and

**Whereas,** On January 22, 2019, New York State enacted the Reproductive Health Act (RHA), removing abortion (as a homicide exception) in the State criminal code, codifying the rights to an abortion laid out in *Roe v. Wade*, and expanding the types of health care professionals permitted to practice abortion health services; and

**Whereas,** A recent first draft majority opinion circulated inside and outside the court written by Justice Samuel Alito, would, if adopted, seemingly rule in favor to strike down the landmark *Roe v. Wade* decision; and

**Whereas,** According to the Centers for Disease Control and Prevention (CDC) in 2019, 7,000 or nine percent of pregnancy termination procedures in New York state were for people from other states, and in preparation for a potential dismantling of *Roe v. Wade*, the CDC estimated the number of pregnancy terminations in New York state to increase by four and half times to 32,000 from Ohio and Pennsylvania residents alone; and

**Whereas,** In anticipation of the Supreme Court overturning *Roe v. Wade*, New York State Governor Hochul's Fiscal Year 2023 Budget announced a \$35 million investment to directly support abortion providers and enshrined into law a requirement for health plans to cover abortion services without cost-sharing in order to provide access for the possible influx of individuals seeking safe and affordable care; and

**Whereas,** New York has historically upheld a person's right to reproductive healthcare choices by safeguarding and expanding legislative protections in favor of promoting gender equality and reproductive justice for all; now, therefore be it

**Resolved,** That the Council of the City of New York recognizes January 22, 2023 as *Roe v. Wade* Day in the City of New York to commemorate the 50th anniversary of the landmark United States Supreme Court decision.

Referred to the Committee on Women and Gender Equity.

## Int. No. 492

By Council Members Moya, Hudson, Brannan, Hanif, Brewer, Nurse, Ung, Restler, Won and Riley.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring third-party food delivery services to agree to reimburse third-party food delivery workers for certain costs related to vehicle crashes that happen during deliveries**

*Be it enacted by the Council as follows:*

Section 1. Paragraph 2 of subdivision a of section 20-933 of the administrative code of the city of New York, as added by local law number 140 for the year 2016, is amended to read as follows:

2. Any action alleging a violation of section 20-928 or 20-937 shall be brought within two years after the acts alleged to have violated this chapter occurred.

§ 2. Subdivision b of section 20-933 of the administrative code of the city of New York, as added by local law number 140 for the year 2016, is amended by adding a new paragraph 5 to read as follows:

5. *Violations of section 20-937. In addition to any other damages awarded pursuant to this chapter or other law, a plaintiff who prevails on a claim alleging a violation of section 20-937 is entitled to an award of statutory damages of \$1,000.*

§ 3. Chapter 10 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-937 to read as follows:

§ 20-937 *Delivery workers. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Delivery services contract. The term “delivery services contract” means a contract or other agreement between a third-party food delivery service and a third-party food delivery worker for delivery services.*

*Food service establishment. The term “food service establishment” means a place where food is provided for individual portion service directly to the consumer, whether such food is provided free of charge or sold, and whether consumption occurs on or off the premises or is provided from a pushcart, stand or vehicle.*

*Third-party food delivery service. The term “third-party food delivery service” means any website, mobile application or other internet service that offers or arranges for the sale of food and beverages prepared by, and the same-day delivery or same-day pickup of food and beverages from, no fewer than 20 food service establishments located in the city that are owned and operated by different persons.*

*Third-party food delivery worker. The term “third-party food delivery worker” means a person contracted by a third-party food delivery service to make deliveries.*

*Vehicle. The term “vehicle” means a device by which a person or property is or may be transported or drawn upon a street.*

*Vehicle crash. The term “vehicle crash” means the unintentional collision of a vehicle with a person or property.*

*b. Delivery services contracts. A delivery services contract entered into on or after the effective date of the local law that added this section shall provide that the third-party food delivery service shall pay, or reimburse the third-party food delivery worker, for all out-of-pocket costs of medical services and property repair or replacement incurred by the third-party food delivery worker in connection with a vehicle crash that occurs during the course of delivery services. A third-party food delivery service is not required by this section to agree to cover out-of-pocket costs reimbursed by another person. For purposes of this section, the course of delivery services includes travel to a food service establishment to pick up an order and travel to a customer to deliver an order.*

*c. The requirements of this section do not apply to a contract or other agreement between an employer and an employee.*

*d. This section shall not be construed to apply to or affect the labor law in a manner that supersedes a state law.*

*e. In addition to any other penalty authorized by this chapter or other law, a third-party food delivery service shall be subject to a civil penalty of \$500 for each delivery services contract such service enters into that does not meet the requirements of this section.*

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

Referred to the Committee on Small Business.

Res. No. 201

**Resolution calling upon New York State Legislature to establish full insurance coverage for fertility treatments.**

By Council Members Narcisse, Louis, Hanif, Brooks-Powers, Joseph, Nurse, Gutiérrez, Restler, Won, Avilés and Ayala.

**Whereas**, Fertility, broadly speaking, is the ability to produce offspring through reproduction or the reproductive process; and

**Whereas**, Infertility is a medical condition recognized by the World Health Organization and the American Society for Reproductive Medicine, that affects about 9% of American men and 10% of American women; and

**Whereas**, According to the Centers for Disease Control and Prevention, 1 in 8 couples have difficulty getting pregnant or sustaining a pregnancy; and

**Whereas**, Infertility affects a broad spectrum of prospective parents, no matter what race, religion, sexual orientation, or economic status; and

**Whereas**, Same-sex couples, uncoupled adults, and asexual adults, among others, uniquely experience fertility and infertility challenges; and

**Whereas**, According to the Center for Reproductive Rights, fertility implicates and affects multiple human rights, including the rights to plan the timing and spacing of children, benefit from scientific progress, health, sexual and reproductive health, and non-discrimination; and

**Whereas**, According to Columbia University Medical Center, infertility cuts across socioeconomic, racial, ethnic and religious lines, and cost is the number one barrier to seeking family building assistance, as 46% of affected people lack insurance coverage for treatment of infertility; and

**Whereas**, According to the Center for Reproductive Rights, issues of infertility can create devastating social stigma rooted in harmful stereotypes, particularly for same-sex couples and individuals seeking fertility care and treatments; and

**Whereas**, The price for fertility treatment ranges between \$10,000 to \$20,000 per attempt at conception through In Vitro fertilization (IVF), according to American Society for Reproductive Medicine, keeping the possibility of a child out of reach for many; and

**Whereas**, As of January, 2020, New York Insurance Law §§ 3221(k)(6)(C) and 4303(s)(3) requires large group insurance policies and contracts that provide medical, major medical, or similar comprehensive-type coverage in New York to cover three cycles of IVF used in the treatment of infertility; and

**Whereas**, The existing state law provides up to three IVF cycles to people who are insured through an employer with over 100 employees who provides qualifying coverage; and

**Whereas**, The existing state law also provides medically necessary fertility preservation treatments for people facing infertility caused by medical intervention or conditions; and

**Whereas**, The existing state law prohibits the delivery of insurance coverage from discriminating based on age, sex, sexual orientation, marital status, or gender identity; and

**Whereas**, There are still limitations and mandates that exclude many New Yorkers from these services such as (1) People on Medicaid; (2) People who receive their health insurance from the Exchange in New York; (3) Employees of small companies of fewer than 100 employees; (4) Employees of companies that self-insure with over 1,000 employees; (5) and People with health insurance provided by the Federal government; and

**Whereas**, Although the State's requirement for some IVF coverage is relatively progressive, many plan participants who need such services to build families are excluded from coverage due to the requirement for an infertility diagnosis; and

**Whereas**, The State's requirement for an infertility diagnosis operates to exclude IVF coverage for couples and individuals who do not have an infertility diagnosis, particularly, same-sex couples, uncoupled adults, asexual adults, and others; and

**Whereas**, Many of other treatments and services related to family building, particularly those services most often utilized for family planning by same-sex couples, uncoupled adults, and asexual adults, including gamete and embryo freezing surrogacy, and adoption; and

**Whereas**, According to Kaiser Family Foundation, the high cost and limited coverage of fertility services make this care inaccessible to many low income people, communities of color, LTbQ+ populations, and other marginalized groups who may need it, but are unable to afford it; and

**Whereas**, Broadening the definition and understanding of infertility and guaranteeing fair distribution of fertility treatments is imperative so that everyone has an equal opportunity to plan their families, regardless of gender, race, or sexual orientation; and

**Whereas**, It is time for New York State to guarantee insurance coverage for all fertility treatments to achieve greater equity, and fulfill a fundamental human right to basic reproductive essential health care; now, therefore be it

**Resolved**, That the Council of the City of New York calls upon New York State Legislature to establish full insurance coverage for fertility treatments.

Referred to the Committee on Health.

Int. No. 493

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

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of sanitation to establish a plan for accepting commercial solid waste at city-owned marine transfer stations**

*Be it enacted by the Council as follows:*

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

*§ 16-144 Commercial solid waste processed at marine transfer stations. a. No later than March 1, 2023, the commissioner shall submit to the mayor and the speaker of the council, and make publicly available online, a plan for accepting and processing putrescible and non-putrescible waste from commercial establishments at each city-owned marine transfer station that is accepting, or is scheduled to accept, solid waste. For each city-owned marine transfer station, such plan shall include, at a minimum, (i) the date upon which each city-owned marine transfer station will begin accepting commercial putrescible and non-putrescible solid waste, and (ii) a description of the department's past efforts and planned efforts to attract commercial solid waste to such station, including whether the city will subsidize tipping fees associated with such waste in whole or in part.*

*b. No later than March 1, 2025, and by March 1 every year thereafter, the commissioner shall submit to the mayor and the speaker of the council, and make publicly available online, a report on implementation of such plan. For each city-owned marine transfer station, such report shall include, at a minimum, the amount of putrescible and non-putrescible solid waste accepted and processed by such station from commercial establishments in the previous calendar year.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Sanitation and Solid Waste Management.

## Int. No. 494

By Council Members Nurse, Joseph, Abreu and Restler (by request of the Manhattan Borough President).

**A Local Law in relation to a study of single-use plastics**

*Be it enacted by the Council as follows:*

Section 1. As used in this local law, the following terms have the following meanings:

Plastic. The term “plastic” means a synthetic material made from organic polymers, including, but not limited to, polypropylene and polystyrene, that can be molded into shape while soft, and then set into a rigid or slightly elastic form.

Single-use. The term “single-use” means a product that is designed and intended to be used only once for drinking, eating, or packaging retail goods for sale or delivery; and is generally recognized by the public as an item that is to be discarded after one use.

§ 2. Single-use plastics study. 1. The department of sanitation shall, in consultation with the department of consumer and worker protection, the department of health and mental hygiene, the department of environmental protection, the department of small business services and the mayor's office for people with disabilities, conduct a comprehensive study of new waste policy initiatives that would reduce the sale, distribution and use of single-use plastic items and advance environmental justice in the city in such sale, distribution and use. In conducting the study, the department of sanitation, at a minimum, shall:

(a) Conduct a thorough review of the research and literature on reducing single-use plastic items and on the impact of such items on marginalized communities;

(b) Review laws or regulations in other jurisdictions aimed at reducing consumer reliance on single-use plastic items and on advancing environmental justice through the reduction of such items, including any effectiveness data and reports available that review the implementation of such laws or regulations;

(c) Conduct interviews of scientists, experts, government officials and representatives of not-for-profit organizations, including environmental justice organizations, with relevant expertise;

(d) Assess the alternatives to single-use plastic items, including availability, cost and whether such alternatives are compatible with the overall goal of waste reduction, the city's existing recycling and composting programs and with advancing environmental justice in the city;

(e) Conduct a comprehensive review of the recyclability of single-use plastic items, whether through use of city-operated recycling facilities or facilities operated by other entities, and identify categories of single-use plastics that should be prioritized for reduction. As part of this review, the department shall examine the market demand for post-consumer recycled materials and identify opportunities for increasing such market demand;

(f) Consult with representatives of affected groups including, but not limited to, consumers, including people with disabilities and people especially impacted by environmental and health hazards resulting from the use and disposal of single-use plastic items in the city, business owners, trade associations and labor unions; and

(g) Retain any experts such department may require to carry out the study.

§ 3. The department of sanitation shall on December 1, 2023 submit a final report of its findings to the mayor and the speaker of the council. The report shall include recommendations for legislation or regulatory actions that would achieve the objective of reducing single-use plastics in the city and advancing environmental justice through such reduction.

§ 4. This local law takes effect immediately and remains in effect until the department of sanitation has submitted to the mayor and the speaker of the council the report required by section 3 of this local law.

Referred to the Committee on Sanitation and Solid Waste Management.

## Int. No. 495

By Council Members Nurse, Brooks-Powers, Louis, Hudson, Hanif, Joseph, Gutiérrez, Abreu and Restler.



**A Local Law in relation to requiring the department of transportation to conduct a pilot project on the use of cool pavement**

*Be it enacted by the Council as follows:*

Section 1. Cool pavement pilot project. a. Definitions. For purposes of this section, the term “cool pavement” means porous, permeable, light-colored or other pavement and pavement coatings designed to reduce pavement temperatures and ambient air temperatures.

b. The department of transportation shall conduct a one-year pilot project for the use of cool pavement on city streets in one or more locations. As part of such pilot project, the department shall assess the range of options for cool pavement and the technical feasibility, temperature and other environmental impacts and all anticipated costs of such options. The department shall post on its website and submit to the mayor and the council a report on the results of the pilot project no later than 180 days after the pilot concludes.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Res. No. 202

**Resolution calling on the New York City Department of Sanitation and the Department of Parks and Recreation to continue to engage and collaborate with local communities to encourage and allow community composting to be carried out on parkland.**

By Council Members Nurse, Krishnan, Hanif, Brewer, Joseph, Bottcher, Abreu, Restler, and Won.

**Whereas**, Compost is organic material consisting of materials such as leaves, grass, food scraps and non-recyclable paper that can be added to soil to assist in the growth of vegetation, and is often used to beautify parks and gardens, as well as for landfill developments; and

**Whereas**, The average New York City resident disposes of approximately 15 pounds of waste at home per week, which combined totals more than three million tons of residential waste altogether per year for the entire City, not including waste from commercial establishments; and

**Whereas**, Approximately 31 percent of what New Yorkers dispose of in the trash is food scraps, yard waste and soiled paper that cannot be recycled; and

**Whereas**, When these materials are sent to landfills to decompose, they release methane gas, a greenhouse gas that is more potent than carbon dioxide; and

**Whereas**, Instead of sending these materials to landfills, they can be composted and be used to benefit the environment and the City by enriching soil, retaining moisture and suppressing plant diseases and pests, reduce reliance on chemical fertilizers and reduce methane emissions from landfills; and

**Whereas**, Historically, the vast majority of composting that occurred in New York City was conducted at the community level, through the City’s green markets, at non-profits and at neighborhood composting sites in locations such as community gardens and certain parks; and

**Whereas**, In prior years, the New York City Department of Sanitation (DSNY) and the Department of Parks and Recreation (DPR) entered into a Memorandum of Understanding that DSNY collect leaves and yard trimmings separately from solid waste so they can be recycled as mulch and compost at parklands under DPR where composting and mulching sites could be established; and

**Whereas**, The City created the NYC Compost Project in 1993, which provided education on composting, as well as fostered community level composting initiatives throughout the City; and

**Whereas**, In 2013, DSNY began offering curbside organic waste collection services to residents of Westerleigh, Staten Island in a pilot program to test the feasibility of collecting such waste from people’s homes; and

**Whereas**, This program was deemed a success and later expanded to over 100,000 households across the City; and

**Whereas,** On May 4, 2020, DSNY announced the suspension of the curbside composting program through June 30, 2021 due to budget cuts, however residents can make their own compost and were encouraged to do so; and

**Whereas;** The suspension included the closures of food scrap drop-off sites due to social distancing mandates and budget cuts to GrowNYC's zero waste programs and the NYC Compost Project; and

**Whereas,** On April 22, 2021, then-Mayor de Blasio announced that the City would resume the NYC Compost Project and it would be available to 3.5 million City residents who were previously enrolled in the project and launched opportunities for new residents and building owners to enroll on the project in August 2021, with collection services beginning in October 2021; and

**Whereas,** However, composting service resumed in only seven community board districts, including four districts in Brooklyn, one in the Bronx and two in Manhattan, instead of resuming citywide; and

**Whereas,** Mayor Eric Adams (Mayor Adams) has proposed \$18.2 million in budget cuts for fiscal year 2023, which includes suspending curbside compost pickup; and

**Whereas,** Mayor Adams has stated that there are not enough residents participating in the project, which is therefor costing the City too much by sending out trucks to areas where only 10 percent of residents are putting out compost; and

**Whereas,** However, City residents who support composting have expressed that the project is not available in their districts or buildings; and

**Whereas,** Climate advocates have expressed concerns that these closures and budget cuts will have negative impacts on the City, including potential for more greenhouse gases affecting the environment, and also puts necessary environmental and social services at a low priority; and

**Whereas,** These budget cuts, and suspending the curbside composting project, puts the City in jeopardy of losing nearly half of its composting capacity which will not benefit the City in reducing its greenhouse gases and potentially further delay the City's goal of sending zero waste to landfills by 2030; now, therefore, be it

**Resolved,** That the Council of the City of New York calls on the New York City Department of Sanitation and the Department of Parks and Recreation to continue to engage and collaborate with local communities to encourage and allow community composting to be carried out on parkland.

Referred to the Committee on Parks and Recreation.

Int. No. 496

By Council Members Powers, Brewer, Rivera, Menin, Bottcher, Abreu, Ayala, Marte and Louis (in conjunction with the Manhattan Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to an exemption from the commercial rent tax**

*Be it enacted by the Council as follows:*

Section 1. Subdivision a of section 11-704 of the administrative code of the city of New York, as amended by chapter 2 of the laws of 2005, is amended to add a new paragraph 7 to read as follows:

7. Any tenant who uses the premises solely for advertising when such premises are located in the "Theater Subdistrict," as defined by section 81-71 of the zoning resolution of the city of New York.

§ 2. This local law takes effect on June 1, 2022.

Referred to the Committee on Finance.

Int. No. 497

By Council Members Powers, Yeger, Brewer, Rivera, Menin, Bottcher, Abreu, Ayala, Marte and Louis (in conjunction with the Manhattan Borough President).

**A Local Law in relation to a temporary exemption from the payment of the commercial rent tax for certain businesses**

*Be it enacted by the Council as follows:*

Section 1. a. Definitions. For the purposes of this local law, the following terms have the following meanings:

Taxable premises. The term “taxable premises” has the same meaning as set forth in section 11-701 of the administrative code of the city of New York.

Tenant. The term “tenant” has the same meaning as set forth in section 11-701 of the administrative code of the city of New York.

b. Notwithstanding any local law to the contrary, a tenant shall be exempt from the payment of the tax imposed by chapter 7 of title 11 of the administrative code of the city of New York for the tax years beginning on June 1, 2022, June 1, 2023 and June 1, 2024, if, in the regular course of business during such years, the tenant’s taxable premises was occupied or used primarily for the purpose of: (i) selling or renting goods directly to the public; (ii) providing services to consumers at retail; or (iii) providing food or beverage for individual portion service directly to the consumer, whether consumption occurs on or off the premises or is provided from a pushcart, stand or vehicle.

§ 2. This local law takes effect immediately and is retroactive to and deemed to have been in effect as of June 1, 2022.

Referred to the Committee on Finance.

Int. No. 498

By Council Members Powers, De La Rosa, Restler, Abreu, Yeger, Hanif, Brewer, Cabán, Nurse, Avilés and Won (by request of the Manhattan Borough President).

**A Local Law to amend the New York city charter, in relation to reporting on moneys on deposit**

*Be it enacted by the Council as follows:*

Section 1. Subdivision 1 of section 1523 of the New York city charter, as amended by a vote of the electors on November 7, 1989, is amended to read as follows:

1. The commissioner shall deposit all moneys which shall come into the commissioner's hands on account of the city on the day of receipt thereof, or on the business day next succeeding, in such banks and trust companies as shall have been designated as deposit banks, but no amount shall be on deposit at any one time in any one bank or trust company exceeding one-half of the amount of the capital and net surplus of such bank or trust company. The moneys so deposited shall be placed to the account of the commissioner who shall keep a record in which shall be entered the commissioner's accounts of deposits in, and moneys drawn from, the banks and trust companies in which the deposits shall be made. Each such bank and trust company shall transmit to the comptroller a weekly statement of the moneys which shall be received and paid by it on account of the commissioner. *The commissioner shall submit to the speaker of the council, and post on the department’s website, a quarterly report on or before the second Monday of March, June, September and December in each year. Each quarterly report shall include, but need not be limited to, the following information regarding such accounts of deposit for the immediately preceding quarter: the name and/or purpose for each account, the account type and/or classification for each account, the average daily balance for each account, the interest rate or earning allowance for each account, the interest earned for each account and the costs and fees reported*

*both net and gross of any earnings allowances for each account. Such information shall also be re-aggregated by bank or trust company.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Finance.

Int. No. 499

By Council Members Powers, Restler, De La Rosa, Abreu, Hanif, Brewer, Cabán, Nurse, Avilés and Won (at the request of the Manhattan Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to the reporting on non-depository city financial services**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 1 of chapter 1 of title three of the administrative code of the city of New York is amended to add new section 3-119.6 to read as follows:

§ 3-119.6 *Quarterly Reports on Non-Depository City Financial Services. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*City bond. The term “city bond” means the city’s general obligation bonds, the general obligation, tax-lien-asset-backed, appropriation-backed, revenue-backed, and legal-settlement-backed bonds of the city, its component units, and state instrumentalities whose accounts are subject to the supervision and audit of the city comptroller.*

*City note. The term “city note” means the city’s short term debts in the form of tax anticipation notes, bond anticipation notes, and revenue anticipation notes as authorized by section 266 of the charter.*

*Component unit. The term “component unit” means a financial reporting entity that is a legally separate organization from the city but for which the city is financially accountable.*

*Financial institution. The term “financial institution” means a bank, savings and loan association, thrift, credit union, investment company, mortgage banker, mortgage broker, trust company, savings bank, securities broker, municipal securities broker, securities dealer, municipal securities dealer, securities underwriter, municipal securities underwriter, investment trust, bank holding company, finance company or financial services holding company.*

*Non-depository city financial services. The term “non-depository city financial services” means all financial services provided to the city by financial institutions, including payroll, lockbox, advisory, management, bond underwriting services, but excluding depository services at financial institutions designated by the city banking commission.*

*b. Reports Required. Beginning no later than January 31, 2023, and no later than the last day of the month following each calendar quarter thereafter, the director of management and budget shall post on the office of management and budget’s website and submit to the speaker of the council a report regarding use of non-depository city financial services provided by financial institutions that includes, at a minimum, the following information for the immediately-preceding quarter:*

*1. End of quarter balances, quarterly fees, and quarterly returns on any money market account holding city funds;*

*2. For each city bond and city note, whether each bond or note issue was competitively bid or negotiated and its issuance costs, which include, but are not limited to, underwriting costs, underwriters’ discount, bond or note counsel fees, bond or note rating fees, or fees for letters of credit or other credit enhancements, and any other issuance cost typically included in bond or note official statements, aggregated by financial institution, by service type, and by bond or note series;*

*3. The amount and cost of any credit default swap payment, aggregated by swap and by counterparty; and*

*4. Any other non-depository city financial services cost, including any costs for managing money in non-pension city investment pools, aggregated by financial institution and disaggregated by expense.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Finance.

Res. No. 203

**Resolution calling upon the State Legislature to pass, and the Governor to sign, A.8290-A/S.1762-B, which would establish the New York Public Banking Act.**

By Council Members Powers, Abreu, De La Rosa, Restler, Hudson, Cabán, Nurse, Avilés, Menin, Gutiérrez, Bottcher, Won and Riley (at the request of the Manhattan Borough President).

**Whereas**, Each year, New York State pays millions of taxpayer dollars to the financial industry in the form of banking fees, bonding fees, interest, commissions and other payments, simply for the privilege of utilizing their banking services; and

**Whereas**, Private banks use municipal and state deposits to earn money for themselves and their shareholders by speculating in the market with these deposits; and

**Whereas**, Since 1999, with the repeal of the federal Banking Act of 1933, commonly referred to as the Glass-Steagall Act, which required the separation of commercial and investment banking activities, municipal and state deposits held in for-profit banks are now permitted to be co-mingled with speculative commercial investment; and

**Whereas**, The Great Recession of 2008 resulted in losses for both individuals and governments, while for-profit banks still made money in the form of commissions, fees, interest and other payments; and

**Whereas**, The COVID-19 pandemic exposed how private banks could not provide services to unbanked and under-banked communities or respond to the needs of small businesses and Minority & Women Business Enterprises, particularly when it came to securing PPP loans to non-clients or refinancing student loan debts.

**Whereas**, New York State has a fiduciary responsibility to its taxpayers to ensure their tax dollars are used in the most efficient manner possible; and

**Whereas**, New York State Assembly Member Patricia Fahy has introduced A.8290-A and New York State Senator James Sanders Jr. has introduced S.1762-B, which would establish the New York Public Banking Act to authorize the lending of public credit to public banks and public ownership of stock in public banks, for the public purposes of achieving cost savings, strengthening local economies, supporting community economic development, and addressing infrastructure and housing needs for localities; and

**Whereas**, According to the legislation's memorandum in support, the bills would create a safe and appropriate regulatory framework for cities and counties seeking to establish public banks and additionally would allow the State Department of Financial Services ("DFS") to issue special-purpose public bank charters; and

**Whereas**, Under current law, localities seeking to establish public banks must apply for a commercial bank charter which, according to the New Economy Project, forces local governments to retrofit their public bank business models into a regulatory system that was designed for private, for-profit enterprises; and

**Whereas**, With special-purpose charters issued by DFS, municipalities could create democratically-controlled financial institutions that meet the needs of New York's communities, including achieving cost savings, strengthening local economies, supporting community economic development, and addressing local infrastructure and housing needs; now, therefore, be it

**Resolved**, That the Council of the City of New York calls upon the State Legislature to pass, and the Governor to sign, A.8290-A/S.1762-B, which would establish the New York Public Banking Act..

Referred to the Committee on Finance.

## Preconsidered Res. No. 204

**Resolution pursuant to the State Open Meetings Law providing that the Council and its Committees and Subcommittees may use videoconferencing to conduct meetings in accordance with the State Open Meetings Law and that the Speaker shall take all actions necessary to accomplish this and make any and all determinations during a disaster emergency relating to the in-person participation requirements of such law.**

By Council Member Powers.

**WHEREAS**, The Council of the City of New York (“Council”) has been meeting regularly for the entire duration of the Covid-19 pandemic, having begun virtual meetings in April of 2020 in accordance with the State Open Meetings Law as amended by the Governor’s executive orders suspending certain provisions thereof; and

**WHEREAS**, The Council continued its work and meetings returning to the Council Chambers for the adoption of the Fiscal Year 2022 Budget when the Executive Order suspending provisions of the State Open Meetings Law ended and returning to virtual or hybrid meetings when subsequent changes to the Open Meetings Law permitted and the circumstances of the pandemic required; and

**WHEREAS**, The ability to be flexible allowed for Council Members to vote when they were unable to attend meetings in person due to health or other serious limitations; and

**WHEREAS**, On April 9, 2022 the State Open Meetings Law was amended (Part WW of chapter 56 of the Laws of 2022) to provide that the Council could, by resolution, determine for itself and its committees or subcommittees that it may, in its discretion, upon adoption of a resolution, use videoconferencing to conduct its meetings provided that a quorum is physically present in the same physical location where the public can attend subject to certain conditions being met; now, therefore, be it

**RESOLVED**, That the Council of the City of New York hereby provides that it and its committees and subcommittees may use videoconferencing to conduct its meetings provided that a quorum is physically present in the same physical location where the public can attend; and be it further

**RESOLVED**, That Council Members shall be physically present at any such Stated or committee or subcommittee meeting unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances, including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting; and be it further

**RESOLVED**, That in such instances where Council Members make use of videoconferencing, the public shall also be allowed to attend the meeting by use of videoconferencing and for meetings in which the public can participate, those members of the public participating by way of videoconferencing shall be allowed to participate to the same extent as members of the public attending in person; and be it further

**RESOLVED**, That the Speaker shall establish, and as necessary amend, written procedures governing Council Member and public attendance consistent with the State Open Meetings Law; and be it further

**RESOLVED**, that the Speaker shall cause such written procedures to be conspicuously posted on the Council’s website and shall take all other actions regarding notice, recordings, records and any other requirements of the State Open Meetings Law that are necessary pursuant to the State Open Meetings Law and that she deems appropriate to enable the Council to use videoconferencing to conduct its meetings; and be it further

**RESOLVED**, That the Speaker shall make any and all determinations pursuant to the State Open Meetings Law during a state disaster emergency declared by the governor pursuant to section twenty-eight of the Executive Law, or a local state of emergency proclaimed by the Mayor pursuant to section twenty-four of the Executive Law, that any or all of the in-person participation requirements of the State Open Meetings Law shall not apply to any meeting because the circumstances necessitating the emergency declaration would affect or impair the ability of the Council or any or all of its committees or subcommittees to hold in person meetings; and be it further

**RESOLVED**, That such determination by the Speaker shall be effective immediately upon its being posted on the Council’s website and may apply to all Stated Meetings and committee or subcommittee meetings or to those specifically designated by the Speaker in such posting.

Adopted by the Council (preconsidered and approved by the Committee on Rules, Privileges and Elections).

Int. No. 500

By Council Members Restler, Marte, Brewer, Joseph, Nurse, Cabán, Avilés, Bottcher, Won, Ossé and Richardson Jordan.

**A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the issuance of private vehicle parking permits and revoking such existing permits, and repealing subdivisions d, h and i of section 19-162.3 of the administrative code of the city of New York, and sections 14-183, 14-183.1, and 19-162.4 of the administrative code of the city of New York in relation thereto.**

*Be it enacted by the Council as follows:*

Section 1. Subdivisions a and b and of section 19-162.3 of the administrative code of the city of New York, as added by local law number 9 for the year 2020, are amended to read as follows:

a. [Definition.] *Definitions.* For purposes of this section, the *following terms have the following meanings:*

*City-issued parking permit.* The term “city-issued parking permit” means a permit issued by [the department or the department of education, if the commissioner has delegated authority to the department of education pursuant to subdivision b,] *any agency to a city fleet vehicle or a vehicle with an elected official license plate that indicates permission to park in certain areas during certain times has been granted.*

*Elected official license place.* The term “elected official license plate” means the type of license place issued by the department of motor vehicles only to elected officials of the city.

*Private vehicle parking permit.* The term “private vehicle parking permit” means a parking permit issued by any agency to a privately owned vehicle that does not have an elected official license plate, which permit indicates permission to park in certain areas during certain times has been granted. The term [shall] does not include a parking permit issued pursuant to sections 19-162.1 or 19-162.2, a parking permit issued to individuals with disabilities, [or] a single-use parking permit, or a parking permit that is required to be issued pursuant to the terms of a collective bargaining agreement.

b. [Issuance.] *Private vehicle parking permits.* Notwithstanding any other provision of law[, and except as provided in section 14-183, no other city agency shall issue a permit that indicates permission to park in certain areas during certain times has been granted; however, the commissioner may delegate authority to the department of education to issue such permits. In the event of such delegation, city-issued parking permits issued by the department of education shall continue to be subject to the requirements of subdivisions c, d, e, f, h, and i and any applicable rules promulgated by the department pursuant to subdivision g] *no private vehicle parking permits shall be issued. All existing private vehicle parking permits shall be revoked no later than 90 days following the effective date of the local law that last amended this section.*

§ 2. Subdivisions d, h and i of section 19-162.3 of the administrative code of the city of New York are REPEALED.

§ 3. Subdivision b of section 19-166 of the administrative code of the city of New York, as amended by local law number 2 for the year 2020, is amended to read as follows:

b. Any person who without permission of the commissioner of transportation [or the police commissioner in accordance with section 14.183 of the administrative code]:

1. Makes or engraves, or causes or procures to be made or engraved, or willingly aids or assists in making or engraving, a plate or other means of reproducing or printing the resemblance or similitude of any city-issued parking permit; or

2. Has in his or her possession or custody any implements, or materials, with intent that they shall be used for the purpose of making or engraving such a plate or means of reproduction; or

3. Has in his or her possession or custody such a plate or means of reproduction with intent to use, or permit the same to be used, for the purpose of taking therefrom any impression or copy to be uttered; or

4. Has in his or her possession or custody any impression or copy taken from such a plate or means of reproduction, with intent to have the same filled up and completed for the purpose of being uttered; or

5. Makes or engraves, or causes or procures to be made or engraved, or willingly aids or assists in making or engraving, upon any plate or other means of reproduction, any figures or words with intent that the same may be used for the purpose of altering any genuine city-issued parking permit hereinbefore indicated or mentioned; or

6. Has in his or her custody or possession any city-issued parking permit or any copy or reproduction thereof; is guilty of an offense punishable by a fine of not less than \$500, or imprisonment for not more than thirty days, or both.

§ 4. Subdivision b of section 19-166.1 of the administrative code of the city of New York, as added by local law number 4 for the year 2020, is amended to read as follows:

b. City-issued parking permits shall be revoked [in accordance with disciplinary procedures of the police department with regard to permits issued pursuant to section 14-183, and] in accordance with procedures established by the department of transportation for [all other] city-issued parking permits from those individuals found guilty of:

1. three or more violations of a rule or law relating the misuse of a city-issued parking permit
2. notwithstanding paragraph 1 of this subdivision b, any violation of section 19-166; or
3. unpaid parking or traffic violations associated with the license plate or individual permit holder in excess of \$350.

§ 5. Section 14-183 of the administrative code of the city of New York is REPEALED.

§ 6. Section 14-183.1 of the administrative code of the city of New York is REPEALED.

§ 7. Section 19-162.4 of the administrative code of the city of New York is REPEALED.

§ 8. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 501

By Council Members Restler, Rivera, Marte, Hanif, Nurse, Avilés, Joseph, Bottcher, Won, Ossé, Holden, Richardson Jordan, Brewer, Kagan, Gutiérrez, Brannan, Krishnan and Farías.

**A Local Law to amend the administrative code of the city of New York, in relation to hazardous obstruction by vehicles and civilian complaints to the department of transportation for hazardous obstruction violations**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding new sections 19-175.8 and 19-175.9 to read as follows:

§ 19-175.8 *Hazardous obstruction. a. Except as otherwise permitted by law, no person shall park, stop or stand a vehicle within a radial distance of 1320 feet of a school building, entrance or exit in a manner that obstructs a bicycle lane, bus lane when bus lane restrictions are in effect, sidewalk, crosswalk or fire hydrant.*

*b. As an alternative to any other means of enforcement authorized by law, a violation of subdivision a of this section shall be punishable by a civil penalty of \$175. Such civil penalties shall be recoverable in a proceeding before the office of administrative trials and hearings.*

§ 19-175.9 *Civilian complaint of hazardous obstruction. a. Any natural person, excluding personnel of the department and other employees of the city authorized to serve summonses for violations of section 19-175.8, may serve upon the department a complaint, in a form prescribed by the commissioner, alleging that a person has violated section 19-175.8.*



*b. The department shall publish on its website information on filing civilian complaints pursuant to this section. Such information shall include but need not be limited to instructions for filing such complaints and for gathering supporting documentation.*

*c. The department shall provide a tracking number to each person who submits a civilian complaint pursuant to subdivision a of this section which shall allow such person to track the status of such complaint from initiation to disposition. The department shall provide an initial status update for any such civilian complaint within three days of the submission of such complaint.*

*d. In any proceeding brought by the department based on a complaint submitted pursuant to subdivision a of this section, the office of administrative trials and hearings shall award the complainant 25 percent of any sums collected as a result of such proceeding.*

*e. No later than one year after the effective date of the local law that added this section, and annually thereafter, the commissioner shall submit to the speaker of the council and post on the department's website a report including the number of complaints submitted pursuant to subdivision a of this section and the dispositions of such complaints.*

*f. The commissioner shall promulgate such rules as are necessary to implement the provisions of this section.*  
 § 2. This local law takes effect 120 days after becoming law.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 502

By Council Members Richardson Jordan, Ayala, Louis, Brannan, Brooks-Powers, Joseph, Nurse, Abreu, Restler and Riley.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the human resources administration to provide rental assistance to disabled veterans**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-151 to read as follows:

*§ 21 – 151 Rental assistance for disabled veterans. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

*Approved rental amount. The term “approved rental amount” means a rent level which is at or below the current fair market rent amounts for the same type of unit as set for the metropolitan area by the United States department of housing and urban development pursuant to title 24 of the code of federal regulations, and all subsequent legal rent increases after initial approval of the qualified disabled veteran’s rent.*

*Earned income. The term “earned income” means income in cash or in kind earned by an individual through the receipt of wages, salary, commissions, or profit from activities in which such individual is self-employed or an employee.*

*Qualified disabled veteran. The term “qualified disabled veteran” means a veteran: (i) who receives either a veterans affairs pension from the United States department of veterans affairs, as established by chapter 15 of title 38 of the United States code and/or receives service connected disability benefits from the United States department of veterans affairs and has received a disability rating of 50 percent or higher as established by chapter 11 of title 38 of the United States code; (ii) whose income does not exceed 200 percent of the federal poverty level as established annually by the United States department of health and human services; and (iii) whose countable resources do not exceed the resource guidelines pursuant to section 131-n of the social services law.*

*Unearned income. The term “unearned income” means all regularly recurring income received during a month, other than earned income.*

*Veteran. The term “veteran” means a person who has served in the active military service of the United States and who has been released from such service other than by dishonorable discharge.*

*b. The department shall provide qualified disabled veterans with rental assistance. The rental assistance amount shall be the difference between the qualified disabled veteran’s actual rent and no more than 30 percent of his or her monthly earned and/or unearned income. The maximum rent towards which the rental assistance may be applied shall not exceed the approved rental amount.*

§ 2. This local law takes effect 120 days after its enactment into law, provided that the commissioner shall promulgate any rules necessary for implementing and carrying out the provisions of this local law prior to such effective date.

Referred to the Committee on General Welfare.

Int. No. 503

By Council Members Richardson Jordan, Hudson, Brannan, Hanif, Nurse, Gutiérrez, Abreu, Restler and Won.

**A Local Law to amend the administrative code of the city of New York, in relation to prohibiting discrimination against occupants of rent-regulated and rent-subsidized housing accommodations**

*Be it enacted by the Council as follows:*

Section 1. Section 8-102 of the administrative code of the city of New York is amended by adding new definitions of “rent regulated tenant” and “rent subsidized tenant” in alphabetical order to read as follows:

*Rent-regulated tenant. The term “rent-regulated tenant” means a tenant, subtenant, lessee, sublessee or other person entitled to the possession or to the use of any housing accommodation subject to rent control as set forth in the city rent and rehabilitation law or rent stabilization as set forth in the rent stabilization law of nineteen hundred and sixty nine, as amended.*

*Rent-subsidized tenant. The term “rent-subsidized tenant” means a tenant, subtenant, lessee, sublessee, or other person entitled to the possession or to the use of any unit of affordable housing as the term “affordable housing” is defined in section 26-2101.*

§ 2. Subdivision 5 of section 8-107 of the administrative code of the city of New York is amended by adding a new paragraph q to read as follows:

*(q) Discrimination on the basis of status as rent-regulated or rent-subsidized tenant prohibited in housing accommodations. Where a housing accommodation or an interest therein is sought or occupied exclusively for residential purposes, the provisions of this subdivision shall be construed to prohibit discrimination on the basis of a person’s status as a rent-regulated or rent-subsidized tenant with respect to the use of building entrances, facilities and amenities, including but not limited to, fitness centers, pools, game rooms, communal business centers, outdoor lounging areas, outdoor cooking areas, indoor cooking areas, indoor lounging areas and laundry facilities. It shall be an unlawful discriminatory practice to:*

*(i) Prohibit a rent-regulated or rent-subsidized tenant from using any building entrance, facility or amenity that is available for the use of market-rate tenants;*

*(ii) Require a rent-regulated or rent-subsidized tenant to pay a fee that market-rate tenants are not also required to pay in order to gain access to any building entrance, facility or amenity.*

§ 3. This local law takes effect 120 days after it becomes law, except that the New York city commission on human rights shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Housing and Buildings.

## Int. No. 504

By Council Members Rivera, Hudson, Joseph, Nurse, Gutiérrez, Won, Avilés, Ossé, Farías, Mealy and Riley.

**A Local Law to amend the New York city charter, in relation to a cannabis business directory**

*Be it enacted by the Council as follows:*

Section 1. Subdivision c of section 1309 of chapter 56 of the New York city charter, as added by a local law to amend the New York city charter, in relation to the establishment of an office of cannabis business services, is amended to read as follows:

c. The responsibilities of the office shall include:

1. monitoring the implementation of regulations pursuant to the cannabis law governing cannabis and cannabis establishments in the city;
2. establishing citywide social and economic cannabis equity goals at no less than those established under section eighty-seven of the cannabis law;
3. assisting social and economic equity applicants in applying for a license to operate cannabis establishments in accordance with article four of the cannabis law; [and]
4. offering, to the extent permitted under the cannabis law, incentives and programs to social and economic equity applicants in the city; *and*
5. *creating and regularly updating a directory of all active cannabis establishments in the city, indicating where cannabis establishments are operated by social and economic equity applicants; where such establishments are businesses certified as minority or women-owned enterprises pursuant to section thirteen hundred four of the charter; and making such directory available to the public on the department's website.*

§ 2. This local law takes effect at the same time as a local law to amend the New York city charter, in relation to the establishment of an office of cannabis business services.

Referred to the Committee on Economic Development.

## Int. No. 505

By Council Members Rivera, Louis, Hudson, Hanif, Brooks-Powers, Nurse and Restler.

**A Local Law in relation to requiring the commissioner of buildings to recommend updates to the construction codes to facilitate the conversion of buildings into temporary hospitals in the event of a pandemic or other public health emergency**

*Be it enacted by the Council as follows:*

Section 1. No later than 180 days after the effective date of this local law, the commissioner of buildings shall submit to the city council proposed amendments that the commissioner of buildings determines should be made to the New York city construction codes to facilitate the use of buildings in the city as temporary hospitals during the prevalence of a pandemic, epidemic or other public health emergency. The commissioner of buildings shall collaborate with the commissioner of health and mental hygiene, and may collaborate with any other person with relevant expertise, to develop such proposed amendments.

§ 2. This local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

## Int. No. 506

By Council Members Rivera, Louis, Hudson, Hanif, Brooks-Powers, Nurse, Abreu, Brewer, Narcisse, Restler, Won, Farías, Ossé, De La Rosa, Dinowitz and Krishnan (by request of the Bronx Borough President)

**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 report information on pregnancy services centers in the city and implement an information campaign on such centers**

*Be it enacted by the Council as follows:*

Section 1. Subchapter 17 of chapter 5 of title 20 of the administrative code of the city of New York, as added by local law number 17 for the year 2011, is amended by adding a new section 20-820.1 to read as follows:

*§ 20-820.1 Report. a. No later than March 15, 2024 and every five years thereafter, the department, in consultation with the department of health and mental hygiene and any other organization at the discretion of the department, shall submit to the mayor and the speaker of the council, and post on the department's website, a report on pregnancy services centers operating in the city of New York. Such report shall examine the health care needs of pregnant women in the city and the ability of pregnancy services centers to fulfill those needs; the impact of pregnancy services centers on the ability of pregnant women to gain timely access reproductive and sexual health services, including abortion and emergency contraception; and recommended actions for the mayor and the speaker of the council to take to help pregnant women in the city as prospective or actual clients of pregnancy services centers. The report shall contain the following information as reasonably available to the department, which may be summarized unless otherwise indicated:*

- 1. The location, name and affiliation of each pregnancy services center;*
- 2. Services provided by pregnancy services centers, the price ranges of those services, and which of those services are most frequently sought at pregnancy services centers;*
- 3. Whether pregnancy services centers enroll women in public benefits programs or connect women to other services, and if so, a summary of the types of services;*

*4. The means by which pregnancy services centers advertise their services to the public, such as online applications or print advertisements; and how such centers depict their services and organizational mission to the public, including: (i) whether pregnancy services centers hold themselves out to the public as medical facilities or entities in which comprehensive, all-options pregnancy counseling is provided, and (ii) whether such centers disclose that abortions or referrals for abortions are not provided at such centers; and*

*5. State or federal funding, if any, directly or indirectly allocated to pregnancy services centers.*

*b. To help acquire the information necessary to complete the report required by subdivision a of this section, the department shall develop and distribute a voluntary survey to pregnancy services centers in the city.*

§ 2. No later than six months after the submission of the first report required by section one of this local law, the department of consumer and worker protection, in consultation with the department of health and mental hygiene, shall implement a media campaign to inform women in the city about what pregnancy services centers are, including the services such centers do and do not typically provide; how to access a licensed medical provider of reproductive health and pregnancy services, including abortion and emergency contraception; and how to make a complaint if a pregnancy services center has engaged in a deceptive trade practice. Such a media campaign shall be available on the (i) internet, (ii) television or radio, and (iii) print, and in English and Spanish at a minimum.

§ 3. This local law takes effect immediately.

Referred to the Committee on Consumer and Worker Protection.

## Int. No. 507

By Council Members Rivera, Gutiérrez, Joseph, Louis, Hudson, Hanif, Nurse, Abreu, Restler, Avilés, Cabán, Farías, Ossé, De La Rosa, Dinowitz, Narcisse, Brewer, Marte, Krishnan and Ayala

**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 mifepristone and misoprostol available free of charge at its health centers, health stations, health clinics and other health facilities**

*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 17-184.1 to read as follows:

*§ 17-184.1 Availability of mifepristone and misoprostol. a. The department shall make available mifepristone and misoprostol at no cost to the patient in its health centers, health stations, health clinics or other health facilities operated or maintained by the department which also offer services relating to sexual and reproductive health. The department shall provide such mifepristone and misoprostol to all patients who seek to terminate their pregnancy, when, according to the provider's reasonable and good faith professional judgment based on the facts of the patient's case, the patient is within 11 weeks from commencement of pregnancy, and the patient has provided informed consent. The department shall also provide counseling and timely referrals to other health facilities and qualified family planning providers, if needed, for other services.*

§ 2. This local law takes effect 1 year after it becomes law.

Referred to the Committee on Women and Gender Equity.

Res. No. 205

**Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation making doulas more accessible to individuals with Medicaid and those without health insurance.**

By Council Members Rivera, Louis, Hudson, Hanif, Brooks-Powers, Joseph, Nurse, The Speaker (Council Member Adams), Restler, Won, Narcisse, Avilés and Ayala (in conjunction with the Brooklyn Borough President).

**Whereas**, According to DONA International, a doula is a trained professional who provides continuous physical, emotional, and informational support to a pregnant person and the family before, during, and shortly after childbirth; and

**Whereas**, Doulas have proven to be beneficial to pregnant people and their health; and

**Whereas**, Doulas act as important advocates, facilitating communication between providers and patients, providing culturally-competent and language-appropriate care to immigrant communities and communities of color they serve; and

**Whereas**, According to the New York City Department of Health and Mental Hygiene's (DOHMH's) report *The State of Doula Care in NYC 2019* ("doula report"), doula care has been associated with lower rates of Cesarean birth, preterm birth, low birthweight, and postpartum depression, as well as with increased rates of breastfeeding, and greater patient satisfaction with maternity care; and

**Whereas**, A 2017 report published by Cochrane reveals that people who had doula support were 39 percent less likely to have a caesarean section and 15 percent more likely to give birth without needing drugs or labor-inducing techniques; and

**Whereas**, According to Choices in Childbirth, a survey regarding doula care in New York City reveals that 72 percent of people reported that their doula helped them communicate their preferences and needs, while 80 percent of those surveyed reported that their doula helped them feel more empowered; and

**Whereas**, 83 percent of survey respondents reported having a doula made their labor and birth experience "much better" than if they had not used a doula, and it made them more relaxed before, during, and after birth; and

**Whereas**, 88 percent of this cohort reported that cost was an issue when opting to work with a doula; and

**Whereas**, According to DOHMH's doula report, the average cost of birth-doula services was \$1,550 per client among doulas surveyed for the report, with a range of \$225 to \$5,000; and

**Whereas**, Doula services are generally not covered by Medicaid or private insurance; and

**Whereas**, Doula care should be more accessible, especially given the maternal mortality and morbidity rates in New York City as well as the inequitable health outcomes for people of color and infants of color, specifically those who are Black; and

**Whereas**, Of the 21 pregnancy-related deaths in New York City in 2017, 11 were of people who were Black and six were of people who were Latina, accounting for nearly every pregnancy-related death; and

**Whereas**, In New York City in 2017, the rate of severe maternal morbidity was highest among Black people (457.2 per 10,000 births), followed by people of other or multiple race(s) (399.6), people who are Latina (313.7), Asian/Pacific Islander (225.4), and, last, people who are white (187.9); and

**Whereas**, By expanding access to doulas, New York City could better tackle these insidious inequities; and

**Whereas**, Doulas face barriers providing care to all those who need it; and

**Whereas**, According to DOHMH's doula report, among doulas surveyed, 9 of every 10 have turned clients away, for reasons including clients' living outside their coverage area (47 percent), being already booked with other families (43 percent), and clients' being unable to afford their fee (37 percent); and

**Whereas**, New York State considered legislation to include doula services in Medicaid coverage; and

**Whereas**, In April 2018, New York State announced the launch of a Medicaid pilot program to cover doula services; and

**Whereas**, This legislation and pilot were extremely controversial in the doula community for numerous reasons; and

**Whereas**, The Medicaid pilot program was discontinued in Brooklyn because of lack of doula participation due to many flaws with the program; and

**Whereas**, One of the crucial flaws in the program was the inadequate reimbursement rate for doula services; and

**Whereas**, For a Medicaid doula program to operate and become sustainable, reimbursement rates must be sufficient to allow doulas to support themselves and their families and to increase doula participation in the program; and

**Whereas**, DOHMH's doula report on doula care provides numerous recommendations for stakeholders to improve access to doulas; and

**Whereas**, Recommendations fall within four key components, including increasing access for underserved communities, making hospital environments more welcoming of doulas, amplifying community voices to help expand access to doula services, and improving data collection; and

**Whereas**, The New York State Legislature should consider these recommendations, and should develop legislation, in collaboration with doulas and people with lived experience, in order to best understand the most effective and significant ways to expand access to doula services; now, therefore, be it,

**Resolved**, The Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, legislation making doulas more accessible to individuals with Medicaid and those without health insurance

Referred to the Committee on Health.

Res. No. 206

**Resolution calling on the United States Congress to pass, and the President to sign, the Affordable Housing Credit Improvement Act S.1136/H.R.2573 which expands and strengthens the Low Income Housing Tax Credit.**

By Council Members Rivera, Louis, Hudson, Hanif, Joseph, Nurse, Restler and Won.

**Whereas**, The Low-Income Housing Tax Credit (LIHTC) program was created through the Tax Reform Act of 1986 and remains the federal government's primary mechanism for the development and rehabilitation of affordable rental housing; and

**Whereas**, The federal government distributes tax credits under the program to states with allocations determined by population size; and

**Whereas**, State housing authorities award these tax credits in Qualified Allocation Plans to developers of affordable housing projects who submit applications through a competitive process; and

**Whereas**, The LIHTC allows affordable housing developers to sell tax credits that corporations use to reduce their federal tax liability and the proceeds from those sales are committed to creating housing which must be kept affordable for a set number of years; and

**Whereas**, The LIHTC has helped develop or preserve over 170,290 units, providing affordable housing to 395,610 households in New York State since the establishment of the program; and

**Whereas**, There are not enough affordable housing units created for those who are the most severely rent burdened which is defined as a household spending over 50 percent of their income on rent; and

**Whereas**, According to the Citizen's Budget Commission, 55 percent of extremely low income households are severely rent burdened but only 17 percent of affordable units financed under the Mayor's Housing New York plan are dedicated for this population; and

**Whereas**, The Affordable Housing Credit Improvement Act, S.1136/H.R.2573, sponsored by Senator Maria Cantwell (D-WA) and House Representative Suzan DelBene (D-WA-1) would expand the current LIHTC program by increasing the annual Housing Credit allocation authority by 50 percent over the current level which would be phased in over five years facilitating increased production of home and among other changes; and now, therefore, be it

**Resolved**, That the Council of the City of New York calls on the United States Congress to pass, and the President to sign, the Affordable Housing Credit Improvement Act S.1136/H.R.2573, which expands and strengthens the Low Income Housing Tax Credit.

Referred to the Committee on Housing and Buildings.

Res. No. 207

**Resolution calling on the New York State Senate to pass S.470, and the Governor to sign A.5499/S.470, to direct the commissioner of health to conduct a study and issue a report examining the unmet health and resource needs facing pregnant New Yorkers and the impact of limited service pregnancy centers.**

By Council Members Rivera, Louis, Hanif, Brooks-Powers, Nurse and Restler (by request of the Bronx Borough President).

**Whereas**, Limited service pregnancy centers (LSPCs), otherwise known as crisis pregnancy centers or pregnancy service centers, are facilities that are not licensed to provide medical services despite their efforts to appear as a proper sexual health clinic; and

**Whereas**, An LSPC could be located in a retail corridor as a brick and mortar operation or operate in a mobile facility; and

**Whereas**, LSPCs commonly advertise services to women who are or may be pregnant, including prenatal care, and often offer obstetric ultrasounds, obstetric sonograms, and have the appearance of a licensed medical facility; and

**Whereas**, According to Planned Parenthood, LPSCs commonly lead individuals to believe they provide abortion services, comprehensive contraception and referrals for care, meanwhile they are staffed by anti-abortion and anti-birth control advocates with little to no medical training; and

**Whereas**, LPSCs generally do not formally disclose to their clients whether they do or do not provide abortion or referrals for abortion, provide FDA-approved emergency contraception or referrals to organizations or individuals who provide emergency contraception, or provide prenatal care or referrals for prenatal care; and

**Whereas**, LPSCs have been known to perform deceptive practices, such as branding or marketing themselves as similar to Planned Parenthood and other licensed health centers; and

**Whereas**, LPSCs have provided false and misleading information to those who seek care; and

**Whereas**, LPSCs often request clients' personal information, and there have been instances when the center has breached confidentiality by contacting clients no longer seeking their services, directly and even showing up at a person's place of work; and

**Whereas**, In April 2022, A.5499, sponsored by Assembly Member Deborah Glick, passed the New York State (NYS) Assembly; and

**Whereas**, The legislation directs the NYS Department of Health to conduct a study examining the unmet health and resource needs facing pregnant New Yorkers and the impact of limited service pregnancy centers on the ability of women to obtain accurate, non-coercive health care information and timely access to a comprehensive range of reproductive and sexual health care services; and

**Whereas**, This legislation will equip the Department of Health with a clearer understanding of the prevalence, services, affiliations, and other relevant information regarding LPSCs in New York; and

**Whereas**, The study would include examining the funding sources of centers, the number of people who visit such centers, the services they provide and information given to clients and the personal information they obtain; and

**Whereas**, Since LPSCs are unlicensed and therefore unregulated by the Health Department, such a study would be of much help to policymakers and the public, and could help direct future actions to protect the public and ensure access to quality care; and

**Whereas**, A Supreme Court draft opinion recently leaked to the press exposed the Supreme Court's impending decision to overturn *Roe v. Wade*; and

**Whereas**, While the NYS assembly has passed A.5499, the NYS Senate has not yet passed S.470, sponsored by NYS Senator Hoylman; and

**Whereas**, In response to the expected overturning of *Roe v. Wade*, NYS must enact pro-choice legislation to safeguard pregnant New Yorkers' access to quality reproductive and sexual health care services; now, therefore, be it

**Resolved**, That the Council of the City of New York calls on the New York State Senate to pass S.470, and the Governor to sign A.5499/S.470, to direct the commissioner of health to conduct a study and issue a report examining the unmet health and resource needs facing pregnant New Yorkers and the impact of limited service pregnancy centers.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 508

By Council Members Schulman, Hanif, Brewer, Nurse, Abreu, Louis, Won, Narcisse, Velázquez and Riley.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring family building benefits for city employees**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-141 to read as follows:

*§ 12-141 Family building benefits for city employees. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*“Adoption.” The term “adoption” includes the range of services available to adults who intend to adopt a child, including agency and legal services related to the adoption of a child.*

*“Assisted reproduction.” The term “assisted reproduction” includes the range of services and technologies to assist adults who intend to become parents, including, but not necessarily limited to: egg and sperm donation*



and preservation; in vitro fertilization; intrauterine insemination; surrogacy; and agency and legal services related to such services and technologies, as well as the establishment of parentage of a child.

*“City employee.” The term “city employee” means a person who: is employed by a department or agency of the city; and is paid out of the city treasury; and is employed under terms prescribing a work week regularly consisting of twenty or more hours during the fiscal year; and is not employed by the board of education.*

*b. The city shall offer family building benefits to city employees for the purpose of defraying the costs of assisted reproduction and adoption. Such benefits shall reimburse city employees for some or all of such costs when another city-provided health insurance plan does not cover them. The office of labor relations may enter into contracts with companies providing insurance coverage for such services and technologies for the purpose of meeting the requirements of this section.*

*c. The city shall not discriminate on the basis of marital or partnership status in meeting the requirements of this section. Family building benefits offered to city employees pursuant to this section shall not condition eligibility for such benefits on an infertility diagnosis.*

*d. This section does not affect the mayor’s authority to bargain with certified employee organizations pursuant to chapter 3 of title 12 of the administrative code.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 509

By Council Members Stevens, Louis, Hanif, Brooks-Powers, Nurse, Abreu, Narcisse, Velázquez and Ayala (in conjunction with the Brooklyn Borough President).

**A Local Law to amend the administrative code of the city of New York, in relation to a public education and outreach campaign on the risks of caesarean sections**

*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 17-199.3.2 to read as follows:

*§ 17-199.3.2 Caesarean section risks. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Caesarean section. The term “caesarean section” means the surgical procedure in which a baby is delivered through an incision in the abdomen of the mother.*

*Relevant agencies. The term “relevant agencies” means the department of social services, the mayor’s office to end domestic and gender-based violence, the New York city health and hospitals corporation and any other agency that the department deems relevant.*

*Relevant organization. The term “relevant organization” means a community-based organization that serves a population that the department deems relevant to the campaign required by subdivision b of this section.*

*b. Public education and outreach campaign. Beginning no later than 90 days after the effective date of the local law that created this section, and continuing thereafter, the department, in collaboration with the relevant agencies and the relevant organizations, shall conduct a public education and outreach campaign to inform the public about the risks of a caesarean section to a pregnant person and a newborn. Such campaign shall include, but need not be limited to, the following:*

*1. Creating culturally appropriate written materials, including, but not limited to, pamphlets, posters and flyers, in the designated citywide languages as defined in section 23-1101;*

*2. Posting such materials on the websites of the department, the relevant agencies and the relevant organizations;*

*3. Having employees of the relevant agencies and the relevant organizations distribute such materials to their clients and patients; and*

4. Providing such materials to locations, including, but not limited to, doctor offices, hospitals and relevant organizations for such locations to disseminate such materials to their clients and patients.

c. Report. The department shall submit a report on the campaign required by subdivision b of this section beginning no later than one year after the effective date of the local law that created this section and annually thereafter. The commissioner shall submit such report to the mayor and the speaker of the council and post such report on the department's website. Such annual report shall include, but need not be limited to, the following information:

1. The number of public education and outreach efforts as required by subdivision b;
  2. A list of each such effort with each separate row referencing a unique effort and providing the following information about such effort set forth in separate columns:
    - (a) The agency or the organization that conducted such effort;
    - (b) The approximate number of individuals provided information during such effort;
    - (c) The specific population, if any, reached during such effort; and
    - (d) The information disseminated during such effort; and
  3. Any recommendations to improve such efforts and the plans to implement such recommendations.
- § 2. This local law takes effect immediately.

Referred to the Committee on Health.

#### Int. No. 510

By Council Members Stevens, Restler, Won, Lee, Riley, Williams, Krishnan, Louis, Hudson, Hanif, Brewer, Joseph, Nurse, Farías, Avilés, Menin, Ossé, Ung, Gutiérrez, Richardson Jordan and Abreu.

#### **A Local Law to amend the administrative code of the city of New York, in relation to establishing prevailing wage requirements for city-contracted human service workers**

*Be it enacted by the Council as follows:*

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

§ 6-130.1 *Prevailing wage for city-contracted human service workers. a. Definitions. For purposes of this section, the following terms have the following meanings:*

*Comptroller. The term "comptroller" means the comptroller of the city.*

*Contracting agency. The term "contracting agency" means a city, county, borough, or other office, position, administration, city agency, department, division, bureau, board or commission, or a corporation, or institution, the expenses of which are paid in whole or in part from the city treasury.*

*Covered employer. The term "covered employer" means a provider of human services that has been awarded a human services contract by a contracting agency.*

*Employee. The term "employee" means any person who performs work on a full-time, part-time, temporary, or seasonal basis and includes employees, independent contractors, and contingent or contracted workers, including persons made available to work through the services of a temporary services, staffing or employment agency or similar entity.*

*Human services. The term "human services" has the meaning set forth in subdivision c of section 6-129.*

*Human services contract. The term "human services contract" means any written agreement between any entity and a contracting agency whereby a contracting agency is committed to expend or does expend funds and the principal purpose of such agreement is to provide human services.*

*Human service worker. The term "human service worker" means an employee of a covered employer.*

*Prevailing wage. The term "prevailing wage" means the rate of wage and supplemental benefits paid in the locality to workers in the same trade or occupation and annually determined by the comptroller in accordance with the provisions of section 234 of the labor law or, for titles not specifically enumerated in or covered by that law, determined by the comptroller at the request of a contracting agency or a covered employer in accordance*

with the procedures of section 234 of the labor law. As provided under section 231 of the labor law, the obligation of an employer to pay prevailing supplements may be discharged by furnishing any equivalent combinations of fringe benefits or by making equivalent or differential payments under rules and regulations established by the comptroller.

*b. Prevailing wage to human service providers required.* 1. A covered employer must pay its human service workers that are engaged in performing the human services contract no less than the prevailing wage.

2. Prior to commencing any work under a human services contract, and annually thereafter, each covered employer shall provide to the comptroller and the contracting agency an annual certification executed under penalty of perjury that all human service workers subject to paragraph 1 of subdivision b of this section, who are employed by such covered employer, will be and/or have been paid no less than the prevailing wage. Such certification shall include a record of the wages and benefits paid to each human service worker. Such certification shall be certified by the chief executive or chief financial officer of the covered contractor, or the designee of any such person. A violation of any provision of the certification, or failure to provide such certification, shall constitute a violation of this section by the party committing the violation of such provision.

3. Each covered employer shall maintain original payroll records for each of its human service workers reflecting the days and hours worked, and the wages paid and benefits provided for such hours worked, and shall retain such records for at least six years after the human services are performed. Failure to maintain such records as required shall create a rebuttable presumption that the human service workers were not paid the wages and benefits required under this section. Upon the request of the comptroller, a covered employer shall provide a certified original payroll record. The comptroller may inspect such records to verify the certifications submitted pursuant to paragraph 2 of subdivision b of this section.

4. No later than the day on which any work begins under a human services contract subject to the requirements of this section, a covered employer shall post in a prominent and accessible place at every human services site and provide each human service worker subject to paragraph 1 of subdivision b of this section a copy of a written notice, prepared by the comptroller, detailing the wages, benefits, and other protections to which such human service workers are entitled under this section. Such notice shall also provide the name, address and telephone number of the comptroller and a statement advising such human service workers that if they have been paid less than the prevailing wage they may notify the comptroller and request an investigation. Such notice shall be provided in English, Spanish and other languages spoken by 10 percent or more of a covered employer's human service workers. Such notice shall remain posted for the duration of the human services contract and shall be adjusted periodically to reflect the current prevailing wage for human service workers.

*c. Implementation and reporting.* 1. Every human services contract shall contain a provision obligating covered employers to comply with all applicable requirements of subdivision b of this section.

2. The comptroller shall promulgate implementing rules and regulations as appropriate and consistent with this section. Beginning one year after the enactment of the local law that added this section, and each year thereafter, the comptroller shall submit a report to the mayor and the speaker of the council summarizing and assessing the implementation of this section during the preceding year.

*d. Application to existing human service contracts.* No later than 30 days after the effective date of the local law that added this section, the commissioner of each contracting agency shall provide notice of the provisions of this section to each covered employer. To the extent permitted under a contract between a contracting agency and a covered employer executed prior to the effective date of the local law that added this section, upon availability of wage schedules, the contracting agency shall commence to amend such existing contract to include the provisions of this section and add any necessary funding to permit compliance, and shall terminate such existing contract if the covered employer does not accept such amendment within 90 days of receiving notice of the provisions of this section. The contracting agency shall provide sufficient funding for human service providers to fulfill the additional requirements imposed under this section.

*e. Severability.* In the event that any requirement or provision of this section, or its application to any person or circumstance, should be held invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other requirements or provisions of this section, or the application of the requirement or provision held unenforceable to any other person or circumstance.

*f. Competing laws.* This section shall be liberally construed in favor of its purposes. Nothing in this section shall be construed as prohibiting or conflicting with any other obligation or law, including any collective bargaining agreement, that mandates the provision of higher or superior wages or benefits to human service

*workers subject to the provisions of this section. No requirement or provision of this section shall be construed as applying to any person or circumstance where such coverage would be preempted by federal or state law. However, in such circumstances, only those specific applications or provisions of this section for which coverage would be preempted shall be construed as not applying.*

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

Referred to the Committee on Contracts.

Int. No. 511

By Council Members Stevens, Won, Louis, Nurse, Farías, Avilés, Menin, Ossé, Williams, Schulman, Gutiérrez, Richardson Jordan, Restler and Riley.

**A Local Law to amend the administrative code of the city of New York, in relation to setting time limits for the procurement process, reporting on agency compliance and developing an online platform for managing procurement**

*Be it enacted by the Council as follows:*

Section 1. Chapter 1 of title 6 of the administrative code of the city of New York is amended by adding new sections 6-102.1 and 6-147 to read as follows:

§ 6-102.1 *Procurement process time limits. a. For any contract that exceeds the small purchase limit described in section 3-08 of title 9 of the rules of the city of New York, the procurement policy board shall establish the following, by rule:*

*1. The time limits within which the contracting agency must complete each step of the procurement process required by rules of such board; and*

*2. The time limits within which each mayoral agency charged with oversight of the contracting agency must complete its oversight review of the procurement contract.*

*b. No later than December 1, 2023, and every two years thereafter, the mayor's office of contract services shall complete a study of the contracts affected by subdivision a and shall submit to the procurement policy board, the mayor and the council, and post on such office's website, a report disclosing the following:*

*1. For each contract subject to this section, whether the agencies met the time limits set by the procurement policy board for each step of the procurement process and oversight review;*

*2. For each contract subject to this section, the difference between such time limits and the time actually required by the agencies for each step of the procurement process and oversight review; and*

*3. Recommendations for changes to the time limits set by the procurement policy board.*

*c. Upon receipt of such report, the procurement policy board may reevaluate and amend the time limits designated in subdivision a.*

§ 6-147 *Procurement process online platform. The mayor's office of contract services shall develop an online platform to track all contracts through the procurement process from bid award to registration. Such online platform shall be available to the public.*

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

Referred to the Committee on Contracts.

Int. No. 512

By Council Members Stevens, Riley, Williams, Louis, Yeger, Hudson, Nurse and Abreu.

**A Local Law in relation to panic buttons for small business operators**

*Be it enacted by the Council as follows:*

Section 1. Definitions. a. For the purposes of this section, the following terms have the following meanings: Department. The term “department” means the department of small business services.

Panic button. The term “panic button” means a help or distress signaling system that connects an individual in distress or someone assisting that individual with the police department. Such panic button shall also be equipped to alert pedestrians in the vicinity where the panic button is activated, by visual sign or sound.

b. Establishment of a storefront panic button pilot program. 1. The department shall establish a one-year “storefront panic button pilot program,” during which qualifying businesses will be reimbursed for the cost of purchasing and installing panic buttons made available for use to any employee or patron in case of emergency. Upon request of a qualifying business, the department shall reimburse the business for the allowable costs of purchasing and installing panic buttons, as established by the department, provided that the business provides proof of purchase.

2. A business qualifies to participate in the program if such business: (i) has a storefront entry; (ii) employs fewer than ten individuals; and (iii) is located in a pilot district as determined by this section. The department shall determine any other qualifications relevant to the program.

3. Siting of pilot district. The commissioner of the department, in consultation with the commissioner of the police department, shall identify potential locations for the pilot districts in consideration of all relevant factors, which shall include, but need not be limited to crime rates.

c. Reporting. No later than 90 days after the completion of the pilot program created pursuant to paragraph b of this section, the commissioner of the department shall report a detailed assessment of the impacts of the pilot program to the mayor and the speaker of the council. Such assessment shall include, but need not be limited to: (i) recommendations for improving the pilot program, including the specification of any beneficial new technology for informing law enforcement about ongoing criminal activity; (ii) recommendations on whether or not to make the pilot program permanent; (iii) recommendations on whether or not to add similar permanent or pilot programs in additional districts or locations; (iv) the costs incurred by the city in implementing the pilot program up to the date of the report; and (v) anticipated future costs per year if the recommendations included in the report were followed.

§ 2. This local law takes effect 120 days after it becomes a 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, prior to such date.

Referred to the Committee on Small Business.

Int. No. 513

By Council Members Ung, Lee, Cabán, Joseph, Louis, Brewer, Nurse, Gutiérrez, Abreu and Riley.

**A Local Law in relation to requiring the department of homeless services to report on the feasibility of partnering with community-based nonprofit organizations to accept and process applications for shelter intake from families with children**

*Be it enacted by the Council as follows:*

Section 1. Definitions. For the purposes of this local law, the following terms shall have the following meanings:

Department. The term “department” means the department of homeless services.

Shelter. The term “shelter” means housing provided to individuals and families by the department or a provider under contract or similar agreement with the department.

§ 2. a. No later than September 30, 2022, the department shall deliver to the mayor and the speaker of the council a report on the feasibility of partnering with community-based nonprofit organizations in neighborhoods throughout the city of New York to accept and process applications for shelter intake from families with children.

b. Such report shall include, without limitation:

1. Any barriers to allowing community-based nonprofit organizations to accept and process applications for shelter intake;
  2. The training requirements to implement such a program;
  3. Access to databases or other systems that would be required to accept and process such applications;
  4. Any issues relating to requirements and procedures regarding confidentiality and data privacy;
  5. Plans for overcoming any barriers or issues identified; and
  6. Any other information the department deems relevant.
- § 3. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Res. No. 208

**Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.9077/A.10372, which would provide judicial protections to abortion providers in New York.**

By Council Members Velázquez, Louis, Brannan, Hanif, Joseph, Nurse, Ung, Bottcher, Abreu, The Speaker (Council Member Adams) and Council Member Restler.

**Whereas**, According to a recently leaked initial draft majority opinion by the Supreme Court of the United States (SCOTUS) in the case *Dobbs v. Jackson Women’s Health Organization*, SCOTUS has voted to strike down the landmark *Roe v. Wade* decision that has protected the freedom to seek an abortion since 1973; and

**Whereas**, While such draft opinions routinely change as they are traded among justices, who offer suggestions, make objections and at times even change their votes, it is conceivable that the final ruling may yet be narrower than the leaked draft opinion; and

**Whereas**, Prior to *Roe v. Wade*, per historian Ruth Rosen, “[a]dvocates of abortion reform estimated that close to one million women had illegal abortions annually... and they attributed some five thousand deaths directly to illegal abortions”; and

**Whereas**, Rosen’s quote exemplifies how, throughout history, laws banning abortion do not prevent them from happening and instead make them humiliating and unsafe, to the point of sometimes being fatal; and

**Whereas**, While abortion care has been legal on a federal level for the past nearly 50 years, poor and working class women, women of color and people who identify as LGBTQI+ have continued to have limited access to reproductive healthcare; and

**Whereas**, According to an analysis conducted by the Guttmacher Institute, if SCOTUS overturns or fundamentally weakens *Roe v. Wade*, 26 states have laws or constitutional amendments already in place that would make them certain or likely to ban abortion; and

**Whereas**, Currently, 16 states have abortion bans in statute; and

**Whereas**, Texas’ restrictive new abortion law, which went into effect September 2021, relies on a unique private enforcement mechanism to enforce the ban via civil lawsuits, empowering private citizens to sue anyone who has helped “aid or abet” the provision of an abortion after six weeks; and

**Whereas**, Missouri has introduced a bill similar to that of Texas, but with enforcement going beyond its state’s borders in an attempt to impose their policy preferences on other states, to stop Missouri residents from accessing abortion care anywhere at all; and

**Whereas**, While the country awaits the official SCOTUS decision, other states are attempting to pass laws mirroring the enforcement method in the Texas law; and

**Whereas**, The State of New York (“New York” or “State”) has a long history of supporting reproductive rights as one of the first states in the country to pioneer legislation that decriminalized abortion in 1970; and

**Whereas**, New York City (“City”) has also been a leader in abortion care access; in 2019, the City Council made history when it allocated \$250,000 to the New York Abortion Access Fund allowing about 500 low-income women who travel from other states to obtain abortions in the City; and

**Whereas**, S.9077/A.10372, sponsored by State Senator Liz Krueger and State Assembly Member Charles Lavine respectively, would provide certain legal protections for abortion service providers, including extradition, arrest and legal proceedings in other states relating to abortions legally performed in New York; and

**Whereas,** This bill provides additional judicial protections to abortion providers located in the State by creating a statutory exception for the extradition of abortion providers; and

**Whereas,** The United States Constitution’s extradition clause does not cover extradition of people who did not “flee justice,” meaning a state is not constitutionally required to extradite, for example, an Illinois provider who never leaves Illinois but mails abortion medication to a Georgia resident in Georgia; and

**Whereas,** Nonetheless, some states have provisions in their own extradition laws that obligate the state to extradite accused criminals, even if they have never been in the other state and thus have not fled; and

**Whereas,** An abortion-supportive state seeking to fully protect its providers could exempt them from provisions related to extradition so that the provider could perform abortions in their home state to out-of-state patients, whether physically in the provider’s home state or by telemedicine to the patient’s home state, without fear of being extradited; and

**Whereas,** S.9077/A.10372 would prohibit courts from cooperating with out-of-state civil and criminal cases that stem from abortions that took place legally within their borders; and

**Whereas,** Most states have enacted some form of the Uniform Interstate Depositions and Discovery Act, which simplifies the process for litigants to take depositions and engage in discovery with people from another state; and

**Whereas,** New York could protect State resident providers from anti-abortion state investigations by passing a law exempting abortion providers from the interstate discovery and interstate witness subpoena laws; and

**Whereas,** S.9077/A.10372 would also provide judicial protections by prohibiting law enforcement from cooperating with anti-abortion states’ investigations regarding abortions that took place legally; and

**Whereas,** This bill is a tool to help New York thwart interstate investigations to combat state policies that attempt to ban abortions and punish providers beyond their borders; and

**Whereas,** The federal government has so far failed to act decisively on this issue, leaving it up to states that support reproductive health care to determine the future of abortion law and access; now, therefore be it

**Resolved,** That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, S.9077/A.10372, which would provide judicial protections to abortion providers in New York.

Referred to the Committee on Women and Gender Equity.

Int. No. 514

By Council Members Won, Stevens, Hudson, Brewer, Nurse, Farías, Avilés, Menin, Ossé, Williams, Schulman, Richardson Jordan and Riley.

**A Local Law to amend the administrative code of the city of New York, in relation to a public procurement database**

*Be it enacted by the Council as follows:*

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

*§ 6-147 Public procurement database. a. The mayor shall establish and maintain a searchable public online database containing the following information for each agency procurement exceeding the small purchase limits established pursuant to section 314 of the charter:*

- 1. a unique contracting process identifier;*
- 2. details of the purchasing agency, including the name of such agency, such agency address, and point of contact;*
- 3. prior to a solicitation, a summary outlining the requirements of a procurement, including, but not limited to, statements explaining:*

- (a) the purpose of the procurement and rationale;*
- (b) the planned method of evaluating proposals;*
- (c) the proposed term of the contract;*
- (d) the procurement timeline, including, but not limited to, the anticipated start date for new contracts, anticipated solicitation release date, approximate proposal submission deadline and anticipated award announcement date;*
- (e) funding information, including, but not limited to, total funding available for the procurement and sources of funding, anticipated number of contracts to be awarded, average funding level available for such contracts, anticipated funding minimums, maximums or ranges per award, if applicable; and*
- (f) proposed vendor performance reporting requirements.*

*4. upon production of a solicitation document, a summary outlining the information contained within such document including, but not limited to, statements explaining:*

- (a) the procurement method and purpose;*
- (b) the category of the procurement;*
- (c) a description in plain language of the scope of goods or services to be procured;*
- (d) the submission method and period for bids;*
- (e) the eligibility criteria of the bidder;*
- (f) the evaluation and award criteria;*
- (g) the estimated award date or period;*
- (h) the estimated starting and scheduled completion date of the contract;*
- (i) the public comment period; and*
- (j) the date and reason for any modification or amendment to the solicitation document, if applicable.*

*5. upon selection of a bidder for an award, a summary outlining such award, including, but not be limited to, statements explaining:*

- (a) the award date, description, and value;*
- (b) details of the selected bidder; including legal name, address, and point of contact;*
- (c) a description in plain language of the scope of goods or services to be provided pursuant to such award;*
- (d) the estimated starting and completion dates of the contract;*
- (e) the date and reason for any modification or amendment to such award; and*
- (f) the number and list of other responding bidders not selected for such award.*

*6. upon award of a contract, a summary outlining the basic information of such contract including, but not limited to, statements explaining:*

- (a) the contract date, type, and category;*
- (b) the name of the agency that awarded such contract;*
- (c) identifying details of the contractor, including such contractor's legal name, organization identification, address, and contact point;*
- (d) a description in plain language of the scope of goods or services to be provided pursuant to the contract;*
- (e) the method of such award;*
- (f) the dollar amount of the maximum expenditure authorized under such contract;*
- (g) the starting and anticipated completion date of such contract;*
- (h) the date and reason for any modification or amendment to such contract, if applicable; and*
- (i) the registration number assigned to such contract by the comptroller.*

*7. upon agency expenditures pursuant to a contract, details of each spending transaction against the contract, including:*

- (a) the date, value, payer, and payee of such transaction;*
- (b) a list of key milestones for contract implementation pursuant to such expenditure, including the status of such milestones;*
- (c) warrants for work completed or supplies furnished including relevant vouchers rendered by the commissioner or director of the contracting agency pursuant to such expenditure;*
- (d) any subcontract relating to such expenditure;*
- (e) any order of additional work relating to such expenditure, if any; and*
- (f) information regarding contractor performance pursuant to such expenditure as required by section 6-116.1;*



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

Referred to the Committee on Contracts.

L.U. No. 67

By Council Member Salamanca:

**Application number C 220232 ZMQ (Resilient Edgemere Community Initiative) submitted by the Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 30c and 31a, eliminating from within an existing R4 District a C1-2 District; eliminating from within an existing R4 District, a C2-2 District; eliminating from within an existing R5 District a C1-2; changing from an R4 District to an R3A District; changing from an R4-1 District to an R3A District; changing from an R4 District to an R4-1 District; changing from an R4 District to an R6A District; changing from an R5 District to an R6A District; changing from a C8-1 District to an R6A District; changing from a C3 District to an C3A District; establishing within an existing R4 District a C2-4 District; establishing within a proposed R6A District a C2-4 District; establishing a Special Coastal Risk District (CR), Borough of Queens, Community District 14, Council District 31.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 68

By Council Member Salamanca:

**Application number N 220233 ZRQ (Resilient Edgemere Community Initiative) submitted by the Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XIII, Chapter 7 (Special Coastal Risk District) to establish the Edgemere Special Coastal Risk District, and modifying APPENDIX F to establish Mandatory Inclusionary Housing areas, Borough of Queens, Community District 14, Council District 31.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 69

By Council Member Salamanca:

**Application number C 220235 PPQ (Resilient Edgemere Community Initiative) submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 197-c of the New York City Charter, for the disposition of city owned properties for uses identified in the Edgemere Urban Renewal Plan, Borough of Queens, Community District 14, Council District 31.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

## L.U. No. 70

By Council Member Salamanca:

**Application number C 220236 HAQ (Resilient Edgemere Community Initiative) 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 approximately 1,222 residential housing units, and commercial, community facility and open space on property located at (Block 15852, Lots 64 and 68); (Block 15851, Lots 33, 35, 40, 42, 44, 58, and 59); (Block 15850, Lot 6); (Block 15849, Lots 6, 8, 9, 10, 17, 18, 19, 20, 27, 28, and 29); (Block 15848, Lots 52, 54, 55, 57, 58, 60, 62, 63, 65, and 67), (Block 15847, Lots 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, and 89), the demapped roadbed of Beach 43rd Street between Blocks 15852 and 15851 and the demapped roadbed of Beach 39th Street between Blocks 15848 and 15849, Borough of Queens, Community District 14, Council District 31.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

## L.U. No. 71

By Council Member Salamanca:

**Application number C 220237 HUQ (Resilient Edgemere Community Initiative) submitted by the Department of Housing Preservation and Development pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the second amendment to the Edgemere Urban Renewal Plan, Borough of Queens, Community District 14, Council District 31.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

NEW YORK CITY COUNCIL

**A N N O U N C E M E N T S**

**Tuesday, June 7, 2022**

Subcommittee on Landmarks, Public Sitings and Dispositions

Farah N. Louis, Chairperson

**See Land Use Calendar**

Remote Hearing (Virtual Room 2).....10:00 a.m.

Committee on Environmental Protection

James F. Gennaro, Chairperson

**Oversight** – Phase out of No. 4 Fuel Oil.

**Int 470** - By Council Members Gennaro and Cabán - A Local Law to amend the administrative code of the city of New York, in relation to phasing out the use of fuel oil grade no. 4.

Remote Hearing (Virtual Room 3).....12:00 p.m.

Committee on Parks and Recreation

Shekar Krishnan, Chairperson

**Int 480** - By Council Members Krishnan, Abreu, The Speaker (Council Member Adams), Ariola, Aviles, Ayala, Barron, Borelli, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farias, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Kagan, Marte, Mealy, Menin, Nurse, Osse, Paladino, Restler, Rivera, Sanchez, Schulman, Stevens, Ung, Vernikov and Williams - **A Local Law** in relation to the naming of 79 thoroughfares and public places, Clara Belle Place, Borough of Queens, NYPD SCG Lorraine P. Elliott Way, Borough of Queens, Trinidad and Tobago Street, Borough of Queens, Juan M. Díaz Way, Borough of Manhattan, Hubert T. Delany Way, Borough of Manhattan, Ritawantee “Auntie Rita” Persaud Way, Borough of Queens, Sandra Santos-Vizcaino Street, Borough of Brooklyn, Hiram Maristany Way, Borough of Manhattan, Melvin A. Faulkner Way, Borough of Brooklyn, Jose Rosado Way, Borough of Brooklyn, Frederick Law Olmsted Way, Borough of Staten Island, Firefighter James Cooney Street, Borough of Staten Island, Robert Trentlyon Way, Borough of Manhattan, Jim Houghton Way, Borough of Manhattan, Ralph Schiano’s Corner, Borough of Brooklyn, Ballet Hispánico Way, Borough of Manhattan, W. O’Brien Way, Borough of Queens, Oswald Grannum Way, Borough of Queens, Salah Hassanein Way, Borough of Queens, FDNY Lt. Joseph W. Maiello Way, Borough of Staten Island, NYPD Detective Christopher B. McDonnell Way, Borough of Staten Island, Vincent “Jimmy” Anthony Navarino Way, Borough of Staten Island, Joseph Vincent Madory Way, Borough of Staten Island, Ramona Elizabeth Rodriguez Way, Borough of Manhattan, Jason “TATA” Rivera Way, Borough of Manhattan, Victor Aurelio “Classico” Tapia Way, Borough of Manhattan, James F. Nolan Way, Borough of Manhattan, Bill Stone Way, Borough of the Bronx, Marie Reed Way, Borough of the Bronx, Detective Raymond Abear Way, Borough of Queens, Rabbi Fabian Schonfeld Way, Borough of Queens, Detective Barbara Taylor-Burnette Way, Borough of Brooklyn, Aidan Seeger Way, Borough of Brooklyn, Little Bangladesh, Borough of Brooklyn, Kenny “Scats” Scanlon Way, Borough of Staten Island, The Force MD’s Way, Borough of Staten Island, Monsignor Peter Finn Way, Borough of Staten Island, Monsignor Ferdinando Berardi Way, Borough of Staten Island, Louis Iorio Way, Borough of Queens, Captain Thomas G. Abbey Place, Borough of Queens, Mary Anne Verbil Walter Way, Borough of Queens, Msgr. Peter Zendzian Way, Borough of Queens, Eudes Pierre Way, Borough of Brooklyn, Lou’s Deli Way, Borough of Brooklyn, Frank Giordano Way, Borough of Brooklyn, Francesco LoPresti Street, Borough of Brooklyn, Dr. Sergio I. Rubio Way, Borough of Queens, Little Thailand Way, Borough of Queens, Harold Lui Way, Borough of Manhattan, Edie Windsor and Thea Spyer Way, Borough of Manhattan, Beastie Boys Square, Borough of Manhattan, Kade Ashton Tyler Lewin Way, Borough of Brooklyn, Jimmy Neary Way, Borough of Manhattan, Pujari Basdeo Mangal Way, Borough of Brooklyn, Delrawn Small Way, Borough of Brooklyn, Police Officer Raymond Harris Way, Borough of Brooklyn, SGT Firefighter Shawn E. Powell Way, Borough of Brooklyn, Bishop Marvin D. Williams, Sr. Way, Borough of Brooklyn, Police Officer Timothy Motto Way, Borough of Queens, James “Big Jim” Corcoran Way, Borough of Queens, Jane Walentas Way, Borough of Brooklyn, Rita Saunders Way, Borough of Brooklyn, Dr. May Edward Chinn Place, Borough of Manhattan, Adela Fargas Way, Borough of Manhattan, Private First Class Luis Moreno Way, Borough of the Bronx, Joseph Hennessy Way, Borough of Queens, Greg Stein Way, Borough of Queens, Venancio “Benny” Catala, Jr. Way, Borough of the Bronx, Bishop

Earl W. McKay Way, Borough of the Bronx, Don Capalbi Way, Borough of Queens, Boris Talis Way, Borough of Brooklyn, Rabbi Melvin I. Burg Way, Borough of Brooklyn, Ukrainian Way, Borough of Brooklyn, Sarita Rein Way, Borough of Brooklyn, Fred Schneider Way, Borough of Brooklyn, Detective Mollie A. Gustine Way, Borough of Queens, Dharmacharya Seerattan Way, Borough of Queens, Maharshi Dayananda Gurukula Way, Borough of Queens, David and Renee Bluford Way, Borough of Queens and the repeal of section 105 of local law number 54 for the year 2022.

Remote Hearing (Virtual Room 1).....1:30 p.m.

**Wednesday, June 8, 2022**

Committee on Higher Education

Eric Dinowitz, Chairperson

**Oversight** - Examining Antisemitism on College Campuses.

**Preconsidered Res \_\_\_** - By Council Member Dinowitz - **Resolution** calling on the State Legislature to pass, and the Governor to sign, the Fair College Admissions Act (A.9505/S.8498), which would prohibit legacy preference and early admissions policies at undergraduate institutions.

Remote Hearing (Virtual Room 1).....10:00 a.m

**Thursday, June 9, 2022**

Committee on Small Business

Julie Menin, Chairperson

**Oversight** - Combatting Commercial Vacancies.

**Int 116** - By Council Members Menin, Hanif, Williams, Joseph, Brewer, Ung, De La Rosa, Riley, Yeger, Cabán, Abreu, Narcisse, Holden, Velázquez, Gennaro, Farías, Hudson, Schulman, Barron, Krishnan, Feliz, Brooks-Power, Hanks, Stevens, Moya, Powers, Won, Ossé, Dinowitz, Brannan, Avilés, Ayala, Sanchez, Marte, Rivera, Borelli, Ariola, Vernikov and Paladino - **A Local Law** to amend the administrative code of the city of New York, in relation to creating a “One-Stop Shop NYC Business Portal”.

**Int 197** - By Council Members Rivera, Menin, Cabán, Hanif, Won, Restler, Krishnan and Hudson - **A Local Law** to amend the administrative code of the city of New York, in relation to establishing a legacy business registry and preservation fund.

**Int 383** - By Council Members Brewer and Louis - **A Local Law** to amend the administrative code of the city of New York, in relation to supplemental registration statements and the dataset for ground floor or second floor commercial premises.

Remote Hearing (Virtual Room 1).....10:00 a.m.

Committee on Rules, Privileges & Elections

Keith Powers, Chairperson

**M 69** - Communication from the Manhattan Borough President - Submitting the name of Ms. Leila Bozorg, to the Council for its advice and consent regarding her appointment to the City Planning Commission, pursuant to Sections 31 and 192 of the City Charter.

Hybrid Hearing – Council Chambers – City Hall.....10:30 a.m.

**Monday, June 13, 2022**

Committee on Resiliency and Waterfronts

Ari Kagan, Chairperson

**Oversight** - Abandoned Boats Along the Waterfront.

**Int 210** - By Council Members Ariola, Brooks-Powers, Menin, Velázquez, Ossé, Farías, Gennaro, Gutiérrez, Ayala, Holden, Narcisse, Abreu, Riley, Barron, Schulman, Carr, Borelli, Paladino and Vernikov - **A Local Law** to amend the New York city charter, in relation to creating a marine debris disposal and vessel surrendering office.

**Int 461** - By Council Members Ariola and Borelli - **A Local Law** to amend the administrative code of the city of New York, in relation to identifying and removing boats from New York city’s littoral waters.  
Remote Hearing (Virtual Room 1).....1:00 p.m.

**Tuesday, June 14, 2022**

[Subcommittee on Landmarks, Public Sitings and Dispositions](#) Farah N. Louis, Chairperson  
**See Land Use Calendar**  
Remote Hearing (Virtual Room 2).....10:00 a.m.

[Committee on Women and Gender Equity](#) Tiffany Cabán, Chairperson  
**Int 153** - By Council Members Cabán, Hanif, Louis, Ayala, Ung the Public Advocate (Mr. Williams), Stevens, Won, Restler, Krishnan, Abreu, Marte, Hudson, Nurse, Williams, Gutiérrez, Narcisse, Menin, Lee, De La Rosa, Richardson Jordan, Schulman and Avilés - **A Local Law** to amend the administrative code of the city of New York, in relation to establishing a domestic violence survivor housing stability program.  
**Int 154** - By Council Members Cabán, Riley, Louis, Ayala, Ung, the Public Advocate (Mr. Williams), Stevens, Hanif, Won, Restler, Krishnan, Abreu, Marte, Hudson, Nurse, Williams, Yeger, Gutiérrez, Narcisse, Menin, Lee, De La Rosa, Richardson Jordan, Schulman and Avilés - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the office to end domestic and gender-based violence to create an online services portal and guide.  
**Res 111** - By Council Member Cabán, the Public Advocate (Mr. Williams) and Council Members Stevens, Hanif, Won, Restler, Krishnan, Abreu, Hudson, Nurse, Gutiérrez, Narcisse, Ung, Menin, Lee, Williams, De La Rosa, Richardson Jordan, Avilés and Schulman - **Resolution** calling on New York State to pass legislation that would provide domestic violence survivors and their families with job-protected, paid leave, similar to that of New York State’s Paid Family Leave law, to be used for any activities relating to their actual or perceived status as a domestic violence survivor or family member of a domestic violence survivor.  
Remote Hearing (Virtual Room 1).....10:00 a.m.

[Subcommittee on Zoning & Franchises](#) Kevin C. Riley, Chairperson  
**See Land Use Calendar**  
Remote Hearing (Virtual Room 2).....11:30 a.m.

[Committee on Land Use](#) Rafael Salamanca, Jr., Chairperson  
**All items reported out of the Subcommittees**  
**AND SUCH OTHER BUSINESS AS MAY BE NECESSARY**  
Remote Hearing (Virtual Room 2).....3:30 p.m.

**Wednesday, June 15, 2022**

[Committee on Education](#) Rita Joseph, Chairperson  
**Oversight** - School Food  
Remote Hearing (Virtual Room 2).....10:00 a.m.

★ **Addition**  
[Committee on General Welfare](#) Diana I. Ayala, Chairperson  
**Oversight** - Juvenile Detention in NYC.  
**Int 139** - By Council Members Abreu, Ayala, Cabán, Stevens, Won, Williams, Sanchez, Velázquez, Riley, Schulman, Menin, Gennaro, Restler, Dinowitz, Narcisse, Krishnan, Gutiérrez, Marte, Ung, Ossé, Rivera, Hudson, Brooks-Powers, Hanif, Salamanca, Joseph, Nurse, Farías, De La Rosa, Avilés, Brannan, Holden, Powers, Hanks, Moya, Lee, Feliz, Kagan, Bottcher, Louis, Borelli, Carr, Ariola, Vernikov and Paladino - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the administration

for children’s services to report on the impact of the deaths of parents and guardians from COVID-19 on children and the repeal of such requirement upon the expiration thereof.

Remote Hearing (Virtual Room 3).....10:30 a.m.

Committee on Sanitation and Solid Waste Management

Sandy Nurse, Chairperson

**Int 244** - By Council Members Hanif, the Speaker (Council Member Adams), Won, Nurse, Bottcher, Gennaro, Menin, Hudson, Cabán, Powers, Brewer, Rivera, Sanchez, Marte, Stevens, De La Rosa, Joseph, Ung, Ossé, Avilés, Restler, Dinowitz, Abreu, Krishnan, Ayala, Moya, Richardson Jordan, Riley, Holden, Gutiérrez, Barron, Feliz, Louis, Narcisse, Brannan and Lee (by request of the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to residential curbside organics collection.

**Int 274** - By Council Members Nurse, Bottcher, Ossé, Menin, Gutiérrez, Hanif, Powers, Hudson, Brewer, Sanchez, Stevens, Yeger, Marte, Joseph, Ayala, Restler, Abreu, Krishnan, Avilés, Rivera, Moya, Williams, Richardson Jordan, Riley, Holden, De La Rosa, Cabán, Dinowitz, Won, Barron, Feliz, Louis, Narcisse, Brannan and Schulman (in conjunction with the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to establishing a goal of zero waste for New York city by 2030.

**Int 275** - By Council Members Nurse, Cabán, Bottcher, Ossé, Menin, Gutiérrez, Hanif, Powers, Hudson, Brewer, Sanchez, Stevens, Yeger, Ayala, Restler, Abreu, Krishnan, Avilés, Rivera, Joseph, Marte, Moya, Williams, Richardson Jordan, Riley, Holden, De La Rosa, Dinowitz, Won, Barron, Feliz, Louis, Narcisse, Brannan and Schulman (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 goal of zero waste to landfill.

**Int 280** - By Council Members Powers, Rivera, Brewer, Nurse, Hanif, Cabán, Bottcher, Hudson, Menin, Stevens, Joseph, Ayala, Restler, Abreu, Krishnan, Avilés, Ossé, Marte, Moya, Williams, Dinowitz, Richardson Jordan, Riley, Gutiérrez, De La Rosa, Barron, Won, Feliz, Louis, Narcisse, Brannan, Schulman, Ung, Velázquez and Lee (by request of the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to community recycling centers.

**Int 281** - By Council Members Powers, Nurse, Rivera, Brewer, Hanif, Cabán, Bottcher, Hudson, Menin, Stevens, Joseph, Ayala, Restler, Abreu, Krishnan, Avilés, Ossé, Marte, Moya, Williams, Dinowitz, Richardson Jordan, Riley, Gutiérrez, De La Rosa, Won, Barron, Feliz, Louis, Narcisse, Brannan, Schulman, Ung, Velázquez and Lee (by request of the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to organic waste drop off sites.

Remote Hearing (Virtual Room 1).....12:00 p.m.

**Thursday, June 16, 2022**

Stated Council Meeting

***HYBRID HEARING – Council Chambers – City Hall..Agenda – 1:30 p.m.***

The following comments were among the remarks made by the Speaker (Council Member Adams) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Adams) acknowledged the recent observation of Memorial Day when service members who made the ultimate sacrifice for their country are honored and commemorated. She noted her own family's legacy of military service and she expressed the hope that everyone had a safe and meaningful Memorial Day.

The Speaker (Council Member Adams) acknowledged that the month of June marked LGBTQ Pride Month which is celebrated each year to honor the 1969 New York City Stonewall uprising. She noted that Pride Month was a time to reflect on the victories as well as on the ongoing struggles of the LGBTQ community. The Speaker (Council Member Adams) acknowledged that LGBTQ Americans were still suffering from discrimination, bias, and violence. She spoke of the upcoming six year anniversary of the Pulse Nightclub mass shooting in Orlando, Florida which was a deliberate attack on the LGBTQ and Latino communities. She reiterated that hate must be addressed in all its forms and that the Council was committed to prevent violence before it occurs.

The Speaker (Council Member Adams) acknowledged that the month of June also marked Caribbean American Heritage Month which celebrates the cultural, social, and political contributions made by Caribbean American communities to the city and the country. She recognized the legacy of many groundbreaking Caribbean American leaders in New York City and she thanked them all for what they had done on behalf of the city.

The Speaker (Council Member Adams) acknowledged that the city's Jewish communities would soon be celebrating *Shavuot* by gathering with families and friends at synagogues to enjoy shared meals and to light holiday candles. She wished a happy and safe *Shavout* to all New Yorkers who would be celebrating on the upcoming weekend.

The Speaker (Council Member Adams) acknowledged that Loving Day would be celebrated on June 12, 2022. Loving Day marked the anniversary of the historic U.S. Supreme Court decision of *Loving v. Virginia* which ended anti-miscegenation laws and allowed interracial marriage in the United States. The Speaker (Council Member Adams) emphasized that with so many communities presently facing violence and hate, it was especially important at this point to celebrate love and to stand in solidarity with our multi-racial families throughout the country.

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, June 16, 2022.

MICHAEL M. McSWEENEY, City Clerk  
Clerk of the Council

*Editor's Note: There was an additional Stated Meeting subsequently scheduled and held on Monday, June 13, 2022.*

*Editor's Local Law Note: Int. No. 14-A, adopted at the April 28, 2022 Stated Meeting, was returned unsigned by the Mayor on May 31, 2022. This item had become law on May 29, 2022 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. This bill was assigned subsequently as Local Law No. 61 of 2022.*

*Int. Nos. 104-A, 105-A, 106-A, 131-A, and 155-A, all adopted by the Council at the May 19, 2022 Stated Meeting, were signed into law by the Mayor on June 1, 2022 as, respectively, Local Law Nos. 62 to 66 of 2022.*