

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Wednesday, December 15, 2021, 1:55 p.m.

(held in a hybrid meeting format)

The Majority Leader (Council Member Cumbo)

presiding as the Acting President Pro Tempore

Council Members

Corey D. Johnson, *Speaker*

Adrienne E. Adams	Oswald Feliz	Keith Powers
Alicka Ampry-Samuel	James F. Gennaro	Antonio Reynoso
Diana Ayala	Vanessa L. Gibson	Kevin C. Riley
Inez D. Barron	Mark Gjonaj	Carlina Rivera
Joseph C. Borelli	Barry S. Grodenchik	Ydanis A. Rodriguez
Justin L. Brannan	Robert F. Holden	Deborah L. Rose
Selvena N. Brooks-Powers	Ben Kallos	Helen K. Rosenthal
Tiffany Cabán	Peter A. Koo	Rafael Salamanca, Jr
Fernando Cabrera	Karen Koslowitz	Mark Treyger
David M. Carr	Bradford S. Lander	Eric A. Ulrich
Margaret S. Chin	Stephen T. Levin	Paul A. Vallone
Robert E. Cornegy, Jr	Mark D. Levine	James G. Van Bramer
Laurie A. Cumbo	Farah N. Louis	Inna Vernikov
Darma V. Diaz	Alan N. Maisel	Kalman Yeger
Eric Dinowitz	Carlos Menchaca	
Daniel Dromm	I. Daneek Miller	
Mathieu Eugene	Francisco P. Moya	

Absent: Council Member R. Diaz, Sr. and Perkins.

The Majority Leader (Council Member Cumbo) 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 Cumbo).

There were 49 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 The Rev. Mark E. Erson, Pastor, spiritual leader at St. John's Lutheran Church, located at 81 Christopher Street, New York, N.Y. 10014.

Thank you Madam Majority Leader,
Mr. Speaker, Members of City Council.
Whether on screen or in this Chamber,
it's always a blessing and an honor to be with you.

The days are growing shorter still.
For too many, the long nights
are not only seen with their eyes
but felt in their spirits.
In the midst of celebrating festivals of light
and of awaiting the birth of new light,
we strive and struggle to audaciously hold on
to hope for our own good
and for the greater good.

And so, we pray.
Creator of light
who renews and sustains the light within us,
shine on and in us this day.
Illumine right paths with your wisdom.
Warm the cold corners where suffering hides.
We especially remember those
who have died this past year.
Those who continue to mourn the loss
of that light in their lives.
We also walk with those traversing dark valleys
brought on by last week's devastating storms.
Inspire us also to look back
at the year with thanksgiving.
In the midst of our gratitude,
we give thanks for those in this Chamber
whose terms are coming to an end
who have selflessly served,
who have worked tirelessly
to shine light of reform and recovery
for the sake of this city and for people.
Bless and guide them
in their new chapters and adventures.
For those who continue, refresh them
and prepare those who will begin
their terms of service in the new year.

Now we pray, bless this time.

Open hearts and minds to the light
that will lead to decisions
that shine with justice for all;
with mercy for those in need;
with courage to stand with the powerless;
And with the spirit
that brings people together in community.
In the name of peace
and with great joy we pray.
Amen.

The Speaker (Council Member Johnson) moved to spread the Invocation in full upon the record.

During the Communication from the Speaker segment of this meeting, the Speaker (Council Member Johnson) reminded everyone to be vigilant in the battle against COVID-19 as the winter holidays and winter months approach. He acknowledged that the United States was close to recording 800,000 deaths from the virus. He noted that 75% of those who had died across the country, approximately 600,000 people, were 65 years of age or older. The Speaker (Council Member Johnson) further acknowledged that 34,922 New Yorkers had passed away due to COVID-19 as of December 14, 2021.

Also during the Communication from the Speaker segment of this meeting, the Speaker (Council Member Johnson) spoke of the recent deaths of a number of individuals mentioned below.

The Speaker (Council Member Johnson) acknowledged the death of retired NYPD Detective Terence “Terry” Mulvey who passed away due to 9/11-related illnesses. Detective Mulvey died on December 1, 2021 at the age of 62 years.

The Speaker (Council Member Johnson) acknowledged two New Yorkers who had lost their lives on the job during the course of their employment: delivery worker Fadhil Moosa, 20, was shot and killed on December 14, 2021 by an armed robber while working inside a Crown Heights, Brooklyn deli; and window washer Diego Rodriguez Celi, 34, tragically fell to his death on December 10, 2021 while working on a high rise building in Brooklyn.

The Speaker (Council Member Johnson) acknowledged the death of more than 70 individuals after several tornados ripped through parts of Arkansas, Illinois, Kentucky, Mississippi, Missouri and Tennessee. The storms took place during the evening of December 10th and continued into the morning of December 11th 2021. He noted that among those killed by the string of tornados were several people working during the Friday night shift at the Candle Factory in Mayfield, Kentucky and at least six people who were at an Amazon warehouse in Illinois. On behalf of the Council, the Speaker (Council Member Johnson) sent his deepest condolences to the families and friends of those who were killed.

The Speaker (Council Member Johnson) acknowledged the nine year anniversary of the Sandy Hook Elementary School shooting of December 14, 2012. He noted that the country was still grieving for the twenty children and six educators who were killed and taken away from their families and friends. The Speaker (Council Member Johnson) further noted that despite efforts to reform the present gun laws, more school shootings were continuing to take place – he referred to a recent school shooting in November 2021 which had taken place in Michigan.

The Speaker (Council Member Johnson) asked for a moment of silence in memory of the deceased mentioned above. A moment of silence was observed in the Chambers.

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ADOPTION OF MINUTES

Council Member Gjonaj moved that the Minutes of the Stated Meeting of November 23, 2021 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

Preconsidered M-358

Communication from the Mayor submitting the name of Gail Nayowith for appointment as a member of the New York City Board of Health.

December 6, 2021

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

Dear Speaker Johnson:

Pursuant to Sections 31 and 553 of the New York City Charter, I am pleased to present the name of Gail Nayowith to the City Council for advice and consent prior to her appointment to the Board of Health.

Ms. Nayowith is Principal of 1digit LLC. When appointed, she will replace Susan Klitzman and serve for the remainder of a six-year term expiring on May 31, 2026.

I send my thanks to you and all Council Members for reviewing this Board of Health nomination.

Sincerely,

Bill de Blasio
Mayor

BDB:bh

cc: Gail Nayowith, Principal, 1digit LLC
Melanie Hartzog, Deputy Mayor for Health and Human Services
Dr. Dave Chokshi, Commissioner, Department of Health and Mental Hygiene

Referred to the Committee on Rules, Privileges and Elections.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

Preconsidered M-359

Communication from the Office of Management & Budget - Transfer City funds between various agencies in Fiscal Year 2022 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter (MN-1).

(For text of the MN-1 and Appendix A numbers, please see the New York City Council website at <https://council.nyc.gov> for the respective attachments section of the [M-359 & Res. No. 1876 of 2021](#) files)

Referred to the Committee on Finance.

Preconsidered M-360

Communication from the Office of Management & Budget - Appropriation of new City revenues in Fiscal Year 2022, pursuant to Section 107(e) of the New York City Charter (MN-2).

(For text of the MN-2, please see the New York City Council website at <https://council.nyc.gov> for the respective attachments section of the [M-360 & Res. No. 1877 of 2021](#) files)

Referred to the Committee on Finance.

LAND USE CALL-UPS

M-361

By Council Member Powers:

Pursuant to Sections 11.20b and 11.20c of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the actions of the City Planning Commission on Uniform Land Use Review Procedure Application Numbers C 210453 ZSM and C 210454 ZSM (415 Madison Avenue) shall be subject to Council review.

Coupled on Call-up vote.

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

Affirmative – Adams, Ampy-Samuel, Ayala, Barron, Brannan, Brooks-Powers, Cabán, Cabrera, Carr, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Powers, Reynoso, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Vallone, Van Bramer, Vernikov, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **49**.

At this point, the Majority Leader and the Acting President Pro Tempore (Council Member Cumbo) 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 Civil Rights

Report for Int. No. 1208-B

Report of the Committee on Civil and Human Rights 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 prohibiting employers from posting job listings without minimum and maximum salary information.

The Committee on Civil and Human Rights, to which the annexed proposed amended local law was referred on October 31, 2018 (Minutes, page 4233), respectfully

REPORTS:

I. INTRODUCTION

On December 14, 2021, the Committee on Civil and Human Rights, chaired by Council Member Eugene, held a vote on: Proposed Introduction Number 1208-B (Int. 1208-B), in relation to prohibiting employers from posting job listings without minimum and maximum salary information; Proposed Introduction Number 2020-A (Int. 2020-A), in relation to open captioning at movie theaters; and Resolution Number 1872, declaring December 8 as Sri Guru Tegh Bahadur Jee Day in the city of New York.

On December 2, 2021, the Committee held its first hearing on Int. No. 1208 and Int. No. 2020. Those invited to testify included representatives from the New York City Commission on Human Rights (CCHR), advocacy and community organizations, and members of the public. This testimony was used to advise amendments to the bills. On December 14, 2021, Proposed Introduction Number 1208-B passed with 4 votes in the affirmative, 0 votes in the negative, and no abstentions. Proposed Introduction Number 2020-A passed with 3 votes in the affirmative, 0 votes in the negative, and 1 abstention. Resolution Number 1872 passed with 4 votes in the affirmative, 0 votes in the negative, and 0 abstentions.

II. BACKGROUND

A. The Wage Gap in the United States

The wage gap represents the discrepancy in wages between men and women,¹ which is the average difference between the pay, or wages, for men and women in the workforce.² The median annual earnings of full-time, year-round workers is the most common measure for calculating the gender wage gap.³ Additionally, intersectional identities, including race, affect the wage gap.⁴ The Pew Research Center (“Pew”) found that, in 2015, among both full- and part-time workers in the United States (U.S.), Black people earned just 75 percent as much as whites in median hourly earnings and women earned 83 percent as much as men.⁵ According to the Institute for Women’s Policy Research, the gender wage gap in weekly earnings for full-time workers in the U.S.

¹ Also known as the “gender pay gap.”

² Elise Gould, et al, *What is the Gender Pay Gap and is it Real?* Economic Policy Institute. (Oct. 20, 2016) Available at <https://www.epi.org/publication/what-is-the-gender-pay-gap-and-is-it-real/>.

³ U.S. Dep’t of Labor. *Facts Over Time-Earnings and Ratios*. (1960-2020) Available at: <https://www.dol.gov/agencies/wb/data/facts-over-time>.

⁴ Eileen Patten. Pew Research Center. *Racial, Gender Wage Gaps Persist in U.S. Despite Some Progress*. (July 1, 2016) Available at <https://www.pewresearch.org/fact-tank/2016/07/01/racial-gender-wage-gaps-persist-in-u-s-despite-some-progress/>

⁵ *Id.*

increased between 2017 and 2018.⁶ Pew’s research shows that this data has changed very little over the years as the gender wage gap held steady in 2020, with women earning 84% of what men earned.⁷

Despite efforts to narrow the gender pay gap since the 1960s, a woman working full-time in the U.S. still earns only a percentage of what a typical man earns in a year. Although the pay gap is narrower in New York State, at 88 percent, it results in a difference in the median annual income between women and men working full-time.⁸ Women in New York earn approximately \$10,157 less than men each year.⁹

i. Factors Affecting the Gender Wage Gap

Some of the factors driving the gender wage gap include: labor force participation; occupational title differences (for similar work); education; labor force experience and hours worked; gender differences in formal job training and retention; the impact of gender on the division of labor and on family caregiving; occupations and industries; and labor market discrimination.¹⁰ In addition to these factors, structural barriers to women’s progress and enduring social attitudes about a “woman’s place” contribute heavily to lower pay for women.¹¹

Despite the abovementioned factors, progress has been made in addressing some of the underlying issues that lead to the gender wage gap since World War II.¹² For example, women are now more likely to have a bachelor’s degree than men,¹³ a trend which has seen women’s participation in the U.S. labor force increase dramatically.¹⁴ However, most of the contributing underlying causes have been difficult to alleviate, allowing the gender wage gap to persist.¹⁵

It is apparent that the gender wage gap is more acute for women of color. For example, the median weekly earnings for Hispanic women were 61.6 percent, and for Black women 65.3 percent, of White men’s earnings in 2018.¹⁶ In 2021, the American Association of University Women (AAUW) published a report comparing the annual earnings of white men working full-time year-round, to women belonging to different racial groups, across the U.S.¹⁷ In this report, based on Census data, AAUW found that overall women were paid 83 cents to every dollar a man earned. However, while the wage gap for White women working in the U.S. was 79 percent, the wage gap for Black women was 64 percent, 57 percent for Latinas, and 82 percent for Asian women.¹⁸ Further, according to a report by the NYC Commission on Gender Equity (CGE), in New York City, a white woman working full-time earns 84 cents for every dollar a white man earns while a Hispanic woman working

⁶ In 2018, the Institute reported that the ratio of women’s to men’s median weekly full-time earning was 81.1 percent, leaving a wage gap of 18.9 percent. Institute for Women’s Policy Research, *The Gender Wage Gap: 2018-Earnings Differences by Race and Ethnicity*, (Mar. 2018) Available at https://iwpr.org/wp-content/uploads/2019/03/C478_Gender-Wage-Gap-in-2018.pdf.

⁷ Notably, data has not yet been made available for 2021 and the impact of the coronavirus fueled economic downturn. Amanda Barroso and Anna Brown. Pew Research Center. *Gender Pay Gap in U.S. Held Steady in 2020*. (May 25, 2021) Available at <https://www.pewresearch.org/fact-tank/2021/05/25/gender-pay-gap-facts/>.

⁸ Azi Paybarah. New York Times. *What Women in New York Earn Compared With Men*. (April 2, 2019) Available at <https://www.nytimes.com/2019/04/02/nyregion/newyorktoday/nyc-news-women-equal-pay-day.html>.

⁹ PowHer New York. *FACT SHEET: Salary Range Transparency Legislation*. (May 7, 2021) Available at <https://www.powher.org/2021/05/07/fact-sheet-salary-range-transparency-legislation/>.

¹⁰ Francine D. Blau and Lawrence M. Kahn, *The Gender Wage Gap: Extend, Trends and Explanations*. (National Bureau of Economic Research Working Paper 21913, Jan. 2016), <https://www.nber.org/papers/w21913.pdf>.

¹¹ Sarah Jane Glynn, Center for American Progress. *Explaining the Gender Wage Gap*, May 19, 2014. Available at <https://www.americanprogress.org/issues/economy/reports/2014/05/19/90039/explaining-the-gender-wage-gap/>.

¹² Blau *supra* at 11.

¹³ Nolan Feeney, TIME. *Women are Now More Likely to Have a College Degree* (Oct. 7, 2015) Available at [e](https://www.time.com/time/health/2015/10/07/women-college-degree/).

¹⁴ Blau *supra*.

¹⁵ Nikki Graf, et al., Pew Research Center. *The Narrowing, But Persistent, Gender Gap in Pay*. (Mar. 22, 2019) Available at <https://www.pewresearch.org/fact-tank/2019/03/22/gender-pay-gap-facts/>.

¹⁶ *Id.*

¹⁷ American Association of University Women. *The Simple Truth About the Gender Pay Gap: 2021 Update*. (2021) Available at https://www.aauw.org/app/uploads/2021/09/AAUW_SimpleTruth_2021_-fall_update.pdf.

¹⁸ *Id.* Notably, this report indicated that its results did not reflect the impact of unemployment on the racial and gender wage gap. While the share of men who are employed full-time fell from 52.2 percent in 2019 to 46.1 percent in 2020, the share of women who are employed full-time fell from 38.2 percent to 33.5 percent. As the people most likely to be unemployed are women with the lowest wages, the pay data reflects a narrower pay gap rather than progress towards pay equity.

full-time earns 46 cents; an African American woman earns 55 cents; and an Asian woman earns about 63 cents.¹⁹

For Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) individuals who have secured a job, a 2018 survey showed that they make less money than non-LGBTQ people on average, with more than half of LGBTQ respondents reporting wages of less than \$50,000 annually.²⁰ Meanwhile, the National Women's Law Center reports that transgender women's wages fall by nearly a third after they transition.²¹

ii. *The Gender Wage Gap in New York City*

Renewed focus on closing the gender wage gap has led many states, including New York, to pass legislation strengthening equal pay provisions by targeting some of the factors that perpetuate the gender pay gap. The state of New York has one of the smallest wage gaps among men and women in the nation, with women earning 88 cents to a man's dollar when comparing annual median earnings.²² Yet, this gap still represents a significant difference in earnings within the state and city.²³ For example, 88 cents to the dollar means that women annually earn \$48,901 in comparison to the \$55,636 men earn.²⁴

In NYC, the wage gap in 2018 was 85.8 percent, with women earning \$54,587 to men earning \$63,594.²⁵ This represents a modest increase from 2016, when the wage gap in the city was 85 percent, and still shows a net difference in almost \$10,000 in earnings between the sexes.²⁶

Additionally, according to a 2018 report by then-Public Advocate Letitia James, the average salary of women at the top ten majority women at NYC agencies²⁷ was \$10,000 less than the average salary of men at the top ten majority men NYC agencies.²⁸ However, the same report found that at some agencies, male and female employees of the same rank or position were paid equally. Furthermore, collective bargaining agreements and civil service examinations can be an effective tool in addressing both wage equity and other issues related to retention and promotion.²⁹

iii. *NYC Commission on Gender Equity*

The NYC CGE was codified in September 2016 to study the inequities facing women and girls, including the social and economic challenges individuals face due to gender.³⁰ CGE examines and provides resources to

¹⁹ New York City Commission on Gender Equity. *Leveling the Playing Field: Best Practices for Gender Pay Equity in the Workplace*. (Feb. 2018) Available at <https://www1.nyc.gov/assets/genderequity/downloads/pdf/Pay-Equity-Brochure.pdf>.

²⁰ Miranda Marquit. Student Loan Hero. *Survey: 60% of LGBTQ Student Borrowers Regret Taking Out Student Loans*. (Dec. 3, 2018) Available at <https://studentloanhero.com/featured/survey-lgbtq-student-borrowers-regret-loans/>. Notably, a gender wage gap exists even among same-sex couples. A 2013 report by the Williams Institute found that women in same-sex couples have a median personal income of \$38,000 compared to \$47,000 for men in same-sex couples. M.V. Lee Badgett, et. al., The Williams Institute. *New Patterns of Poverty in the Lesbian, Gay, and Bisexual Community*. (June 2013) Available at <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGB-Poverty-Update-Jun-2013.pdf>.

²¹ National Women's Law Center. *The Wage Gap: the Who, How, Why, and What to Do*. (Apr. 2016) Available at <https://nwlc.org/wp-content/uploads/2016/04/The-Wage-Gap-The-Who-How-Why-and-What-to-Do-1.pdf>.

²² Susan Milligan. U.S. News. *States with Largest and Smallest Gender Pay Gap*. (April 2, 2019) Available at <https://www.usnews.com/news/best-states/articles/2019-04-02/states-with-largest-and-smallest-gender-pay-gap>.

²³ *Id.*

²⁴ *Id.*

²⁵ American Association of University Women. *The Pay Gap in 25 Major U.S. Cities*. (Oct. 3, 2019) Available at <https://www.aauw.org/resources/article/pay-gap-in-metro-areas/>. Note: City is defined as New York Metropolitan Statistical Area, commonly used in the American Community Survey.

²⁶ American Association of University Women. *U.S. Cities Reveal a Wide Range of Gender and Racial Pay Gaps*. (Dec. 11, 2017) Available at <https://www.aauw.org/article/u-s-cities-reveal-a-wide-range-of-gender-and-racial-pay-gaps/>.

²⁷ Dep't of Ed. Paraprofessionals, Hum. Res. Admin./Dep't of Soc. Serv., Dep't of Prob., Dep't of Ed. Admin., Admin. for Child. Serv., Landmarks Pres. Comm'n, Dep't for the Aging, Mayor's Off. of Cont. Serv., Dep't of Youth and Cmty Dev., Dep't of Ed. Pedagogical. See Page 5; Public Advocate for the City of New York. *Tipping the Scales. Wage and Hiring Inequity in New York City Agencies*. (Mar. 2018).

²⁸ *Id.* Taxi and Limousine Comm'n, Dep't of Parks and Recreation, Dep't of Transp., Dep't of Sanitation, Fire Dep't, Dep't of Env't Prot., Dep't of Buildings, Police Dep't, Dep't of Design and Constr., Fin. Info. Serv. Agency.

²⁹ *Id.* at 6.

³⁰ NYC Commission on Gender Equity. *About the Commission on Gender Equity*. Available at <https://www1.nyc.gov/site/genderequity/about/about.page>.

address the gender wage gap. One such resource is a guide, released in February 2018, for best practices for gender pay equity in the workplace.³¹ Along with identifying the many benefits of eliminating the gender wage gap, the guide discusses the various employment laws in place to protect workers.³² Among the best practices to achieve pay equity, the guide includes using gender neutral language in recruitment materials, eliminating the use of salary history and negotiations when hiring and setting pay, establishing implicit bias training, instituting a name- and gender-blind application process, and utilizing structured interview questions and a diverse interview panel.³³ In addition to the guide, CGE's website identifies other resources provided by other City entities to reduce and eliminate the gender wage gap including salary negotiation trainings.³⁴

iv. *Pay transparency*

One strategy to achieve pay equity is to require pay transparency,³⁵ which eliminates the wage gaps that result from sex and race discrimination.³⁶ Pay transparency efforts often include at least one of the following strategies: (1) prohibiting employers from asking for salary history before an interview or hiring; (2) requiring employers to publish salary ranges; or (3) allowing the disclosure of current salary and salary history among employees.³⁷ The reasoning behind increasing pay transparency is that job applicants are otherwise calculating their salary expectations in a vacuum. According to the National Women's Law Center, studies show that women often ask for a lower salary when they negotiate than men, regardless of their qualifications or the nature of the role.³⁸ Accordingly, absent transparent guidelines for the position's salary, women might be paid less. Disclosing salary ranges might level the playing field by facilitating fairer negotiations. Companies may also be given the opportunity to review and evaluate compensation practices to address pay disparities.³⁹

Pay transparency laws have been enacted in various jurisdictions within and outside the United States and the impact of such laws on the gender and race wage gap are telling. Studies show that in some instances, pay transparency combined with a well-communicated compensation plan has a positive impact on job satisfaction, employee engagement, and productivity.⁴⁰ While the pay gap was not closed for all professions, pay transparency did narrow the gender wage gap when all other compensable factors were accounted for and controlled, and the gap completely closed across the majority of industries, occupations and job levels.⁴¹

A 2021 study of the impacts of pay transparency laws reveals how such laws can also provide a benefit to employers by raising the de facto bargaining power of the employer.⁴² According to the study, after pay transparency laws are enacted, the wage gap will shrink, however, average wages also may decline so long as the employer commits to a maximum wage.⁴³ Further, in markets where workers collectively bargained or utilized a union, transparency did not detract from worker leverage.⁴⁴

³¹ NYC Commission on Gender Equity. *Leveling the Playing Field: Best Practices for Gender Pay Equity in the Workplace*. (2017) Available at <https://www1.nyc.gov/assets/genderequity/downloads/pdf/Pay-Equity-Brochure.pdf>

³² *Id.*

³³ *Id.*

³⁴ NYC Commission on Gender Equity. *Pay Equity Resources*. Available at <https://www1.nyc.gov/site/genderequity/economic-equity/pay-equity-resources.page>

³⁵ According to the company PayScale, pay transparency is "an approach to compensation that removes the mystery of how much employees make by establishing data informed pay ranges for job roles that are not cloaked in secrecy." *Does Pay Transparency Close the Gender Wage Gap?* (PayScale 2020) <https://www.payscale.com/content/whitepaper/Pay-Transparency-Closing-Gender-Wage-Gap.pdf>.

³⁶ Pay equity is a means of eliminating sex and race discrimination in the wage-setting system by requiring that the criteria employers use to set wages be sex- and race-neutral. See National Committee on Pay Equity. *Pay Equity Information*. Available at <https://www.pay-equity.org/info-Q&A.html>.

³⁷ Tatiana Follett and Iris Hentze, The Nat'l Conference of State Legislatures. *The Gender Pay Gap*. (Feb. 12, 2021) Available at <https://www.ncsl.org/research/labor-and-employment/the-gender-pay-gap.aspx>. Notably, New York already prohibits employers from asking for salary history effective 10/31/17.

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ PayScale *supra*.

⁴¹ *Id.*

⁴² Zoe B. Cullen and Bobak Pakzad-Hurson. *Equilibrium Effects of Pay Transparency*. (National Bureau of Economic Research Working Paper 28903, June 2021), <http://www.nber.org/papers/w28903>.

⁴³ *Id.*

⁴⁴ *Id.*

Another study showed that pay transparency had a significant and economically sizable effect in reducing pay inequity, reducing the gender pay gap and improving the precision with which pay is linked to observable performance metrics and promotion.⁴⁵ In aggregate, the study confirmed that pay transparency prompted organizations to reduce inequity and inequality in pay allocation. It also weakened the link between observable performance metrics and pay. Pay transparency appeared to pressure decision makers to remedy inequities in pay. It also resulted in more precise connections between pay and observable performance measures.⁴⁶ Notably, the NYC CGE's guide to address equity recommends that employers adopt pay transparency policies with standardized and objectively measured performance outcomes to limit bias in advancement decisions.⁴⁷

B. Open Captioning

According to 2019 American Community Survey data, there are approximately 168,281 deaf or hard of hearing people living in New York City.⁴⁸ Although there is a raft of legal protections for this population, including the federal Americans with Disabilities Act (1990), and New York City Human Rights Law, deaf and hard of hearing New Yorkers face constant battles with ensuring accessibility to things that other New Yorkers take for granted.

Watching movies in cinemas is one such example. Federal rules do require that digital movie theaters are equipped with closed captioning and audio description technology.⁴⁹ When closed, captioning can be turned on or off, and a secondary device is needed to view them (such as a decoder for television or specific software for online viewing).⁵⁰ To facilitate closed captioning in theaters, federal rules require theaters to have a certain number of personal captioning and audio description devices available. According to the Americans with Disabilities Act, an acceptable device used for closed captioning means an "individual device that a patron may use at any seat to view closed movie captioning."⁵¹ Such devices would be provided by the movie theater in accordance with federal rules.⁵²

However, while closed captions technology may be available, the law does not mandate that movie theaters provide such technology or services absent a viewer request. Accordingly, although closed captioning technology is mandated for "all new, non-exempt, English-language television programming",⁵³ it is not required for cinema screenings and is instead only offered if a viewer requests the service.⁵⁴

According to advocates for the deaf and hard of hearing community, open captioning is preferred.⁵⁵ Open captioning involves on-screen text that appears in synchronicity with the film, for all viewers to see, similar to subtitles. Currently, open caption sessions are only offered at limited sessions and typically during off-peak times.⁵⁶ Advocates argue that the technology required for "closed captions places responsibility on the user to

⁴⁵ Tomasz Obloj, Todd Zenger. *The Influence of Pay Transparency on Inequity, Inequality, and the Performance-Basis of Pay*. (May 2020) Available at <https://ssrn.com/abstract=3523828>. (studying the impacts of pay transparency efforts in academia).

⁴⁶ *Id.* at 18 (Performance measures included publications, books, and grants in the context of academia).

⁴⁷ *Id.* at 33

⁴⁸ U.S. Census Bureau. 2019 American Community Survey. *Disability Characteristics*. Available at <https://www.data.census.gov>. See also Daniel Krieger. *New York Times. Deaf And Hard Of Hearing Fight To Be Heard*. (Mar. 25, 2016) Available at <https://www.nytimes.com/2016/03/27/nyregion/deaf-and-hard-of-hearing-fight-to-be-heard.html>.

⁴⁹ 28 CFR § 36 eff. Jan. 17, 2017.

⁵⁰ 28 C.F.R. § 36.303(g)(1). See generally 28 CFR § 36.; See also Disabilities, Opportunities, Internetworking, and Technology Center. *What is the Difference Between Open and Closed Captioning?* (April 8, 2021) Available at <https://www.washington.edu/doi/what-difference-between-open-and-closed-captioning>.

⁵¹ 28 C.F.R. § 36.303(g)(1)(iv).

⁵² 28 C.F.R. § 36.303(g)(1). See generally 28 CFR § 36.

⁵³ National Association of the Deaf. *Television and Closed Captioning*. Available at <https://www.nad.org/resources/technology/television-and-closed-captioning/>.

⁵⁴ National Association of the Deaf. *When is Captioning Required?* Available at <https://www.nad.org/resources/technology/captioning-for-access/when-is-captioning-required/>.

⁵⁵ Shari Eberts. *Hearing Loss or Not – Everyone Loves Captions!* (Oct. 8, 2019) Available at <https://livingwithhearingloss.com/2019/10/08/hearing-loss-or-not-everyone-loves-captions/>.

⁵⁶ Jamie Berke. *Change.org. Petition: Movie Theaters – Open Captions (Subtitles) Are Healthier for Everyone!* Available at <https://www.change.org/p/open-captions-subtitles-are-healthier-for-everyone>.

understand how to turn captions on, either on their television sets or in their media viewer software.”⁵⁷ Further, advocates claim that the devices used for closed captioning are not always properly maintained in cinemas.⁵⁸

Cinema owners, however, have raised concerns about mandating open captions. According to the National Association of Theater Owners (NATO), cinemas in New York City already provide open caption sessions when requested by moviegoers.⁵⁹ They argue that by having flexibility and choice as to when to show these open caption sessions, the cinema can ensure that the session will be well attended by deaf and hard of hearing audiences, and it does not impact movie-goers who do not want to see a film with open captions.⁶⁰ Additionally, NATO argues that open captions are not necessarily welcomed by all audiences and that mandating open captions could negatively impact cinemas’ bottom-line, especially after having been closed for so long due to COVID-19 restrictions.⁶¹

In 2015, the state of Hawaii passed a bill, Act 39, requiring movie theaters with more than two locations to provide open captioning during at least two showings per week of any movie that is produced and offered with open captions. Additionally, Hawaii went on to pass Act 211 in 2017, which required movie theaters to show at least one open caption movie per week or offer devices for closed captioning. As part of Act 211, the Hawaii Department of Business, Economic Development & Tourism (“DBEDT”), was required to conduct a survey of the theaters impacted by Act 39.⁶² The two movie theater companies that were impacted reported results that indicated reduced attendance at open caption showings when compared to non-caption showings.⁶³ The annual difference in attendance was estimated at 94,755 patrons per year, for both companies surveyed.⁶⁴

A recent report from the Motion Picture Association painted a grim picture for the entertainment industry, and the movie theater industry specifically.⁶⁵ In 2020, the entertainment market’s revenues declined by 18 percent from 2019.⁶⁶ The largest decline was in the theatrical entertainment business, specifically movie theaters, which accounted for 15 percent of global revenue in 2020 compared to 43 percent in 2019.⁶⁷ These declines can be directly attributed to the consequences of the COVID-19 pandemic. Safety protocols instituted at the height of the pandemic shut down movie theaters for a significant portion of 2020. These theaters then opened and operated with limited capacity and have only recently seen greater attendance numbers as anxiety over the pandemic wanes. About 70 percent of theaters reopened in the summer of 2021.⁶⁸ However, the rise of the

⁵⁷ Disabilities, Opportunities, Internetworking, and Technology Center *supra*.

⁵⁸ See Shari Eberts. *Are Movie Theater Caption Readers Properly Maintained?* (Feb. 26, 2019) Available at <https://livingwithhearingloss.com/2019/02/26/are-movie-theater-caption-readers-properly-maintained/>; See Vimal Patel, *New York Times. AMC to Add Onscreen Captions at Some Locations*. (Nov. 4, 2021) Available at <https://www.nytimes.com/2021/10/20/business/amc-theaters-open-captioning-deaf.html> (wherein advocates claim closed captioning devices are prone to malfunctioning); see also Sarah Bahr, *How Lauren Ridloff’s Deafness Became a Superpower in Marvel’s ‘Eternals’*. (Nov. 4, 2021) Available at <https://www.nytimes.com/2021/09/15/movies/lauren-ridloff-eternals-deaf-hero.html>; Andrea McCarren, *WUSA9 Captioning Devices Not Working at Movie Theaters*. (Nov. 17, 2016) Available at <https://www.wusa9.com/article/news/local/captioning-devices-not-working-at-movie-theaters/65-353590478>; Michael O’Sullivan, *Washington Post. For the Deaf and Hard of Hearing, Movies are Often Out of Reach. That Could Change*. (Sept. 20, 2019) Available at https://www.washingtonpost.com/entertainment/for-the-deaf-and-hard-of-hearing-movies-are-often-out-of-reach-that-could-change/2019/09/19/e35efa82-d895-11e9-ac63-3016711543fe_story.html. (Noting that assistive devices “are notoriously cumbersome and prone to dead batteries and missing dialogue, are roundly derided by those who have to use them.”)

⁵⁹ Robert Sunshine. National Association for Theater Owners. *Letter to Councilmember Helen Rosenthal*. (Oct. 13, 2021) On file with Committee staff.

⁶⁰ *Id.*

⁶¹ *Id.*

⁶² State of Hawaii. Dep’t of Business, Econ. Dev. & Tourism, *Impact of Act 039 Relating to Movie Theaters*, Rsch and Econ. Analysis Div.. (Dec. 2017) Available at https://files.hawaii.gov/dbedt/economic/data_reports/impact_act39_movie_theaters.pdf

⁶³ *Id.*

⁶⁴ *Id.*

⁶⁵ Brad Adgate. *Forbes. The Impact COVID-19 Had On The Entertainment Industry In 2020*. (April 13, 2021) Available at <https://www.forbes.com/sites/bradadgate/2021/04/13/the-impact-covid-19-had-on-the-entertainment-industry-in-2020/?sh=27ccae1250f0>.

⁶⁶ *Id.*

⁶⁷ *Id.*

⁶⁸ Sarah Whitten. *CNBC. AMC’s Aggressive Post-Pandemic Strategy Could Pay Off as Moviegoers Flock Back to Cinemas*. (June 7, 2021) Available at <https://www.cNBC.com/2021/06/07/amcs-aggressive-post-pandemic-strategy-could-pay-off.html>.

COVID-19 delta and other variants has continued to impact attendance at movie theaters and a full recovery is uncertain as viewing habits may have permanently changed.⁶⁹

III. BILL ANALYSIS

A. Int. 1208-B - A Local Law to amend the administrative code of the city of New York, in relation to prohibiting employers from posting job listings without minimum and maximum salary information

Section one of Int. 1208-B amends the Administrative Code definition of the term “employer” in section 8-102. The definition is streamlined to list the subdivisions included in the definition of the term “employer” and to add subdivision 32 that section two of Int. 1208-B adds to section 8-107 of the Code.

Section two of Int. 1208-B amends section 8-107 of the Administrative Code to make it unlawful to post an employment listing without including a minimum and maximum salary for the position. The range for the listed minimum and maximum salary would extend from the lowest salary to the highest salary that the employer in good faith believes it would pay for the advertised job, promotion, or transfer. The Administrative Code defines an employer as anyone who employs four or more people. Outside of the four-employee category, the Code also includes employers of domestic workers, freelancers, and independent contractors, regardless of staff size, for purposes of the protections illustrated in this bill.

Temporary staffing firms are exempted from this legislation as they already provide salary information after interviewing applicants, in compliance with the New York State Wage Theft Prevention Act.

The bill, if passed, would take effect 120 days after it becomes law.

B. Int. 2020-A - A Local Law to amend the administrative code of the city of New York, in relation to open captioning at motion picture theaters

This bill underwent several amendments from its original form to address the needs of the deaf and hard of hearing community while acknowledging potential financial burdens to theater operators. Notably, the proposal that half of all showings provide open captioning was replaced with more flexible requirements described as follows.

Section one of Int. 2020-A amends chapter 4 of title 20 of the Administrative Code to require that theaters provide open captions during motion picture showings. The bill defines open motion picture captioning as the written, on-screen display of a movie’s dialogue and non-speech information, including the identity of the character who is speaking, music, and other sounds and sound effects. The bill also defines specific times as peak attendance hours. Peak motion picture attendance hours are the hours between 5:59 p.m. and 11:01 p.m. on Friday and the hours between 11:29 a.m. and 11:01 p.m. on Saturday or Sunday.

The bill would require that theaters showing more than 10 motion pictures a week provide open captions for at least one quarter of all showings of any motion picture that is shown four or more times in a one week period. Notwithstanding, theaters would not be required to show more than four open caption showings of a single movie in a one week period to satisfy the aforementioned. At least half of the open captioned showings would be during peak attendance hours. If fewer than one in eight showings is scheduled for peak attendance hours, the screening during those hours must be open captioned.

Similarly, for the half of showings during non-peak hours, at least half of the non-peak hour open caption showings must be between 5:59 pm and 11:01 pm on Monday through Thursday. If fewer than one in eight showings is scheduled for non-peak attendance hours, the screening during those hours must be open captioned.

This bill does not count open caption showings that play at the same time toward the required minimum number of showings.

The bill also requires theaters to advertise showings for open caption movies the same way they do other movie showings. Further, theaters must maintain documents to show compliance with the requirements of the bill for at least three years.

⁶⁹ George Szalai. Hollywood Reporter. *Movie Theater Stocks Take Hit Amid Rising COVID-19 Cases, Streaming Uncertainty*. (July 6, 2021) Available at <https://www.hollywoodreporter.com/business/business-news/cinema-stocks-fall-black-widow-delta-variant-1234983381/>.

Nothing in this bill prevents a movie theater from showing more open captioned movies than required.

A movie theater that violates this law would be subject to a penalty ranging from \$100 to \$500 per violation.

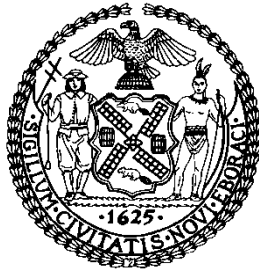
The requirements of this bill would not apply to showings of motion pictures that are produced and distributed without captioning.

The bill, if passed, would take effect 120 days after it becomes law.

IV. CONCLUSION

At today's hearing, the Committee will vote on a bill requiring that minimum and maximum salaries be posted for open positions, a bill providing open captioning in movie theaters at greater frequency, and a resolution declaring December 8 as Sri Guru Tegh Bahadur Jee Day in the city of New York.

(The following is the text of the Fiscal Impact Statement for Int. No. 1208-B:)



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

PROPOSED INT. NO. 1208-B

COMMITTEE: Civil and Human Rights

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to prohibiting employers from posting job listings without minimum and maximum salary information.

Sponsors: Council Members Rosenthal, Brannan, Adams, Rose, Brooks-Powers, Barron, Cabán and Public Advocate Williams.

SUMMARY OF LEGISLATION: Proposed Int. No. 1208-B would make it an unlawful discriminatory practice to not include in job listings the minimum and maximum salary offered for any position located within New York City. The range for the listed maximum and minimum salary would extend from the lowest salary to the highest salary that the employer in good faith believes it would pay for the advertised job, promotion, or transfer. Temporary staffing firms are exempt from this legislation as they already provide this information after interviews in compliance with the New York State Wage Theft Prevention Act.

EFFECTIVE DATE: This local law would take effect 120 days after it becomes law, except that the Commission on Human Rights may take such actions necessary to implement this local law, including the promulgation of rules, before such date.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation as the relevant agency would be able to use existing resources to comply with the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Commission on Human Rights
New York City Council Finance Division

ESTIMATE PREPARED BY: Jack Kern, Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
Eisha Wright, Unit Head
Noah Brick, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on October 31, 2018, as Int. No. 1208 and referred to the Committee on Civil and Human Rights (Committee). An amendment was proposed by the Committee before it was heard. Proposed Int. No 1208-A was heard on December 2, 2021, and the bill was laid over. The legislation was amended a second time, and the more-recently amended version, Proposed Int. No. 1208-B, will be voted on by the Committee at a hearing on December 14, 2021. Upon a successful vote by the Committee, Proposed Int. No. 1208-B will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 13, 2021.

(For text of Int. No. 2020-A and its Fiscal Impact Statement, please see the Report of the Committee on Civil Rights for Int. No. 2020-A printed below in these Minutes; for text of Preconsidered Res. No. 1872, please see the Report of the Committee on Civil Rights for Preconsidered Res. No. 1872 printed in the voice-vote Resolutions Calendar section of these Minutes; for text of Int. No. 1208-B, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 1208-B, 2020-A, and Preconsidered Res. No. 1872.

(The following is the text of Int. No. 1208-B:)

Int. No. 1208-B

By Council Members Rosenthal, Brannan, Adams, Rose, Brooks-Powers, Barron, Cabán, Louis and the Public Advocate (Mr. Williams).

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting employers from posting job listings without minimum and maximum salary information

Be it enacted by the Council as follows:

Section 1. Section 8-102 of title 8 of the administrative code of the city of New York is amended as follows:

Employer. For purposes of subdivisions 1, 2, 3, 10, 11-a, [and] 22, 23, 32, subparagraph 1 of paragraph a of subdivision 21, *and* paragraph e of subdivision 21 [and subdivision 23] of section 8-107, the term "employer" does not include any employer that has fewer than four persons in the employ of such employer at all times during the period beginning twelve months before the start of an unlawful discriminatory practice and continuing through the end of such unlawful discriminatory practice, provided however, that in an action for unlawful discriminatory practice based on a claim of gender-based harassment pursuant to subdivision one of section 8-107, the term "employer" shall include any employer, including those with fewer than four persons in their employ. For purposes of this definition, (i) natural persons working as independent contractors in furtherance of an employer's business enterprise shall be counted as persons in the employ of such employer and (ii) the employer's parent, spouse, domestic partner or child if employed by the employer are included as in the employ of such employer.

§ 2. Section 8-107 of the administrative code of the city of New York is amended by adding a new subdivision 32 to read as follows:

32. *Employment; minimum and maximum salary in job listings. a. It shall be an unlawful discriminatory practice for an employment agency, employer, employee or agent thereof to advertise a job, promotion or transfer opportunity without stating the minimum and maximum salary for such position in such advertisement. In stating the minimum and maximum salary for a position, the range may extend from the lowest to the highest salary the employer in good faith believes at the time of the posting it would pay for the advertised job, promotion or transfer opportunity.*

b. This subdivision does not apply to a job advertisement for temporary employment at a temporary help firm as such term is defined by subdivision 5 of section 916 of article 31 of the labor law.

§ 3. This local law takes effect 120 days after it becomes law, except that the commission may take such actions as are necessary to implement this local law, including the promulgation of rules, before such date.

MATHIEU EUGENE, *Chairperson*; DANIEL DROMM, BRADFORD S. LANDER, INEZ D. BARRON; Committee on Civil and Human Rights, December 14, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Rosenthal.*

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

Report for Int. No. 2020-A

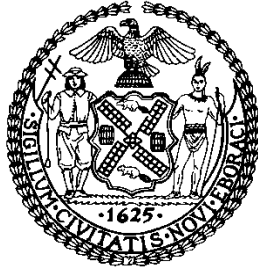
Report of the Committee on Civil and Human Rights in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to open captioning at motion picture theaters.

The Committee on Civil and Human Rights, to which the annexed proposed amended local law was referred on July 28, 2020 (Minutes, page 1417), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Civil and Human Rights for Int. No. 1208-B printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 2020-A:



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

PROPOSED INT. NO. 2020-A

COMMITTEE: Civil and Human Rights

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to open captioning at motion picture theaters.

Sponsors: Council Members Rosenthal, Gjonaj, Chin, Rivera, Dinowitz, Levin, Brooks-Powers, Lander, Riley, Koslowitz, Louis, Barron, Cabán and the Public Advocate (Mr. Williams).

SUMMARY OF LEGISLATION: Proposed Int. No. 2020-A would require that movie theaters showing more than ten movies a week provide open captions for at least one quarter of all showings of each movie that is shown four or more times and would require that at least half of the open captioned showings be during peak attendance hours. However, if a theatre shows a single movie with open captions more than four times in one week, it would not be required. Theaters would be required to advertise open caption showings the same way they do other showings and document compliance with these requirements for at least three years. A theater violating these requirements would be subject to penalties. Films that are produced and distributed without open captioning are exempt from this requirement.

EFFECTIVE DATE: This local law would take effect 120 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation as the relevant agency would be able to use existing resources to comply with the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Commission on Human Rights
New York City Council Finance Division

ESTIMATE PREPARED BY: Jack Kern, Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
Eisha Wright, Unit Head
Noah Brick, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on July 28, 2020, as Int. No. 2020 and was referred to the Committee on Consumer Affairs and Business Licensing Committee on Consumer Affairs and Business Licensing. The bill was re-referred to the Committee on Civil and Human Rights (Committee). on November 23, 2021. The Committee held a hearing on December 2, 2021, and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 2020-A, will be considered by the Committee at a hearing on December 14, 2021. Upon a successful vote by the Committee, Proposed Int. No. 2020-A will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 14, 2021.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 2020-A:)

Int. No. 2020-A

By Council Members Rosenthal, Gjonaj, Chin, Rivera, Dinowitz, Levin, Brooks-Powers, Lander, Riley, Koslowitz, Louis, Barron, Cabán, Rose and the Public Advocate (Mr. Williams).

A Local Law to amend the administrative code of the city of New York, in relation to open captioning at motion picture theaters

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 13 to read as follows:

**SUBCHAPTER 13
MOTION PICTURE THEATERS**

§ 20-699.7 *Open captioning in motion picture theaters. a. Definitions. As used in this section, the following terms have the following meanings:*

Motion picture. The term "motion picture" means a story or event recorded by a camera as a set of moving images.

Motion picture theater. The term "motion picture theater" means an entity in the business of providing showings of motion pictures to the general public.

Open motion picture captioning. The term "open motion picture captioning" means the written, on-screen display of a motion picture's dialogue and non-speech information, including music, the identity of the character who is speaking, and other sounds and sound effects.

Peak motion picture attendance hours. The term "peak motion picture attendance hours" means the hours between 5:59 p.m. and 11:01 p.m. on Friday and the hours between 11:29 a.m. and 11:01 p.m. on Saturday or Sunday.

b. Open motion picture captioning required. A motion picture theater that offers more than 10 motion picture showings per week shall provide scheduled showings of motion pictures with open motion picture captioning such that at least one quarter of all showings of a motion picture with four or more showings during a one-week time period shall have open motion picture captioning, except that no more than four open captioning showings of a single motion picture shall be required in a one-week time period.

c. Exceptions. A motion picture that is produced and distributed without open motion picture captioning is not subject to the provisions of subdivision b of this section.

d. Timing. 1. At least half of the scheduled showings required pursuant to subdivision b of this section shall begin and end within peak motion picture attendance hours, unless fewer than 1 in 8 showings of a motion picture is screened during peak motion picture attendance hours, in which case this requirement is met if all screenings of such motion picture during peak motion picture attendance hours have open motion picture captioning.

2. At least half of the scheduled showings required pursuant to subdivision b of this section that are scheduled outside of peak motion picture attendance hours shall start after 5:59 p.m. and finish before 11:01 p.m. on Mondays, Tuesdays, Wednesdays or Thursdays, unless fewer than 1 in 8 showings of a motion picture is screened after 5:59 p.m. on Mondays, Tuesdays, Wednesdays or Thursdays, in which case this requirement is met if all screenings of such motion picture during such times have open motion picture captioning.

3. No showing of a motion picture with open motion picture captioning that overlaps with another showing of a motion picture with open motion picture captioning shall be counted toward the minimum number of showings required by this section except where it is not practicable to avoid such overlap.

4. Nothing in this subchapter shall prevent a motion picture theater from showing more motion pictures with open captioning than required by subdivision b of this section.

e. Public notice. A motion picture theater subject to the provisions of subdivision b of this section shall advertise the date and time of motion picture showings required by subdivision b in the same manner as the motion picture theater advertises all other motion picture showings and shall indicate which showings will include open motion picture captioning.

f. Records. Every motion picture theater shall maintain documents sufficient to demonstrate compliance with the requirements of this subchapter for a period of at least three years.

g. Violations. Any motion picture theater that violates any of the provisions of this section shall be subject to a civil penalty of not less than \$100 nor more than \$500 for each violation.

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

MATHIEU EUGENE, *Chairperson*; BRADFORD S. LANDER, INEZ D. BARRON; Committee on Civil and Human Rights, December 14, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Rosenthal.*

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

Report of the Committee on Consumer Affairs and Business Licensing

Report for Int. No. 1775-C

Report of the Committee on Consumer Affairs and Business Licensing 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 restricting eating utensils and extra eating containers, and clarifying the definition of third-party courier service.

The Committee on Consumer Affairs and Business Licensing, to which the annexed proposed amended local law was referred on October 17, 2019 (Minutes, page 3427), respectfully

REPORTS:

I. INTRODUCTION

On December 14, 2021, the Committee on Consumer Affairs and Business Licensing, chaired by Council Member Diana Ayala, held a vote on three bills: Proposed Introduction Number 1775-C (Int. 1775-C), in relation to restricting eating utensils and extra eating containers, and clarifying the definition of third-party courier service; Proposed Introduction Number 2096-A (Int. 2096-A), in relation to authorizing the department of consumer and worker protection to issue temporary operating licenses to sidewalk cafe applicants if certain requirements are satisfied; and Introduction Number 2134 (Int. 2134), in relation to the preparation of plans in connection with petitions for revocable consents for sidewalk cafes. At the previous hearings on these bills, the Committee received testimony from the Department of Consumer and Worker Protection (DCWP), the Department of Transportation (DOT), business and trade organizations, environmental groups and other interested stakeholders. At the vote on December 14, the Committee voted 9 in favor, 0 opposed and 0 abstentions on Int. 2134. At the vote, the Committee voted 8 in favor, 1 opposed and 0 abstentions on Int. 1775-C and Int. 2096-A.

II. BACKGROUND

a. Sidewalk Cafe Licenses

While the formal sidewalk cafe licensing process is currently suspended by Mayoral Executive Order due to the COVID-19 emergency,¹ sidewalk cafe licenses are typically regulated by DCWP, and are a ubiquitous part of New York City's urban landscape. These licensed cafes typically involve a lengthy approval process that, if successful, results in the granting of a revocable consent to a restaurant owner. A revocable consent is the grant of a right to an individual or organization to construct and maintain certain structures on, over, or under the inalienable property (streets and sidewalks) of the City.²

According to DCWP, prior to the COVID-19 pandemic, there were approximately 1,416 licensed sidewalk cafes in New York City.³ The majority of these sidewalk cafes were located in Manhattan, which had 1,004 cafes, while 412 were located in the outer boroughs.⁴ The Administrative Code defines a sidewalk cafe as a "portion of a restaurant operated under permit from the department of health and mental hygiene, located on a public sidewalk that is either an enclosed or unenclosed sidewalk cafe."⁵ There are three different types of sidewalk cafes: an enclosed sidewalk cafe, an unenclosed sidewalk cafe, and a small unenclosed sidewalk cafe.⁶ An enclosed cafe is one that "is constructed predominantly of light materials such as glass, slow-burning plastic or lightweight metal," encompassing the seating area.⁷ An unenclosed sidewalk cafe has no such containing structure, though the seating area may be surrounded by a fence, railing or planters, and may be covered by an awning.⁸ A small unenclosed sidewalk cafe consists of a single row of tables and chairs extending no farther than 4.5 feet from the side of the business.⁹

¹ See New York City Department of Consumer and Worker Protection, "Sidewalk Café", available at: <https://www1.nyc.gov/site/dca/businesses/license-checklist-sidewalk-cafe.page> (last accessed December 10, 2021); and The City of New York Office of the Mayor, Executive Order 126 of 2020, June 18, 2020, <https://www1.nyc.gov/assets/home/downloads/pdf/executive-orders/2020/eo-126.pdf>.

² N.Y.C. Charter § 362

³ Department of Consumer Affairs "Sidewalk Café Licenses and Applications," *NYC Open Data*, Accessed March 1, 2020, available at: <https://data.cityofnewyork.us/Business/Sidewalk-Caf-Licenses-and-Applications/qcdj-rwhu/data>.

⁴ *Id.*

⁵ N.Y.C. Admin. Code §20-223.

⁶ Department of Consumer Affairs "Sidewalk Café Design and Regulations Guide," Accessed September 25, 2020, available at: <https://www1.nyc.gov/assets/dca/downloads/pdf/businesses/Sidewalk-Cafe-Design-Regulations-Guide.pdf>.

⁷ N.Y.C. Admin. Code §20-223(b).

⁸ Department of Consumer Affairs "Sidewalk Café Design and Regulations Guide," Accessed September 25, 2020, available at: <https://www1.nyc.gov/assets/dca/downloads/pdf/businesses/Sidewalk-Cafe-Design-Regulations-Guide.pdf>.

⁹ *Id.*

Because sidewalk cafes by their nature obstruct pedestrian traffic, they have been subject to a number of regulations, such as requiring pedestrian clearances, adequate spacing between tables, ADA compliance, and clearances from certain street fixtures.¹⁰ Sidewalk cafes are also subject to regulations that would limit the nuisance they might present to neighboring homes and restaurants. For example, unenclosed and small unenclosed sidewalk cafes may only operate between 10:00 a.m. and midnight on Sunday, 8:00 a.m. and midnight on Monday through Thursday, and between 8:00 a.m. and 1:00 a.m. on Friday and Saturday.¹¹

Obtaining a sidewalk cafe license is a lengthy multi-step process. Prior to submitting a license application, the restaurant must first ensure that the proposed cafe meets the zoning requirements and that the sidewalk that will be used is at least 12 feet wide.¹² The restaurant must also possess a current New York City Department of Health and Mental Hygiene food service establishment permit prior to beginning the application process.¹³ Prospective licensees must also submit numerous documents and certifications, and must obtain approval for a revocable consent to construct and operate a sidewalk cafe.¹⁴

There are also a number of fees associated with obtaining a sidewalk cafe license, including a two-year license fee of \$510; a revocable consent application fee of \$445; and an annual revocable consent fee for the street space being used, which varies based on the location, square footage, and type of sidewalk cafe.¹⁵ Consent fees typically amount to thousands of dollars annually per sidewalk cafe. Unenclosed and small unenclosed sidewalk cafes are also responsible for a \$310 plan review fee and a \$1,500 security deposit.¹⁶ Enclosed sidewalk cafe applicants must submit a \$4,000 security deposit and a City Planning Fee of \$55 per seat with a minimum of \$1,360.¹⁷ Restaurants that modify their plans after they submit their license applications are subject to an additional \$175 fee for modification of the revocable consent.¹⁸ Enclosed sidewalk cafe applicants that modify their plans after submission must again pay the City Planning Fee.

A restaurant with a licensed sidewalk cafe must renew its license every two years and must not have any outstanding fines or consent fees prior to renewal.¹⁹ The paperwork involved in renewing a sidewalk cafe license is similar to that of the initial application process. Licensees must also continue to pay the annual revocable consent fees.

Within five days of receiving an application, DCWP will forward copies of the petition for revocable consent for any enclosed sidewalk cafe to the Landmarks Preservation Commission, the Department of City Planning (DCP) and the Department of Environmental Protection for review, each of which has 21 days to submit any objections in writing to DCWP.²⁰ If the agencies do not respond within the 21 days, they are deemed not to have any objections.²¹ DCWP will also forward the petition for any type of sidewalk cafe, for informational purposes, to the Speaker of the City Council and the Council Member in whose district the cafe is situated, and the Community Board, which corresponds to the location of the business, for comments.²² The Community Board

¹⁰ *Id.*

¹¹ *Id.*

¹² Department of Consumer Affairs “License Application Checklist,” Accessed on September 25, 2020, available at: <https://www1.nyc.gov/assets/dca/downloads/pdf/businesses/Sidewalk-Cafe-Compliance-Checklist.pdf> and <https://www1.nyc.gov/site/dca/businesses/license-checklist-sidewalk-cafe.page>.

¹³ *Id.*

¹⁴ *Id.* (a sales tax identification number or a certificate of authority application confirmation number; a sidewalk cafe compliance checklist, a form that, when completed, will “demonstrate that the proposed cafe meets City requirements;” a copy of the insurance certificate for the business’s premises naming DCA as the certificate holder; a petition for revocable consent, the permission a business must be granted by the City before using the sidewalk space; a substitute form W-9; a copy of a notification letter sent to all residents who live within 50 feet of either direction from the proposed sidewalk cafe; an original, notarized affidavit confirming the fact that the notification letter has been sent; scale drawings of the proposed sidewalk cafe; photographs of the property on which the proposed sidewalk cafe will be situated; a completed copy of the landowner’s consent to operate a sidewalk cafe; a copy of a completed zero tolerance police affirmation, which affirms the business will not attempt to engage in any form of bribery with a governmental entity; a completed child support certification form; and a completed copy of the granting authority to act affirmation, which enables someone appointed by the applicant to file the application in his or her place).

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ N.Y.C. Admin. Code §20-225(a) and (b).

²¹ N.Y.C. Admin. Code §20-225(b).

²² N.Y.C. Admin. Code §20-225(a).

may then hold a public hearing and issue its recommendation to DCWP.²³ The Community Board has 45 days within which to make this recommendation or waive its right to do so.²⁴ Within the next 30 days, DCWP will hold a public hearing and then make a recommendation to the City Council for disapproval, approval, or approval with modifications.²⁵ DCWP may also waive the public hearing. If DCWP does not make a determination within that time period than the petition will be considered denied.²⁶ If the City Council does not call up the petition for a vote within 20 days of the date that the Council received a recommendation from DCWP, than the petition is considered approved.²⁷ If the City Council calls up the application for a vote, it has 50 days to file its resolution with DCWP.²⁸ Once approved, DCWP forwards the application to the Comptroller, who has 30 days to register the consent. Finally, upon approval of the revocable consent, DCWP issues the license.

The penalty for operating a sidewalk cafe without the appropriate DCWP license is a fine of \$200 to \$1,000 for the first violation and subsequent violations issued on the same day, and a fine of \$500 to \$2,000 for subsequent violations issued on separate days within two years of the first violation.²⁹ Similar fines can be issued to licensed cafes operating in violation of any Administrative Code provisions, and DCWP may seal a cafe upon repeated violations of the Code or of terms and conditions of the cafe's license or revocable consent.³⁰

Over the past few years, restaurant owners have complained that the process for sidewalk café licenses has become too lengthy. According to DCWP, since 2017, enclosed sidewalk cafes applications took an average of 467 days from the filing of the application to approval of the license, and unenclosed sidewalk cafes applications took an average of 177 days.³¹ While each application can vary, and up to 180 additional days can be requested by applicants to make necessary amendments,³² the average processing times appear to indicate that there are significant delays in the overall process. DCWP has some discretion to shorten the process by, for example, waiving its public hearing or issuing temporary operating licenses in the case of already existing enclosed sidewalk cafes that are under new ownership and have applications pending;³³ however, these avenues are not always available. As such, if passed, Int. 2096-A would permit DCWP to issue temporary operating licenses to petitioners for an unenclosed sidewalk cafe license where a previous identically laid out sidewalk café existed at the same location. DCWP would also be permitted to issue temporary operating licenses once an application is approved, but where registration with the Comptroller is still pending. These changes would, at a minimum, shorten the process by 30 days, and potentially hundreds of days for certain license applications.

While the sidewalk cafe licensing process is costly overall, certain requirements in particular can be unnecessarily burdensome. For example, plans for sidewalk cafes are currently required to be drawn up by a licensed architect or engineer.³⁴ Such a requirement can result in thousands of dollars' worth of fees, while the renderings are usually fairly simple, often depicting an arrangement of tables and chairs that meet DCWP's placement and spacing requirements. Such renderings do not necessarily require the specialized knowledge of a licensed professional and can be generated by the petitioners themselves.

b. Plastic Utensils

Low production costs, durability and broad functionality mean that plastics are a common feature of everyday life. Globally, more than 320 million tons of plastic are consumed each year and more plastic has been

²³ N.Y.C. Admin. Code §20-225(e).

²⁴ *Id.*

²⁵ N.Y.C. Admin. Code §20-225(f).

²⁶ *Id.*

²⁷ N.Y.C. Admin. Code §20-225(g).

²⁸ N.Y.C. Admin. Code §20-225(h).

²⁹ N.Y.C. Admin. Code § 20-227.1(a).

³⁰ N.Y.C. Admin. Code § 20-227.1.

³¹ Correspondence from the Department of Consumer Affairs, "Overview: Sidewalk Cafe Application Processing Time," Received by the City Council on June 12, 2019.

³² N.Y.C. Admin. Code §§ 20-225(f) and 20-226(c)

³³ N.Y.C. Admin. Code §§ 20-225 and 20-226 ; RCNY, Tit. 6, § 2-44(d).

³⁴ Department of Consumer Affairs "License Application Checklist," Accessed on September 25, 2020, available at: <https://www1.nyc.gov/assets/dca/downloads/pdf/businesses/Sidewalk-Cafe-Compliance-Checklist.pdf> and <https://www1.nyc.gov/site/dca/businesses/license-checklist-sidewalk-cafe.page>.

produced in the last decade than ever before.³⁵ Additionally, use of plastics is expected to double over the next two decades.³⁶ While plastics last for centuries before biodegrading,³⁷ they are often only used once before being discarded. Ninety-five percent of plastic packaging, for example, is only used once, and only 14 percent is collected for recycling.³⁸ This means that at least eight million tons of plastic leak into the ocean each year – a figure that is equivalent to dumping a garbage truck of trash into the ocean every minute.³⁹ In the United States, over 100 million plastic utensils are used daily,⁴⁰ and some analysts estimate the U.S. wastes 40 billion plastic utensils per year.⁴¹

The fact that most plastics are less dense than seawater means that pieces of plastic float around the ocean and break down into smaller particles (microplastics)⁴² that are consumed by fish and aquatic birdlife.⁴³ The Ocean Conservancy lists cutlery as among the “most deadly” items to sea turtles, birds, and mammals.⁴⁴ The ubiquity of plastics, its buoyancy, and the struggle to properly dispose of it means that there is now a land mass, known as the Great Pacific Garbage Patch, floating between the coasts of California and Hawaii. Ninety-nine percent of this patch, which is twice the size of Texas,⁴⁵ is made up of plastic.⁴⁶ The World Economic Forum predicts that, under a business-as-usual scenario, there will be more plastic in the ocean by weight than fish by 2050.⁴⁷

Waste and Recycling

According to a study published in 2020, “residents of the U.S. and the U.K. produce more plastic waste per person than any other nation, with Americans generating an average of 105kg (231lbs) of plastic per year. The British are close behind, throwing away almost 99kg (218lbs) annually.”⁴⁸ Although many types of plastics can be recycled, this process has not been able to keep pace with our steady production and disposal of plastic products. A global review of plastics revealed that since plastic production was commercialized in the 1950s, more than 8.3 billion tons of plastic had ever been made⁴⁹ – more than a ton of plastic for every person on the

³⁵ Laurent Lebreton *et al* “Evidence that the Great Pacific Garbage Patch is rapidly accumulating plastic”, *Nature*, March 22, 2018 available at: <https://www.nature.com/articles/s41598-018-22939-w>.

³⁶ World Economic Forum “The new plastics economy: Rethinking the future of plastics”, January 2016, available at: http://www3.weforum.org/docs/WEF_The_New_Plastics_Economy.pdf, p. 6.

³⁷ Laura Parker “A whopping 91% of plastic isn’t recycled”, *National Geographic*, December 20, 2018, available at: <https://news.nationalgeographic.com/2017/07/plastic-produced-recycling-waste-ocean-trash-debris-environment/>.

³⁸ World Economic Forum “The new plastics economy: Rethinking the future of plastics”, January 2016 available at: http://www3.weforum.org/docs/WEF_The_New_Plastics_Economy.pdf, p. 7.

³⁹ *Id.*

⁴⁰ Tik Root “Why carrying your own fork and spoon helps solve the plastic crisis”, *National Geographic*, June 28, 2019, available at: <https://www.nationalgeographic.com/environment/article/carrying-your-own-fork-spoon-help-plastic-crisis>

⁴¹ Laura Tenenbaum “Plastic Cutlery Is Terrible For The Environment And We Don't Need To Have It Delivered” *Forbes*, July 16, 2019, available at: <https://www.forbes.com/sites/lauratenenbaum/2019/07/16/plastic-cutlery-is-terrible-for-the-environment-and-we-dont-need-to-have-it-delivered/?sh=163679e74019>.

⁴² Laurent Lebreton *et al* “Evidence that the Great Pacific Garbage Patch is rapidly accumulating plastic”, *Nature*, March 22, 2018 available at: <https://www.nature.com/articles/s41598-018-22939-w>.

⁴³ Laura Parker “Ocean life eats tons of plastic – here’s why that matters” *National Geographic*, August 16, 2017 available at: <https://news.nationalgeographic.com/2017/08/ocean-life-eats-plastic-larvaceans-anchovy-environment/>.

⁴⁴ Ocean Conservancy, “Fighting for Trash Free Seas”, available at: <https://oceanconservancy.org/trash-free-seas/take-deep-dive/threat-rank-report/>.

⁴⁵ Doyle Rice “World’s largest collection of ocean garbage is twice the size of Texas”, *USA Today*, March 22, 2018 available at: <https://www.usatoday.com/story/tech/science/2018/03/22/great-pacific-garbage-patch-grows/446405002/>.

⁴⁶ Laurent Lebreton *et al* “Evidence that the Great Pacific Garbage Patch is rapidly accumulating plastic”, *Nature*, March 22, 2018 available at: <https://www.nature.com/articles/s41598-018-22939-w>.

⁴⁷ World Economic Forum “The new plastics economy: Rethinking the future of plastics”, January 2016 available at: http://www3.weforum.org/docs/WEF_The_New_Plastics_Economy.pdf, p. 7.

⁴⁸ David Vetter “Guess which two countries produce the most plastic trash per person?”, *Forbes*, November 11, 2020, available at: <https://www.forbes.com/sites/davidvetter/2020/11/11/which-two-countries-produce-the-most-plastic-trash-per-person/?sh=35771c527187>.

⁴⁹ James Hataway “More than 8.3 billion tons of plastics made: Most has now been discarded”, *Science Daily*, July 19, 2017, available at: <https://www.sciencedaily.com/releases/2017/07/170719140939.htm>.

planet.⁵⁰ However, only nine percent of this plastic waste has been recycled and 79 percent was simply left in landfills.⁵¹ Compared to other countries and regions examined in the study, the quantity of plastics that the US recycles was far lower. Since 2012, the US rate of plastic recycling has been at nine percent, which is well behind Europe (at 30 percent) and China (at 25 percent).⁵² New York City residents, meanwhile, recycle only about 18 percent of residential waste and a quarter of commercial waste.⁵³

In order to facilitate the recycling and disposal of the high volume of plastics used in the country, the US previously shipped a high proportion to other countries. Prior to China issuing new, stricter regulations on the types of recyclables it would accept, the US was sending half of its plastic recycling to China and Hong Kong.⁵⁴ However, in 2017, China announced new restrictions, which went into effect on January 1, 2018, to stop the importation of waste from other countries by December 2020.⁵⁵ This has caused turmoil throughout the West, as countries struggled to find a way to deal with their waste. While the US has found other countries to ship more than one million tons of plastic waste to, studies show that these countries are mismanaging most of their own plastic waste. Malaysia, which is now the biggest receiver of US waste, either dumped or inadequately disposed of 55 percent of its own waste. Indonesia and Vietnam, meanwhile, two countries that the US now regularly ships its plastics to, mismanaged 81 and 86 percent of their own waste, respectively.⁵⁶ This means that, while US residents are sorting and attempting to recycle their consumer goods, there is a high chance that these items will end up in landfills in countries across the globe.

Current Restrictions

To reduce the amount of plastic utilized and disposed of, numerous towns, cities and even countries are implementing bans and restrictions on certain plastic products. In 2019, Mayor de Blasio issued Executive Order 42, which requires all City agencies to develop a plan to eliminate the purchasing of single-use plastic foodware, such as cups, plates, utensils and straws.⁵⁷ Instead, agencies are required to purchase reusable, recyclable or compostable alternatives. The goal of the Executive Order is to eliminate the estimated 500 tons of plastic, disposable foodware that the City currently buys each year.⁵⁸ That same year, New York City began enforcing its ban on disposable polystyrene containers. The law, which was originally enacted in 2013, was previously halted from implementation by a series of lawsuits.⁵⁹ This Committee also recently passed Local Law 64 of 2021, which prohibits food-service establishments from providing single-use plastic straws and beverage stirrers except upon request.⁶⁰

At the state level, California is debating a bill that would recycle 75 percent of its single-use plastics by 2032. Introduced in February this year, AB-842 creates the California Circular Economy and Plastic Pollution

⁵⁰ Hannah Ritchie “FAQs on plastics”, *Our World in Data*, September 2, 2018, available at: <https://ourworldindata.org/faq-on-plastics#how-much-plastic-and-waste-do-we-produce>.

⁵¹ Laura Parker “Ocean life eats tons of plastic – here’s why that matters” *National Geographic*, August 16, 2017 available at: <https://news.nationalgeographic.com/2017/08/ocean-life-eats-plastic-larvaceans-anchovy-environment/>.

⁵² Id.

⁵³ Anne Barnard “7 reasons recycling isn’t working in New York City”, *New York Times*, January 29, 2020, available at: <https://www.nytimes.com/2020/01/29/nyregion/nyc-recycling.html>.

⁵⁴ Erin McCormick, *et al*, “Where does your plastic go? Global investigation reveals America’s dirty secret”, *The Guardian*, June 17, 2019, available at: <https://www.theguardian.com/us-news/2019/jun/17/recycled-plastic-america-global-crisis>.

⁵⁵ Kenneth Rapoza “China quits recycling U.S. trash as sustainable start-up makes strides”, *Forbes*, January 10, 2021, available at: <https://www.forbes.com/sites/kenrapoza/2021/01/10/china-quits-recycling-us-trash-as-sustainable-start-up-makes-strides/?sh=6be4f4105a56>.

⁵⁶ Erin McCormick, *et al*, “Where does your plastic go? Global investigation reveals America’s dirty secret”, *The Guardian*, June 17, 2019, available at: <https://www.theguardian.com/us-news/2019/jun/17/recycled-plastic-america-global-crisis>.

⁵⁷ Office of the Mayor, Executive Order 42, April 11, 2019, available at: <https://www1.nyc.gov/assets/home/downloads/pdf/executive-orders/2019/eo-42.pdf>.

⁵⁸ Office of the Mayor, Executive Order 42, April 11, 2019, available at: <https://www1.nyc.gov/assets/home/downloads/pdf/executive-orders/2019/eo-42.pdf>.

⁵⁹ Claire Lampen “NYC ban on some single-use foam products goes into effect January 1st”, *Gothamist*, November 23, 2018, available at: <https://gothamist.com/food/nyc-ban-on-some-single-use-foam-products-goes-into-effect-january-1st>.

⁶⁰ New York City Council, Int.0936-2018, available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3509897&GUID=6CF1706B-A393-407E-B0A6-78D253222450&Options=ID|Text|&Search=936>.

Reduction Act that would create packaging fees paid by producers and require all that all single-use plastics be comprised of at least 75 percent of postconsumer waste.⁶¹

Various local governments across California have also already issued bans or restrictions on single-use plastics. Oakland, for example, passed Ordinance Number 12747 in 2006 that prohibits foodware made from polystyrene and requires all disposable foodware to be biodegradable or compostable, so long as it is not cost prohibitive to do so.⁶² Although the City of Oakland had already limited the availability of plastic straws under this 2006 foodware ordinance, the Council found that single-use straws were not being recycled. Therefore, in 2018, the Oakland City Council passed Ordinance Number 13488, which prohibited food establishments from providing single-use straws to dine-in customers, unless specifically requested.⁶³ Numerous localities across the Country have implemented similar plastic straw bans.⁶⁴ California law also strictly regulates the use of terms such as “biodegradable” or “compostable” in marketing.⁶⁵ The California legislature found that terms like these tend to confuse consumers and can act as a form of ‘greenwashing’ products that may not actually be of benefit to the environment. As such, any company employing the terms must only do so if they meet a strict scientific definition, and the State has pursued settlements against deceptive claims regarding biodegradability.⁶⁶

In 2019, the Canadian Prime Minister Justin Trudeau announced that Canada will ban single-use plastics, such as plastic bags, straws, cutlery, plates and stirrers, with the regulations expected to be released in 2022.⁶⁷ Similarly, the European Commission has proposed European Union-wide rules that would ban plastic straws, as well as plastic cotton buds, cutlery, plates, drink stirrers and sticks for balloons,⁶⁸ and Taiwan is planning to ban all single-use plastic items by 2030.⁶⁹ Various companies have also implemented policies to reduce their reliance on plastic. Over 400 major companies have signed on to the New Plastics Economy Global Commitment, established by the Ellen MacArthur foundation in collaboration with UN Environment. By signing on, these companies have illustrated that they are willing to be guided by reporting requirements and various targets that ultimately aim to see no plastic become waste.⁷⁰

III. BILL ANALYSIS

Int. 1775-C

Section 1 of the bill would add a new section 16-402 to chapter four of title 16 of the Administrative Code. Such section would be entitled “Restrictions on providing eating utensils and extra eating containers.” Subdivision a sets forth definitions for section 16-402. “Condiment packet” would be defined as an individual single-service container, sealed by the manufacturer including, but not limited to mustard, ketchup, mayonnaise, soy sauce, hot sauce and salad dressing. “Eating container” would be defined as a tool used for holding food or beverage, including but not limited to, plates, bowls, cups, and lids, but not including beverage splash sticks,

⁶¹ Colin Staub “Lawmakers revive expansive California EPR proposal”, *Resource Recycling*, March 16, 2021, available at: <https://resource-recycling.com/recycling/2021/03/16/lawmakers-revive-expansive-california-epr-proposal/>.

⁶² City of Oakland, Ordinance Number 12747, 2006, available at: <http://www2.oaklandnet.com/oakcal/groups/pwa/documents/report/oak025366.pdf>.

⁶³ City of Oakland, Ordinance Number 13488, 2018, available at: <https://oakland.legistar.com/View.ashx?M=F&ID=6260766&GUID=95B1AF7C-54A7-47E9-838E-6FA54E8F141F>.

⁶⁴ For more information see: Melissa Locker “Here are the U.S. cities that have banned plastic straws so far”, *Fast Company*, June 1, 2018, available at: <https://www.fastcompany.com/40580132/here-are-the-u-s-cities-that-have-banned-plastic-straws-so-far>.

⁶⁵ Public resources Code, Chapter 5.7, available at: http://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=PRC&division=30.&title=&part=3.&chapter=5.7.&article=

⁶⁶ See for example: Sheila Millar and JC Walker “23 California Das obtain \$1.5 million settlement for deceptive biodegradable claims”, *Consumer Protection Connection*, August 9, 2018, available at: <https://www.consumerprotectioncxn.com/2018/08/23-california-das-obtain-1-5-million-settlement-for-deceptive-biodegradable-claims/>.

⁶⁷ Jennifer Ferreira “Canada’s ban on single-use plastic items delayed until 2022”, *CTV News*, November 30, 2021, available at: <https://www.ctvnews.ca/climate-and-environment/canada-s-ban-on-single-use-plastic-items-delayed-until-2022-1.5687626>.

⁶⁸ European Union “Single-use plastics: New EU rules to reduce marine litter” May 28, 2018 available at: http://europa.eu/rapid/press-release_IP-18-3927_en.htm.

⁶⁹ *Channel News Asia* “Taiwan to ban plastic straws, cups by 2030”, 22 February, 2018 available at: <https://www.channelnewsasia.com/news/asia/taiwan-to-ban-plastic-straws-cups-by-2030-9981998>.

⁷⁰ New Plastics Economy “New Plastics Economy global commitment: June 2019 report”, June, 2019, available at: <https://www.newplasticseconomy.org/assets/doc/GC-Report-June19.pdf>.

which are already subject to restrictions in section 16-401. “Eating utensil” would be defined as a tool used for eating and drinking, including but not limited to knives, forks, spoons and chopsticks, but does not include beverage stirrers and beverage straws which are already subject to restrictions set forth in section 16-401 of the same chapter. “Extra eating container” would be defined as an empty eating container that is not used to hold a customer’s food or beverage. “Food service establishment” would be defined the same way as it is defined in section 16-401. “Napkin” would be defined as a piece of cloth or paper used to wipe a person’s hands or face or protect garments while eating. “Take-away” would mean food or beverage provided by a food service establishment to be consumed off-premises. “Third-party courier service” would be defined in the same way as it is defined in section 2 of the bill, which is a service that: (i) facilitates the same-day delivery or same-day pickup of food, beverages, or other goods from a food service establishment on behalf of such food service establishment or a third-party food delivery service; (ii) is owned and operated by a person other than the person who owns such food service establishment, and (iii) is not a third-party food delivery service. “Third-party food delivery service” would be defined in the same way as it is defined in Local Law 114 of 2021, and would mean any website, mobile application or other internet service that: (i) 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, a food service establishment; and (ii) that is owned and operated by a person other than the person who owns such food service establishment.

Subdivision b prohibits food service establishments from providing eating utensils, condiment packets, napkins or extra eating containers to take-away customers, whether directly or through a third-party courier service or third-party food delivery service, unless such items are requested by the customer. This bill would not prohibit food service establishments from making self-service stations available from which customers may choose to take these items, as customers serving themselves are implicitly requesting the item. Further, the bill does not prohibit food service establishments from asking the customer if they would like to receive one or more of these items and, if the customer answers in the affirmative, the food service establishment may provide the customer with the item or items they have requested.

Subdivision c places certain requirements on third-party food delivery services and third-party courier services. Paragraph one of such subdivision requires third-party food delivery services to provide their customers with the ability to request eating utensils, condiment packets, napkins and extra eating containers when submitting an order by any method, including but not limited to telephone, internet or mobile phone application orders. The default option provided to customers must be that no eating utensils, condiment packets or napkins are requested. Paragraph two prohibits third-party courier services and third-party food delivery services from providing eating utensils, condiment packets, napkins and extra eating containers unless requested by the customer or already packaged with the food or beverage by the food service establishment for delivery when picked up by the third-party courier service or third-party food delivery service.

Paragraph three provides that if a food service establishment is filling an order placed through a third-party food delivery service, the food service establishment may rely on the information provided by the third-party food delivery service as it concerns the provision of these items, pursuant to paragraph one. For the purposes of civil penalties, such reliance would be a complete defense and a copy or screenshot of a communication from the third-party food delivery service communicating the customer’s preference would constitute prima facie evidence for the purposes of the food service establishment’s defense. Third-party food delivery services would be required to provide a written communication of the customer’s preference to a food service establishment within 72 hours of such food service establishment requesting it.

Subdivision d would grant enforcement authority to the Department of Sanitation (DSNY), the Department of Health and Mental Hygiene, and DCWP.

Subdivision e would require DSNY, in consultation with other city agencies, to conduct outreach and education about the requirements of section 16-402.

Subdivision f provides that any person who violates section 16-402 would be subject to civil penalties of \$100 for a first violation, \$200 for a second violation committed on a different day within a 12-month period, and \$300 for a third or any subsequent violation committed on different days within a 12 month period. However, any violation committed before July 1, 2023 would receive only a warning with no monetary penalty.

Subdivision g would require DSNY, where practicable, to assess the presence of single-use items in the waste stream and any change in the amount of items compared to previous studies. This information would be

included in DSNY's Waste Characterization Study, which is currently required by section 16-316.1 (b) of the Code. Such study is submitted to the Council and the Mayor.

Section two of this bill would clarify the definition of "third-party courier service" in Local Law 114 of 2021.

This bill would take effect 180 days after it becomes law, except that section two of the bill would take effect on the same date as Local Law 114 of 2021 takes effect.

Int. 2096-A

Int. 2096-A would allow DCWP to issue temporary operating licenses to a new petitioner for an enclosed sidewalk cafe license where the plans for the sidewalk café are identical to the existing structure. It would also allow DCWP to issue temporary operating licenses to petitioners for an unenclosed sidewalk cafe that meets the same requirements, so long as the previous sidewalk cafe at that location was in operation within the preceding three years.

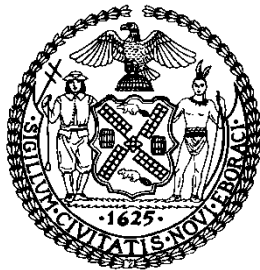
The bill would also allow DCWP to issue temporary operating licenses to petitioners for a sidewalk cafe license who have been approved but whose revocable consents are pending registration by the Comptroller.

This bill would take effect immediately once it becomes law.

Int. 2134

This bill would dispense with the requirement that drawings for sidewalk cafes, both enclosed and unenclosed, be developed, reviewed, or approved by an architect, engineer, or other professional third party. Instead, the bill would permit such drawings to be developed by the petitioner themselves. If passed, this bill would take effect 60 days after it becomes law.

(The following is the text of the Fiscal Impact Statement for Int. No. 1775-C:)



THE COUNCIL OF THE CITY OF NEW YORK

FINANCE DIVISION

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. NO: 1775-C

**COMMITTEE: Consumer Affairs and Business
Licensing**

TITLE: A local law to amend the administrative code of the city of New York, in relation to restricting eating utensils and extra eating containers, and clarifying the definition of third-party courier service.

SPONSOR(S): Council Members Van Bramer, Koo, Reynoso, Rodriguez, Dromm, Rosenthal, Kallos, Levin, Lander, Brannan, Menchaca, Adams, Levine, D. Diaz, Brooks-Powers, Dinowitz, Cumbo, Riley, Louis, Rivera, Grodenchik, Vallone, Salamanca, Gennaro, Chin and Ulrich.

SUMMARY OF LEGISLATION: Proposed Int. No. 1775-C would prohibit food service establishments, couriers who deliver food, and food delivery platforms from providing eating utensils, extra eating containers, condiment packets and napkins to customers for take-out and delivery orders unless the customer requests them. Delivery platforms would have to provide a means for a customer to request the items, but the bill would require that the

default option is that the customer does not request such items. Food service establishments, couriers and delivery platforms who violate this bill would be subject to civil penalties, however the bill would require that warnings, instead of a monetary penalty, be given for any violation occurring before July 1, 2023.

EFFECTIVE DATE: This bill would take effect 180 days after it becomes law, except that section two of the local law would take effect on the same date that local law number 114 for the year 2021 takes effect.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that the enactment of this legislation would not generate any revenue.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Florentine Kabore, Financial Analyst

ESTIMATE REVIEWED BY: John Russell, Unit Head
Nathan Toth, Deputy Director
Stephanie Ruiz, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced by the Council on October 17, 2019 as Int. No. 1775 and was referred to the Committee on Consumer Affairs and Business Licensing (Committee). The Committee heard the legislation on December 7, 2021 and an amendment was proposed and the legislation was laid over. The bill was subsequently amended twice, and the latest amended version, Proposed Int. No. 1775-C, will be heard by the Committee on December 14, 2021. Upon successful vote by the Committee, the bill will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 13, 2021.

(For text of Int. Nos. 2096-A and 2134 and their Fiscal Impact Statements, please see the Report of the Committee on Consumer Affairs and Business Licensing for Int. Nos. 2096-A and 2134, respectively, printed in these Minutes; for text of Int. No. 1775-C, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 1775-C, 2096-A, and 2134.

(The following is the text of Int. No. 1775-C:)

Int. No. 1775-C

By Council Members Van Bramer, Koo, Reynoso, Rodriguez, Dromm, Rosenthal, Kallos, Levin, Lander, Brannan, Menchaca, Adams, Levine, D. Diaz, Brooks-Powers, Dinowitz, Cumbo, Riley, Louis, Rivera, Grodenchik, Vallone, Salamanca, Gennaro, Chin, Rose, Cabán, Cornegy, Ampry-Samuel, Koslowitz, Gibson, Powers, Feliz, Ayala and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to restricting eating utensils and extra eating containers, and clarifying the definition of third-party courier service

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-402 to read as follows:

§ 16-402 *Restrictions on providing eating utensils and extra eating containers. a. Definitions. For purposes of this section:*

Condiment packet. The term "condiment packet" means an individual single-service container, sealed by the manufacturer, containing a sauce or other substance used to enhance the flavor of food, which may include, but need not be limited to, mustard, ketchup, mayonnaise, soy sauce, hot sauce and salad dressing.

Eating container. The term "eating container" means a tool used for holding food or beverage, including but not limited to, a plate, bowl, cup, or lid, but does not include a beverage splash stick as defined in section 16-401.

Eating utensil. The term "eating utensil" means a tool used for eating and drinking, including, but not limited to, a knife, fork, spoon, or chopsticks, but does not include a beverage stirrer or beverage straw as defined in section 16-401.

Extra eating container. The term "extra eating container" means an empty eating container that is not used to hold a customer's food or beverage.

Food service establishment. The term "food service establishment" has the same meaning as set forth in section 16-401.

Napkin. The term "napkin" means a piece of cloth or paper used to wipe a person's hands or face or protect garments while eating.

Take-away. The term "take-away" means food or beverage provided by a food service establishment to be consumed off the premises of such food service establishment.

Third-party courier service. The term "third-party courier service" means a service that: (i) facilitates the same-day delivery or same-day pickup of food, beverages, or other goods from a food service establishment on behalf of such food service establishment or a third-party food delivery service; (ii) is owned and operated by a person other than the person who owns such food service establishment, and (iii) is not a third-party food delivery service.

Third-party food delivery service. The term "third-party food delivery service" means any website, mobile application or other internet service that: (i) 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, a food service establishment; and (ii) that is owned and operated by a person other than the person who owns such food service establishment.

b. No food service establishment shall provide eating utensils, condiment packets, napkins, or extra eating containers to a take-away customer, whether directly to such customer or through a third-party courier service or third-party food delivery service, unless such customer requests eating utensils, condiment packets, napkins, or extra eating containers.

c. 1. Third-party food delivery services shall provide options to allow a customer to request eating utensils, condiment packets, napkins, and extra eating containers upon submission of an order. Such options shall be available for all methods of ordering, including but not limited to phone, internet, or mobile phone application orders. The default selected option shall be that no eating utensils, condiment packets, napkins, or extra eating containers are requested.

2. *No third-party courier service or third-party food delivery service shall provide eating utensils, condiment packets, napkins, or extra eating containers to a customer, unless such eating utensils, condiment packets, napkins, or extra eating containers are requested by such customer, or such eating utensils, condiment packets, napkins or extra eating containers are in the food or beverage packaged by the food service establishment for delivery when such third-party courier service or third-party food delivery service picks up such food or beverage.*

3. *If a food service establishment fills an order placed through a third-party food delivery service, such food service establishment may rely on the information provided by such third-party food delivery service regarding whether the customer has requested eating utensils, condiment packets, napkins, or extra eating containers pursuant to paragraph 1 of this subdivision. In a proceeding to collect a civil penalty pursuant to subdivision f of this section, it shall be a complete defense for a respondent food service establishment to establish that such food service establishment relied on the information provided to it by the third-party food delivery service regarding the customer's choice pursuant to paragraph 1 of this subdivision. A copy or screenshot of a communication by the third-party food delivery service to the food service establishment regarding the customer's choice pursuant to paragraph 1 of this subdivision shall constitute prima facie evidence that the food service establishment relied on the information provided to it by the third-party food delivery service. Each third-party food delivery service shall provide such communication in writing to a food service establishment within 72 hours of such food service establishment's request for such communication.*

d. *The department, the department of health and mental hygiene and the department of consumer and worker protection shall have the authority to enforce the provisions of this section.*

e. *In consultation with other city agencies, the department shall conduct outreach and education about the requirements of this section.*

f. *Any person who violates this section or any rule promulgated pursuant thereto shall be liable for a civil penalty recoverable in a civil action brought in the name of the commissioner, the commissioner of health and mental hygiene or the commissioner of consumer and worker protection, or in a proceeding before the office of administrative trials and hearings pursuant to section 1049-a of the charter, or in the case of a food service establishment within the jurisdiction of the commissioner of health and mental hygiene or the commissioner of consumer and worker protection, in a proceeding before the office of administrative trials and hearings pursuant to section 1048 of the charter. Such penalties shall be in the amount of \$100 for the first violation, \$200 for the second violation committed on a different day within a period of 12 months, and \$300 for the third and each subsequent violation committed on different days within a period of 12 months, except that any agency enforcing the provisions of this section shall not issue a notice of violation, but shall issue a warning and provide information on the provisions of this section, for any violation that occurs before July 1, 2023.*

g. *The department, as part of the waste characterization study required pursuant to subdivision b of section 16-316.1, shall, where practicable, assess the amount of single-use items in the waste stream and the change in such amount from any previous studies. The department shall include such information in such study submitted to the council and the mayor.*

§ 2. Section 20-1501 of the administrative code of the city of New York, as added by local law number 114 for the year 2021, is amended to read as follows:

Third-party courier service. The term "third-party courier service" means a service that (i) facilitates the same-day delivery or same-day pickup of food, beverages, or other goods from a food service establishment on behalf of *such food service establishment or a third-party food delivery service*; [and] (ii) that is owned and operated by a person other than the person who owns such food service establishment; *and (iii) and is not a third-party food delivery service.*

§ 3. This local law takes effect 180 days after it becomes law, except that section two of this local law takes effect on the same date that local law number 114 for the year 2021 takes effect.

DIANA AYALA *Chairperson*; MARGARET S. CHIN, PETER A. KOO, KAREN KOSLOWITZ, BRADFORD S. LANDER, BEN KALLOS, JUSTIN L. BRANNAN, CARLOS MENCHACA; Committee on Consumer Affairs and Business Licensing, December 14, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Van Bramer.*

Laid Over by the Council.

Report for Int. No. 2096-A

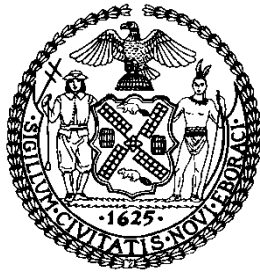
Report of the Committee on Consumer Affairs and Business Licensing in favor of approving and adopting, a Local Law to amend the administrative code of the city of New York, in relation to authorizing the department of consumer and worker protection to issue temporary operating licenses to sidewalk cafe applicants if certain requirements are satisfied.

The Committee on Consumer Affairs and Business Licensing, to which the annexed proposed local law was referred on September 23, 2020 (Minutes, page 1984), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Consumer Affairs and Business Licensing for Int. No. 1775-C printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 2096-A:



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

**PROPOSED INT. NO: 2096-A
COMMITTEE: Consumer Affairs and Business
Licensing**

TITLE: A local law to amend the administrative code of the city of New York, in relation to authorizing the department of consumer and worker protection to issue temporary operating licenses to sidewalk café applicants if certain requirements are satisfied.

SPONSOR(S): Council Member Kallos, Powers, Dromm.

SUMMARY OF LEGISLATION: Proposed Int. No. 2096-A would allow the Department of Consumer and Worker Protection to issue temporary operating licenses to applicants for a sidewalk café license if the plans for the new sidewalk café are identical to the plans for a previously operating sidewalk café at the same location. This bill would also allow the Department to issue a temporary operating license to new sidewalk cafe applicants whose petitions have been approved but are pending registration by the Comptroller.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that the enactment of this legislation would not generate any revenue.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Florentine Kabore, Financial Analyst

ESTIMATE REVIEWED BY: John Russell, Unit Head
Nathan Toth, Deputy Director
Stephanie Ruiz, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced by the Council on September 23, 2020 as Int. No. 2096 and was referred to the Committee on Consumer Affairs and Business Licensing (Committee). A hearing was held by the Committee, jointly with the Committee on Transportation, on September 30, 2020 and the legislation was laid over. The bill was subsequently amended, and the amended version, Proposed Int. No. 2096-A, will be heard by the Committee on December 14, 2021. Upon successful vote by the Committee, the bill will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 13, 2021.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 2096-A:)

Int. No. 2096-A

By Council Members Kallos, Powers, Dromm and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to authorizing the department of consumer and worker protection to issue temporary operating licenses to sidewalk cafe applicants if certain requirements are satisfied

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 20-227.1 of the administrative code of the city of New York, as amended by local law number 80 for the year 2021, is amended to read as follows:

§ 20-227.1. *Violations and penalties.* a. Any person found to be operating an unlicensed sidewalk cafe shall be liable for a civil penalty of two hundred dollars for the first violation, and two hundred dollars for each additional violation occurring on the same day; and five hundred dollars for the second violation and each subsequent violation at the same place of business within a two-year period. For purposes of this section, any

violation for operating an unlicensed sidewalk cafe shall be included in determining the number of violations by any subsequent license holder at the same place of business unless the subsequent license holder provides the department with adequate documentation demonstrating that the subsequent license holder acquired the premises or business through an arm's length transaction as defined in subdivision f of this section and that the sale or lease was not conducted, in whole or in part, for the purpose of permitting the original license holder to avoid the effect of violations on the premises.

§ 2. Subchapter 6 of chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-227.2 to read as follows:

§ 20-227.2. *Temporary sidewalk cafe authorization. a. Where an applicant for a sidewalk cafe license submits a petition to operate an enclosed or unenclosed sidewalk cafe for which a consent issued to another person has lapsed or was terminated, the commissioner may authorize such applicant to operate the sidewalk cafe at such premises pending the approval of consent for operating such cafe, provided that the plans for the cafe are the same as the cafe for which a consent to operate a sidewalk cafe had previously been granted and, if it is an enclosed sidewalk cafe, that the structure is the same for which consent was previously granted. For the purposes of this section, the commissioner may not authorize an applicant to operate an unenclosed sidewalk cafe if the original consent has been expired for more than three years from the date of the submission of an applicant's petition.*

b. Where the department has approved a petition to operate an enclosed or unenclosed sidewalk cafe pursuant to sections 20-225 or 20-226, the commissioner may authorize such applicant to operate a sidewalk cafe pending the registration of the revocable consent by the comptroller.

§ 3. This local law takes effect immediately.

DIANA AYALA *Chairperson*; MARGARET S. CHIN, PETER A. KOO, KAREN KOSLOWITZ, BRADFORD S. LANDER, BEN KALLOS, JUSTIN L. BRANNAN, CARLOS MENCHACA; Committee on Consumer Affairs and Business Licensing, December 14, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Van Bramer.*

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

Report for Int. No. 2134

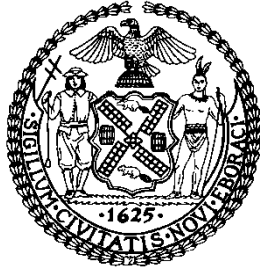
Report of the Committee on Consumer Affairs and Business Licensing in favor of approving and adopting, a Local Law to amend the administrative code of the city of New York, in relation to the preparation of plans in connection with petitions for revocable consents for sidewalk cafes.

The Committee on Consumer Affairs and Business Licensing, to which the annexed proposed local law was referred on October 15, 2021 (Minutes, page 2215), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Consumer Affairs and Business Licensing for Int. No. 1775-C printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 2134:



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

INT. NO: 2134

COMMITTEE: Consumer Affairs and Business
Licensing

TITLE: A local law to amend the administrative code of the city of New York, in relation to the preparation of plans in connection with petitions for revocable consents for sidewalk cafes.

SPONSOR(S): Council Members Salamanca, Dromm, Kallos, Chin.

SUMMARY OF LEGISLATION: Currently, an application for a sidewalk café must be accompanied by a drawing plan of the proposed layout. That drawing must be prepared by licensed architect or engineer. Int. No. 2134 would allow sidewalk café applicants to self-prepare such plans.

EFFECTIVE DATE: This local law would take effect 60 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that the enactment of this legislation would not generate any revenue.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Florentine Kabore, Financial Analyst

ESTIMATE REVIEWED BY: John Russell, Unit Head
 Nathan Toth, Deputy Director
 Stephanie Ruiz, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was considered by the Committee on Consumer Affairs and Business Licensing (Committee) and the Committee on Transportation as a Preconsidered Introduction on September 30, 2020 and the legislation was laid over. The legislation was later introduced by the Council as Int. No. 2134 on October 15, 2020 and was referred to the Committee. Int. No. 2134, will be heard by the Committee on December

14, 2021. Upon successful vote by the Committee, the bill will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 13, 2021.

Accordingly, this Committee recommends its adoption.

(The following is the text of Int. No. 2134:)

Int. No. 2134

By Council Members Salamanca, Dromm, Kallos, Chin and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to the preparation of plans in connection with petitions for revocable consents for sidewalk cafes

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 20-225 of the administrative code of the city of New York is amended to read as follows:

a. The petition shall be in such form as prescribed by the department[.] *and shall include an accurate drawing of required clearances, space to be occupied, and the locations of tables and chairs; provided, however that the department shall permit such drawings to be developed by the petitioner and shall not require that such drawings be developed, reviewed, or approved by an architect, engineer, or other professional third party.* The petition shall be filed with the department which, within five days of the filing of such petition shall forward copies thereof to the department of city planning, the department of environmental protection and the landmarks preservation commission for review pursuant to subdivision b of this section. The department shall forward copies of the petition, within five days of the filing of such petition, to the speaker of the council and to the council member in whose district the cafe is proposed to be located, for informational purposes.

§ 2. Subdivision a of section 20-226 of the administrative code of the city of New York is amended to read as follows:

a. The petition shall be in such form as prescribed by the department[.] *and shall include an accurate drawing of required clearances, space to be occupied, and the locations of tables and chairs; provided, however that the department shall permit such drawings to be developed by the petitioner and shall not require that such drawings be developed, reviewed, or approved by an architect, engineer, or other professional third party.* The department shall forward copies of the petition, within five days of the filing of such petition, to the president of the borough in which the cafe is proposed to be located, the speaker of the council and the council member in whose district the cafe is proposed to be located, for information purposes, and to the community board for the community district in which the cafe is proposed to be located, for review pursuant to subdivision b of this section.

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

DIANA AYALA *Chairperson*; MARGARET S. CHIN, PETER A. KOO, KAREN KOSLOWITZ, BRADFORD S. LANDER, BEN KALLOS, JUSTIN L. BRANNAN, CARLOS MENCHACA, KALMAN YEGER; Committee on Consumer Affairs and Business Licensing, December 14, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Van Bramer.*

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

Report of the Committee on Environmental Protection

Report for Int. No. 271-A

Report of the Committee on Environmental Protection 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 reducing unnecessary illumination in city-owned spaces.

The Committee on Environmental Protection, to which the annexed proposed amended local law was referred on January 31, 2018 (Minutes, page 461), respectfully

REPORTS:

I. INTRODUCTION

On December 14, 2021, the Committee on Environmental Protection, chaired by Council Member James F. Gennaro, held a hearing on Int. No. 271-A, in relation to reducing unnecessary illumination in city-owned and city-controlled spaces; Int. No. 274-A, in relation to establishing curfews for nighttime illumination in city owned buildings during peak avian migration periods; and Int. No. 2317-A, in relation to the use of substances with certain emissions profiles.

The Committee previously held a hearing on Int. No. 271-A on December 1, 2021 and received testimony from the New York City Mayor's Office of Environmental Remediation (OER), real estate representatives, and interested members of the public. More information about this legislation is available with the materials for this hearing, which can be accessed online at <https://on.nyc.gov/3IB9j3Y>.

The Committee previously held a hearing on Int. No. 274-A on December 1, 2021 and received testimony from the New York City Mayor's Office of Environmental Remediation (OER), real estate representatives, and interested members of the public. More information about this legislation is available with the materials for this hearing, which can be accessed online at <https://on.nyc.gov/31QUWHK>.

The Committee previously held a hearing on Int. No. 2317-A on November 17, 2021 and received testimony from the New York City Mayor's Office of Climate and Sustainability (MOCS), the Department of Citywide Administrative Services (DCAS), the Department of Buildings (DOB), real estate representatives, and interested members of the public. More information about this legislation is available with the materials for this hearing, which can be accessed online at <https://on.nyc.gov/3oIDMFI>.

II. INT. NO. 271-A

Int. No. 271-A would reduce unnecessary illumination in city-owned and city-controlled spaces by creating a phased timeline stipulating that 50% of city-owned and city-controlled buildings comply with occupancy sensor installation requirements by 2020, 80% by 2025, and 100% by 2030. The legislation would also require the Department of Citywide Administrative Services to submit an annual report to the Mayor and the Speaker of the City Council outlining changes in the number of covered buildings, percentage of compliant buildings, and the number of buildings that became compliant in the previous calendar year. This local law would take effect immediately.

III. INT. NO. 274-A

Int. No. 274-A would mandate that city-owned buildings and buildings leased by the city in which the city is the only tenant turn off non-essential outdoor lighting between the hours of 11:00pm and 6:00am during peak

avian migration periods, from April 15 to May 31, and from August 15 through November 15 of each year. The local law would take effect immediately

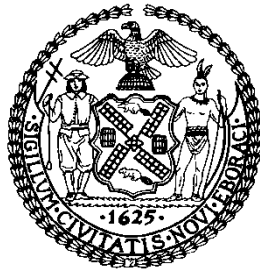
IV. INT. NO. 2317-A

Int. No. 2317-A would prohibit the combustion of a substance that emits 25 kilograms or more of carbon dioxide per million British thermal units of energy as determined by the United States Energy Information Administration in any newly constructed building, and direct the Commissioner of Buildings to deny construction documents and permits in connection with a building that would require the combustion of these substances, with exceptions for: emergency standby power; a hardship preventing compliance with the bill; where the combustion of the substance is required by certain enumerated industries; and where the combustion of the substance is used on an intermittent basis in connection with a device that is not connected to the building's gas supply line. This bill would further require the Mayor's Office of Long-Term Planning and Sustainability to conduct two studies: (1) a study regarding the use of heat pump technology; and (2) a study of the impact of this bill on the City's electrical grid. This local law would take effect immediately.

III. UPDATE

On December 14, 2021, the Committee held a vote on Int. No. 271-A, Int. No. 274-A, and Int. No. 2317-A. The Committee passed Int. No. 271-A, Int. No. 274-A, and Int. 2317-A, 4 in the affirmative, 0 in the negative, and 0 abstentions. Thus, the Committee recommends adoption.

(The following is the text of the Fiscal Impact Statement for Int. No. 271-A:)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
 LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO. 271-A
COMMITTEE: Environmental Protection

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to reducing unnecessary illumination in city-owned spaces

SPONSORS: Council Members Brannan, Rivera, Rosenthal, Reynoso, Dromm, Chin, Cabán, Yeger and the Public Advocate (Mr. Williams) (by request of the Queens Borough President)

SUMMARY OF LEGISLATION: Proposed Intro. No. 271-A would require the installation of occupancy sensors to limit illumination in city-owned buildings. This requirement would apply to spaces in at least 25 percent of City-owned buildings by 2023; at least 40 percent of such buildings by 2025; at least 75 percent of such buildings by 2027, and all such buildings by 2030. This local law would also require periodic reporting regarding compliance with this bill.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2022

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	(\$425,000)	(\$425,000)	(\$425,000)
Net	(\$425,000)	(\$425,000)	(\$425,000)

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

IMPACT ON EXPENDITURES: Overall, there are approximately 17,000 City-owned properties citywide. This estimate assumes a City-owned building is at each of these sites and a minimum of ten sensors would need to be installed in each building. To comply with this legislation, the Department of Citywide Administrative Services (DCAS) would likely incur a cost of \$425,000 annually, for a total cost of \$3.4 million by January 31, 2030 to procure and install occupancy sensors to limit illumination in City-owned building. *Of note:* the City may offset the costs of the sensors by utilizing trained internal professionals for the installation of such devices. Also, the increased use of the sensors may result in a cost-savings for electricity use in these buildings.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCES OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Jonathan Seltzer, Senior Financial Analyst

ESTIMATE REVIEWED BY: Crilhien Francisco, Unit Head
Noah Brick, Assistant Counsel
Nathan Toth, Deputy Director

LEGISLATIVE HISTORY: This legislation was first introduced to the Council as Intro. 271 on January 31, 2018 and referred to the Committee on Environmental Protection (Committee). The Committee heard the legislation on December 1, 2021 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 271-A, will be considered by the Committee on December 14, 2021. Upon a successful vote by the Committee, Proposed Intro. No 271-A will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 13, 2021.

(For text of Int. Nos. 274-A and 2317-A and their Fiscal Impact Statements, please see the Report of the Committee on Economic Development for Int. Nos. 274-A and 2317-A, respectively, printed in these Minutes; for text of Int. No. 271-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 271-A, 274-A, and 2317-A.

(The following is the text of Int. No. 271-A:)

Int. No. 271-A

By Council Members Brannan, Rivera, Rosenthal, Reynoso, Dromm, Chin, Cabán, Yeger, Levin, Gennaro, Rose and the Public Advocate (Mr. Williams) (by request of the Queens Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to reducing unnecessary illumination in city-owned spaces

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 4 of the administrative code of the city of New York is amended by adding a new section 4-216 to read as follows:

§ 4-216 Limitation on lighting in city-owned buildings. a. As used in this section:

“Compliant building” means a building in which all covered spaces comply with the occupancy sensor requirements of section C405.2 of the New York city energy conservation code for new construction.

“Covered building” means a city-owned building that is under the jurisdiction of and is operated by the department of citywide administrative services. For the purposes of this section, a covered building shall not include either a high-occupancy building or a critical facility for which such occupancy sensor requirements shall not apply.

“Covered space” means space that is located within a city-owned building that is under the jurisdiction of and is operated by the department citywide administrative services and which is required to comply with the occupancy sensor requirements of section C405.2 of the New York city energy conservation code.

b. Existing covered spaces shall comply with the occupancy sensor installation requirements of section C405.2 of the New York city energy conservation code for new construction as follows:

- 1. by January 1, 2023, at least 25 percent of covered buildings shall be compliant buildings;*
- 2. by January 1, 2025, at least 50 percent of covered buildings shall be compliant buildings;*
- 3. by January 1, 2027, at least 75 percent of all covered buildings shall be compliant buildings.*
- 4. by January 1, 2030, all remaining covered buildings shall be compliant buildings.*

c. By January 1, 2024 and every third year thereafter until 2030, the department of citywide administrative services shall, with the cooperation of all relevant agencies, report to the mayor and the speaker of the council the following information:

- 1. the number of covered buildings as of the end of the previous three calendar years;*
- 2. the number of compliant buildings and the percentage of covered buildings that are compliant buildings, as of the end of the previous three calendar years; and*
- 3. the number of covered buildings that became compliant buildings during the previous three calendar years.*

§ 2. This local law takes effect immediately.

JAMES F. GENNARO, *Chairperson*; STEPHEN T. LEVIN, CARLOS MENCHACA, DARMA V. DIAZ; Committee on Environmental Protection, December 14, 2021 (Remote Hearing); *Other Council Members Attending: Council Member Rosenthal.*

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

Report for Int. No. 274-A

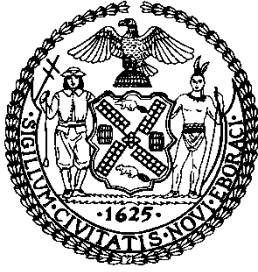
Report of the Committee on Environmental Protection in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to nighttime illumination during peak avian migration periods.

The Committee on Environmental Protection, to which the annexed proposed amended local law was referred on January 31, 2018 (Minutes, page 463), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Environmental Protection for Int. No. 271-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 274-A:



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

PROPOSED INTRO. NO. 274-A

COMMITTEE: Environmental Protection

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to nighttime illumination during peak avian migration periods.

SPONSORS: Council Members Rosenthal, Rivera, Reynoso, Brannan, Dromm, Chin, Cabán and the Public Advocate (Mr. Williams) (by request of the Queens Borough President).

SUMMARY OF LEGISLATION: Proposed Intro. No. 274-A would require that all non-essential outdoor lighting in buildings owned by New York City (the City), or in buildings where the City is the only tenant, be turned off between 11:00 p.m. and 6:00 a.m. during peak avian migration periods. Furthermore, this bill would require the City to use its best efforts to include provisions in lease negotiations to require the non-essential outdoor lighting be turned off between the hours of 11:00 p.m. and 6:00 a.m. during peak aviation migration periods for buildings where the City is not the only tenant.

EFFECTIVE DATE: This local law would take effect immediately, provided that it shall apply only to leases entered into on or after such date.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2022

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: It is estimated there would be no impact on expenditures resulting from the enactment of this legislation as City-owned and privately owned buildings where the City is a tenant would utilize existing resources to implement the requirements of this legislation. Additionally, a power savings would likely be achieved for City-owned and privately owned buildings where the City is a tenant due to decreased power usage during certain hours of the day; however, at the time of drafting this fiscal impact statement, the estimated power reduction across these buildings is unknown.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCES OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Jonathan Seltzer, Senior Financial Analyst

ESTIMATE REVIEWED BY: Crilhien Francisco, Unit Head
Noah Brick, Assistant Counsel
Nathan Toth, Deputy Director

LEGISLATIVE HISTORY: This legislation was first introduced to the Council as Intro. 274 on January 30, 2018 and referred to the Committee on Governmental Operations (Committee). The legislation was then re-referred to the Committee on Environmental Protection (Committee) on November 30, 2021. The Committee heard the legislation on December 1, 2021 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 274-A, will be considered by the Committee on December 14, 2021. Upon a successful vote by the Committee, Proposed Intro. No 274-A will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 13, 2021.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 274-A:)

Int. No. 274-A

By Council Members Rosenthal, Rivera, Reynoso, Brannan, Dromm, Chin, Cabán, Levin, Gennaro, Rose and the Public Advocate (Mr. Williams) (by request of the Queens Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to nighttime illumination during peak avian migration periods

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 4 of the administrative code of the city of New York is amended by adding a new section 4-217 read as follows:

§ 4-217 Limitation on nighttime illumination in city-owned or leased buildings during peak avian migration periods. a. For the purposes of this article, the following terms shall have the following meanings.

Non-essential outdoor lighting. The term “non-essential outdoor lighting” means lighting that has not been deemed essential for either safety or functionality as determined by an agency designated by the mayor or by the owner of a leased building.

Peak avian migration period. The term “peak avian migration period” means the period from August 15 through November 15, and the period from April 1 through May 31 as recommended by New York City Audubon or such other dates determined by an agency designated by the mayor.

b. For city-owned buildings, and buildings leased by the city in which the city is the only tenant, non-essential outdoor lighting shall be turned off between the hours of 11:00 p.m. and 6:00 a.m. during peak avian migration periods.

c. For buildings leased by the city, where the city is not the only tenant, the agency leasing such building shall use its best efforts to include a provision in such lease requiring that non-essential outdoor lighting be turned off between the hours of 11:00 p.m. and 6:00 a.m. during peak avian migration periods.

§ 2. This local law takes effect immediately, provided that it shall apply only to leases entered into on or after such date.

JAMES F. GENNARO, *Chairperson*; STEPHEN T. LEVIN, CARLOS MENCHACA, DARMA V. DIAZ; Committee on Environmental Protection, December 14, 2021 (Remote Hearing); *Other Council Members Attending: Council Member Rosenthal.*

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

Report for Int. No. 2317-A

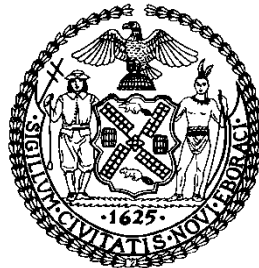
Report of the Committee on Environmental Protection in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the use of substances with certain emissions profiles.

The Committee on Environmental Protection, to which the annexed proposed amended local law was referred on May 27, 2021 (Minutes, page 1612), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Environmental Protection for Int. No. 271-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 2317-A:



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

**PROPOSED INTRO. NO. 2317-A
COMMITTEE: Environmental Protection**

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the use of substances with certain emissions profiles.

SPONSORS: Council Members Ampry-Samuel, Rivera, the Public Advocate (Mr. Williams), Van Bramer, Reynoso, Lander, Rosenthal, Kallos, Levin, Dromm, D. Diaz, Ayala, Menchaca, Adams, Barron, Chin, Cornegy, Rodriguez, Levine, Riley, Cumbo, Koslowitz, Dinowitz, Louis, Brooks-Powers, Cabán, Gennaro, Brannan and Rose.

SUMMARY OF LEGISLATION: Proposed Intro. No. 2317-A would prohibit the combustion of substances with certain higher carbon dioxide emissions profiles in buildings within the City. This bill would also direct the Commissioner of the Department of Buildings (DOB) to deny construction documents and permits in connection with a building that would require the combustion of these substances, with some exceptions, and to assess civil penalties against owners of buildings that violate that standard. This bill would further require the Mayor's Office of Long-Term Planning and Sustainability (OLTPS) to conduct two studies: (1) a study regarding the use of heat pump technology; and (2) a study of the impact of this bill on the City's electrical grid.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2022

FISCAL IMPACT STATEMENT:

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

IMPACT ON REVENUES: It is estimated that there would be no impact on revenues resulting from the enactment of this legislation. It is assumed that all building owners will comply with the legislation and no civil penalties will be assessed.

IMPACT ON EXPENDITURES: *To comply with this legislation, new privately owned buildings, as well as new City-owned buildings, with limited exceptions, would likely incur additional costs related to the use of combustion substances with certain emissions profiles in buildings. For privately owned buildings, the cost to comply would be borne by the owner, and for City-owned buildings, the cost would be borne by the City. The City would likely see a two percent increase in cost per building to comply with the legislative requirements set forth in this bill; however, the number of buildings which fall under the requirements of the legislation is unknown at this time. Furthermore, the OLTPS would use existing resources to conduct the two studies required by this legislation: (1) a study regarding the use of heat pump technology; and (2) a study of the impact of this bill on the City’s electrical grid.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCES OF INFORMATION: New York City Council Finance Division
Mayor’s Office of City Legislative Affairs

ESTIMATE PREPARED BY: Jonathan Seltzer, Senior Financial Analyst

ESTIMATE REVIEWED BY: Crilhien Francisco, Unit Head
Noah Brick, Assistant Counsel
Nathan Toth, Deputy Director

LEGISLATIVE HISTORY: This legislation was first introduced to the Council as Intro. 2317 on May 27, 2021 and referred to the Committee on Environmental Protection (Committee). The Committee heard the legislation on November 17, 2021 and the legislation was laid over. The legislation was subsequently amended and the amended legislation, Proposed Intro. No. 2317-A, will be considered by the Committee on December 14, 2021. Upon a successful vote by the Committee, Proposed Intro. No 271-A will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 13, 2021

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 2317-A:)

Int. No. 2317-A

By Council Members Ampry-Samuel, Rivera, the Public Advocate (Mr. Williams), Van Bramer, Reynoso, Lander, Rosenthal, Kallos, Levin, Dromm, D. Diaz, Ayala, Menchaca, Adams, Barron, Chin, Cornegy, Rodriguez, Levine, Riley, Cumbo, Koslowitz, Dinowitz, Louis, Brooks-Powers, Cabán, Gennaro, Brannan and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to the use of substances with certain emissions profiles

Be it enacted by the Council as follows:

Section 1. Subchapter 8 of chapter 1 of title 24 of the administrative code of the city of New York is amended by adding a new section 24-177.1 to read as follows:

§ 24-177.1 Prohibited emissions a. Buildings shall be subject to the emission limits set forth in this section in accordance with section 28-506.1.

b. No person shall permit the combustion of any substance that emits 25 kilograms or more of carbon dioxide per million British thermal units of energy, as determined by the United States energy information administration, within such building.

c. Notwithstanding the prohibition in subdivision b, combustion of a substance that emits 25 kilograms of carbon dioxide per million British thermal units of energy or more shall be permitted for use within such a building where the combustion of such substance occurs in connection with a device that contains no connection to a building's gas supply line or fuel oil piping system, is used on an intermittent basis, and is not used to supply a building with heat or hot water.

d. This section may be enforced by the department or the department of buildings.

§ 2. The table of civil penalties following subparagraph (i) of paragraph (3) of subdivision (a) of section 24-178 of the administrative code of the city of New York is amended by adding a new row in numerical order to read as follows:

24-177.1	\$400	\$4,000
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§ 3. Chapter 5 of title 28 of the administrative code of the city of New York is amended by adding a new article 506 to read as follows:

*ARTICLE 506
EMISSION PROFILE OF BUILDINGS*

§ 28-506.1 Prohibited Emissions in New Buildings. *New buildings shall be subject to the emissions limits set forth in section 24-177.1. The commissioner shall not approve an application for the approval of construction documents, nor issue any permit in connection therewith, for a new building that does not comply with section 24-177.1.*

Exceptions:

- 1. A building that is seven stories or more where an application for the approval of construction documents is submitted on or before July 1, 2027.*
- 2. A building that is less than seven stories where an application for the approval of construction documents is submitted on or before December 31, 2023.*

3. *A building, other than a building, that is classified as group R-3, where such emissions are in connection with the provision of hot water and an application for the approval of construction documents is submitted on or before July 1, 2027.*
4. *A building that is less than seven stories where the building owner demonstrates in accordance with rules promulgated by the department that 50 percent or more of the dwelling units in such building are subject to a regulatory agreement, restrictive declaration, or similar instrument with a federal, state, or local governmental entity or instrumentality for the creation or preservation of affordable housing, and an application for the approval of construction documents is submitted before December 31, 2025.*
5. *A building that is seven stories or more where the building owner demonstrates in accordance with rules promulgated by the department that 50 percent or more of the dwelling units in such building are subject to a regulatory agreement, restrictive declaration, or similar instrument with a federal, state, or local governmental entity or instrumentality for the creation or preservation of affordable housing, and an application for the approval of construction documents is submitted before December 31, 2027.*
6. *A building that will be primarily used by a utility regulated by the public service commission for the generation of electric power or steam.*
7. *A building within a facility operated by the department of environmental protection that treats sewage or food waste.*
8. *An application filed by or on behalf of the school construction authority submitted before December 31, 2024.*
9. *A building where it would not be required to comply with section 24-177.1 because the combustion of a substance that emits 25 kg or more of carbon dioxide per million British thermal units of energy is necessary for a manufacturing use or purpose, or for the operation of a laboratory, laundromat, hospital, crematorium, commercial kitchen as defined in section 602 of the New York city fire code, or where used for emergency or standby power, or other use allowed by rule of the department, to the extent necessary for, and in the space occupied by such use or purpose.*

§ 4. a. The office of long-term planning and sustainability, in consultation with other relevant agencies or offices of the city, and with experts in the operation of heat pumps, engineers and architects, shall conduct a study regarding the use of heat pump technology in relation to the anticipated use of such technology in connection with the implementation of this local law. Such study may reference, or draw from, data collected during, or the results of, prior studies. Such study shall include, but need not be limited to, evaluations of the feasibility within the city, the feasibility based on building size for buildings less than seven stories and for buildings seven stories and more, cost of installation based on building size for buildings less than seven stories and for buildings seven stories and more, cost of use based on building size for buildings less than seven stories and for buildings seven stories and more, and environmental impact of the use of the following technologies:

1. Centralized air source heat pumps with storage tanks;
 2. Ground source heat pumps and multi-source heat pumps;
 3. Solar thermal with storage tanks and air source heat pumps; and
 4. On-demand electric water heaters, both with tank and tankless, whichever is applicable based on building size.
- b. No later than June 1, 2023, the office of long-term planning and sustainability shall submit to the mayor and the speaker of the council, and make publicly available online, a report detailing the findings of the study conducted pursuant to this section.

§ 5. a. The office of long-term planning and sustainability, in consultation with other relevant agencies or offices of the city and with experts in the operation of electric grids, shall conduct a study regarding the reliability

and resiliency of the city's electrical distribution grid, and transmission lines into the city, in relation to the anticipated use of such grid and lines for the implementation of this local law. Such study may reference, or draw from, data collected during, or the results of, prior studies. Such study shall include, but need not be limited to, evaluations of:

1. The current and projected 2030 load on the electrical grid for both winter and summer, including (i) an identification of factors that may affect demand; (ii) specific recommendations regarding the capacity that could be added to the current energy supply to meet such projected demand after consideration of such factors; and (iii) actions the city could take in connection with such recommendations;

2. Projected 2030 transmission electricity flows into zone J of the NYISO electrical grid;

3. Projected 2030 load on the electrical grid due to anticipated electrification;

4. Opportunities to incentivize flexible loads to support grid resiliency and reliability; and

5. Recommendations for improved infrastructure coordination and planning to support electrification.

b. No later than June 1, 2023, the office of long-term planning and sustainability shall submit to the mayor and the speaker of the council, and make publicly available online, a report detailing the findings of the study conducted pursuant to this section.

§ 6. This local law takes effect immediately.

JAMES F. GENNARO, *Chairperson*; STEPHEN T. LEVIN, CARLOS MENCHACA, DARMA V. DIAZ; Committee on Environmental Protection, December 14, 2021 (Remote Hearing); *Other Council Members Attending: Council Member Rosenthal.*

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

Report of the Committee on Finance

Report for Int. No. 2470

Report of the Committee on Finance in favor of approving and adopting, a Local Law in relation to the date of submission by the mayor of a preliminary management report, the date of submission by the mayor of the preliminary certificate regarding debt and reserves and appropriations and expenditures for capital projects, the date of submission by the mayor of the preliminary budget, the date of publication by the director of the independent budget office of a report on revenues and expenditures, the date of submission by the community boards of statements in regard to the preliminary budget, the date of submission by the commissioner of finance of an estimate of the assessed valuation of real property and statement of real property taxes due, expected to be received, and uncollected, the date of submission by the mayor of a tax benefit report, the date of submission by the borough boards of statements on budget priorities, the date of submission by the borough presidents of proposed modifications of the preliminary budget, the date of publication by the director of the independent budget office of a report analyzing the preliminary budget, and the date of submission by the campaign finance board of estimates of the financial needs of the campaign finance board, relating to the fiscal year two thousand twenty-three.

The Committee on Finance to which the annexed proposed local law was referred on December 9, 2021 (Minutes, page 3866), respectfully

REPORTS:

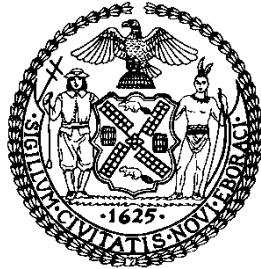
Various provisions in the New York City Charter (the “Charter”) prescribe the actions that need to be taken as part of the annual budget submission process for the following fiscal year’s budget. The Charter specifies certain dates by which the Mayor must submit his or her Preliminary Budget, as well as the preliminary certificate on maximum capital debt and obligations. The Charter also prescribes the dates for preliminary budget actions taken by other governmental officials.

Int. No. 2470 would provide for an extension of the date for Fiscal 2023 of the Mayor’s submission of the preliminary management report; the Mayor’s submission and publication of a preliminary certificate regarding debt and reserves and appropriations and expenditures for capital projects; the Mayor’s submission of the preliminary budget; the Independent Budget Office’s report with respect to expected levels of revenues and expenditures; the Community Boards’ statements and recommendations in regard to the preliminary budget; the Department of Finance’s estimate of assessed valuation of real property and certified statement of all real property taxes due and uncollected; the Mayor’s submission of tax benefit report; the Borough Boards’ statements on budget priorities after public hearing; the Borough President’s modifications and recommendations; the Independent Budget Office’s report on the preliminary budget; and the Campaign Finance Board’s approval and submission of its operating budget.

Pursuant to the proposed legislation, the dates for the Charter-prescribed actions would be extended as follows:

<u>Document</u>	<u>Charter Deadline</u>	<u>Proposed Extended Date for Fiscal 2023</u>
Mayor’s submission of the preliminary management report (Section 12(a))	January 30, 2022	February 28, 2022
Mayor’s submission and publication of a preliminary certificate regarding debt and reserves and appropriations and expenditures for capital projects (Section 235)	January 16, 2022	February 16, 2022
Mayor’s submission of the preliminary budget (Section 236)	January 16, 2022	February 16, 2022
Independent Budget Office’s report with respect to expected levels of revenues and expenditures (Section 237)	February 1, 2022	March 1, 2022
Community Board statements and recommendations in regard to the preliminary budget (Section 238)	February 15, 2022	March 15, 2022
Department of Finance’s estimate of assessed valuation of real property and certified statement of all real property taxes due and uncollected (Section 239)	February 15, 2022	March 15, 2022

Mayor's submission of tax benefit report (Section 240)	February 15, 2022	March 15, 2022
Borough Board statement on budget priorities after public hearing (Section 241)	February 25, 2022	March 25, 2022
Borough President modifications and recommendations (Section 245)	March 10, 2022	April 10, 2022
Independent Budget Office's report on the preliminary budget (Section 246)	March 15, 2022	April 15, 2022
Campaign Finance Board's approval and submission of operating budget (Section 1052(c))	March 10, 2022	April 8, 2022



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
 LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
INT. NO.: 2470
COMMITTEE: Finance

TITLE: A Local Law in relation to the date of submission by the mayor of a preliminary management report, the date of submission by the mayor of the preliminary certificate regarding debt and reserves and appropriations and expenditures for capital projects, the date of submission by the mayor of the preliminary budget, the date of publication by the director of the independent budget office of a report on revenues and expenditures, the date of submission by the community boards of statements in regard to the preliminary budget, the date of submission by the commissioner of finance of an estimate of the assessed valuation of real property and statement of real property taxes due, expected to be received, and uncollected, the date of submission by the mayor of a tax benefit report, the date of submission by the borough boards of statements on budget priorities, the date of submission by the borough presidents of proposed modifications of the preliminary budget, the date of publication by the director of the independent budget office of a report analyzing the preliminary budget, and the date of submission by the campaign finance board of estimates of the financial needs of the campaign finance board, relating to the fiscal year two thousand twenty-three.

SPONSOR(S): Council Member Dromm (by request of the Mayor).

SUMMARY OF LEGISLATION: This legislation would change certain budget-related, charter-mandated deadline dates in the following manner:

<u>Document</u>	<u>Charter Deadline</u>	<u>Proposed Extended Date for Fiscal 2023</u>
Mayor's submission of the preliminary management report (Section 12(a))	January 30, 2022	February 28, 2022
Mayor's submission and publication of a preliminary certificate regarding debt and reserves and appropriations and expenditures for capital projects (Section 235)	January 16, 2022	February 16, 2022
Mayor's submission of the preliminary budget (Section 236)	January 16, 2022	February 16, 2022
Independent Budget Office's report with respect to expected levels of revenues and expenditures (Section 237)	February 1, 2022	March 1, 2022
Community Board statements and recommendations in regard to the preliminary budget (Section 238)	February 15, 2022	March 15, 2022
Department of Finance's estimate of assessed valuation of real property and certified statement of all real property taxes due and uncollected (Section 239)	February 15, 2022	March 15, 2022
Mayor's submission of tax benefit report (Section 240)	February 15, 2022	March 15, 2022
Borough Board statement on budget priorities after public hearing (Section 241)	February 25, 2022	March 25, 2022
Borough President modifications and recommendations (Section 245)	March 10, 2022	April 10, 2022
Independent Budget Office's report on the preliminary budget (Section 246)	March 15, 2022	April 15, 2022

Campaign Finance Board's approval and submission of operating budget (Section 1052(c))	March 10, 2022	April 8, 2022
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EFFECTIVE DATE: This local law would take effect immediately except that if it becomes law after January 16, 2022, it is retroactive to and deemed to have been in full force and effect as of January 16, 2022.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2022

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY22
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There would be no impact on revenues resulting from this legislation.

IMPACT ON EXPENDITURES: There would be no impact on expenditures resulting from the enactment of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Stephanie Ruiz, Assistant Counsel

ESTIMATE REVIEWED BY: Rebecca Chasan, Senior Counsel

LEGISLATIVE HISTORY: This legislation was first introduced to the Council as Int. No. 2470 on December 9, 2021 and referred to the Committee on Finance (Committee). The legislation will be considered by the Committee on December 15, 2021. Upon successful vote by the Committee, Int. No. 2470 will be submitted to the full Council for vote on December 15, 2021.

DATE PREPARED: December 13, 2021.

Accordingly, this Committee recommends its adoption.

(The following is the text of Int. No. 2470:)

Int. No. 2470

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

A Local Law in relation to the date of submission by the mayor of a preliminary management report, the date of submission by the mayor of the preliminary certificate regarding debt and reserves and appropriations and expenditures for capital projects, the date of submission by the mayor of the preliminary budget, the date of publication by the director of the independent budget office of a report on revenues and expenditures, the date of submission by the community boards of statements in regard to the preliminary budget, the date of submission by the commissioner of finance of an estimate of the assessed valuation of real property and statement of real property taxes due, expected to be

received, and uncollected, the date of submission by the mayor of a tax benefit report, the date of submission by the borough boards of statements on budget priorities, the date of submission by the borough presidents of proposed modifications of the preliminary budget, the date of publication by the director of the independent budget office of a report analyzing the preliminary budget, and the date of submission by the campaign finance board of estimates of the financial needs of the campaign finance board, relating to the fiscal year two thousand twenty-three

Be it enacted by the Council as follows:

Section 1. During the calendar year 2022 and in relation to the 2023 fiscal year:

1. Notwithstanding any inconsistent provisions of section 12 of the New York city charter, as amended by vote of the electors on November 7, 1989, the mayor shall pursuant to such section submit a preliminary management report as therein described not later than February 28, 2022.

2. Notwithstanding any inconsistent provisions of section 235 of the New York city charter, as added by vote of the electors on November 7, 1989, the mayor shall pursuant to such section submit and publish a preliminary certificate regarding debt and reserves and appropriations and expenditures for capital projects as therein described not later than February 16, 2022.

3. Notwithstanding any inconsistent provisions of section 236 of the New York city charter, as amended by local law number 218 for the year 2017, the mayor shall pursuant to such section submit a preliminary budget as therein described not later than February 16, 2022.

4. Notwithstanding any inconsistent provisions of section 237 of the New York city charter, as added by vote of the electors on November 7, 1989, the director of the independent budget office shall publish a report on revenues and expenditures as therein described on or before March 1, 2022.

5. Notwithstanding any inconsistent provisions of section 238 of the New York city charter, as added by vote of the electors on November 7, 1989, each community board shall pursuant to such section submit a statement and recommendations in regard to the preliminary budget as therein described not later than March 15, 2022.

6. Notwithstanding any inconsistent provisions of section 239 of the New York city charter, as added by vote of the electors on November 7, 1989, the commissioner of finance shall pursuant to such section submit an estimate of the assessed valuation of real property and a certified statement of all real property taxes due as therein described not later than March 15, 2022.

7. Notwithstanding any inconsistent provisions of section 240 of the New York city charter, as added by vote of the electors on November 7, 1989, the mayor shall pursuant to such section submit a tax benefit report as therein described not later than March 15, 2022.

8. Notwithstanding any inconsistent provisions of section 241 of the New York city charter, as added by vote of the electors on November 7, 1989, each borough board shall pursuant to such section submit a statement of budget priorities as therein described not later than March 25, 2022.

9. Notwithstanding any inconsistent provisions of section 245 of the New York city charter, as added by vote of the electors on November 7, 1989, each borough president shall pursuant to such section submit any proposed modifications of the preliminary budget as therein described not later than April 10, 2022.

10. Notwithstanding any inconsistent provisions of section 246 of the New York city charter, as added by vote of the electors on November 7, 1989, the director of the independent budget office shall pursuant to such section publish a report analyzing the preliminary budget as therein described on or before April 15, 2022.

11. Notwithstanding any inconsistent provisions of subdivision c of section 1052 of the New York city charter, as added by vote of the electors on November 3, 1998, the campaign finance board shall pursuant to such subdivision submit estimates of the financial needs of the campaign finance board as therein described not later than April 8, 2022.

§ 2. This local law takes effect immediately, except that if it becomes law after January 16, 2022, it is retroactive to and deemed to have been in full force and effect as of January 16, 2022.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, DIANA AYALA, KEITH POWERS, FARAH N. LOUIS, DARMA V. DIAZ, SELVENA N. BROOKS-POWERS, STEVEN MATTEO; Committee on Finance, December 15, 2021 (Remote Hearing).
Other Council Members Attending: Council Member Vallone.

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

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

Report for Res. No. 1869

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

The Committee on Finance, to which the annexed preconsidered resolution was referred on December 15, 2021, respectfully

REPORTS:

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

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

This Resolution, dated December 15, 2021 approves the new designation and the changes in the designation of certain organizations receiving local, youth and aging discretionary funding and funding for certain initiatives in accordance with the Fiscal 2022 Expense Budget, approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding and funding for a certain initiative in accordance with the Fiscal 2021 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2022 Expense Budgets.

This Resolution sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2022 Expense Budget, as described in Chart 1; sets forth the changes in the designation of a certain organization receiving youth discretionary funding pursuant to the Fiscal 2022 Expense Budget, as described in Chart 2; sets forth the new designation and the changes in the designation of certain organizations receiving aging discretionary funding pursuant to the Fiscal 2022 Expense Budget, as described in Chart 3; sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to certain initiatives pursuant to the Fiscal 2022 Expense Budget, as described in Charts 4-24; sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget, as described in

Chart 25; sets forth the changes in the designation of certain organizations receiving funding pursuant to a certain initiative pursuant to the Fiscal 2021 Expense Budget, as described in Chart 26; and amends the description for the Description/Scope of Services of certain organizations receiving youth discretionary funding and funding for certain initiatives pursuant to the Fiscal 2022 Expense Budget, as described in Chart 27.

Specifically, Chart 1 sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2022 Expense Budget.

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

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

Chart 4 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2022 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 5 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2022 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 6 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the SU-CASA Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 7 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2022 Expense Budget. Some of these designations will be effectuated upon a budget modification.

Chart 8 sets forth the new designation of a certain organization receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 9 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2022 Expense Budget. All of these designations will be effectuated upon a budget modification.

Chart 10 sets forth the new designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2022 Expense Budget.

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

Chart 12 sets forth the new designation of a certain organization receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2022 Expense Budget. This designation will be effectuated upon a budget modification.

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

Chart 14 sets forth the change in the designation of a certain organization receiving funding pursuant to the Physical Education and Fitness Initiative in accordance with the Fiscal 2022 Expense Budget. This designation will be effectuated upon a budget modification.

Chart 15 sets forth the change in the designation of a certain organization receiving funding pursuant to the YouthBuild Project Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 16 sets forth the new designation of a certain organization receiving funding pursuant to the LGBT Community Services Initiative in accordance with the Fiscal 2022 Expense Budget. This designation will be effectuated upon a budget modification.

Chart 17 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Mental Health Services for Vulnerable Populations Initiative in accordance with the Fiscal 2022 Expense Budget. All of these designations will be effectuated upon a budget modification.

Chart 18 sets forth the new designation of a certain organization receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 19 sets forth the changes in the designation of certain organizations receiving funding pursuant to the MCCAP Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 20 sets forth the new designation of a certain organization receiving funding pursuant to the Supports for Persons Involved in the Sex Trade Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 21 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 22 sets forth the new designation of a certain organization receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 23 sets forth the new designation of a certain organization receiving funding pursuant to the Pandemic Support for Human Service Providers Initiative in accordance with the Fiscal 2022 Expense Budget. This designation will be effectuated upon a budget modification.

Chart 24 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Innovative Criminal Justice Programs Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 25 sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget.

Chart 26 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 27 amends the description for the Description/Scope of Services for certain organizations receiving youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2022 Expense Budget.

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

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

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

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 1869:)

Preconsidered Res. No. 1869

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

By Council Member Dromm.

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

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

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

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

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

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

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

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 5; and be it further

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

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

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

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

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

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

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

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

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Physical Education and Fitness Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the YouthBuild Project Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the LGBT Community Services Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Mental Health Services for Vulnerable Populations Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the MCCAP Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Supports for Persons Involved in the Sex Trade Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Pandemic Support for Human Service Providers Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Innovative Criminal Justice Programs Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council amends the description for the Description/Scope of Services for certain organizations receiving youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 27.

(For text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 1869 of 2021](https://council.nyc.gov) file in the legislation section of the New York City Council website at <https://council.nyc.gov>)

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, DIANA AYALA, KEITH POWERS, FARAH N. LOUIS, DARMA V. DIAZ, SELVENA N. BROOKS-POWERS, STEVEN MATTEO; Committee on Finance, December 15, 2021 (Remote Hearing).
Other Council Members Attending: Council Member Vallone.

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

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

Report for Res. No. 1870

Report of the Committee on Finance in favor of approving a Resolution supporting an undertaking, subject to appropriation, to pay an entity an amount equivalent to any shortfall in loan payments by taxi medallion owners who have restructured their debt pursuant to the taxi medallion owner relief program.

The Committee on Finance, to which the annexed preconsidered resolution was referred on December 15, 2021, respectfully

REPORTS:

On December 15, 2021, the Committee on Finance will hold a hearing on a Preconsidered Resolution, in support of an undertaking, subject to appropriation, to pay an entity an amount equivalent to any shortfall in loan payments by taxi medallion owners who have restructured their debt pursuant to the taxi medallion owner relief program, sponsored by Council Member Lander.

On March 9, 2021, Mayor Bill de Blasio announced the Medallion Relief Program (MRP), which would allocate \$65 million in federal grants from the American Rescue Plan Act of 2021 to assist medallion owners with restructuring their medallions loans. According to a mayoral press release announcing the program, the MRP would reduce the amount owed for each medallion to \$170,000 and provide \$20,000 of equity for each medallion as a down payment to restructure loan principals and set lower monthly payments, as well as up to \$9,000 for monthly debt relief payments over the first six months.

On November 3, 2021, Mayor Bill de Blasio and Senator Charles Schumer announced enhancements to the MRP that would leverage a larger City-funded equity contribution of \$30,000 per medallion and a \$50 million City-funded deficiency guarantee for the restructured loans to reduce interest rates and cap debt service payments. Specially, the \$50 million would be disbursed to a third-party entity that would provide the guarantee.

The Council recognizes the public importance of supporting medallion owners and helping them to restructure their loans. To strengthen the deficiency guarantee, the Council hereby resolves to support the deficiency guarantee, subject to future appropriations, to the extent that any future shortfall in loan payments by

taxi medallion owners with restructured loans is not covered by the sale of medallions following such defaults or funds available from previous appropriations of the Council for such purpose.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 1870:)

Preconsidered Res. No. 1870

Resolution supporting an undertaking, subject to appropriation, to pay an entity an amount equivalent to any shortfall in loan payments by taxi medallion owners who have restructured their debt pursuant to the taxi medallion owner relief program.

By Council Member Lander.

Whereas, The Council and the Administration are in agreement that providing relief to the owners of taxi medallions who are currently unable to make debt service payments on loans incurred to purchase such medallions is a matter of public importance; and

Whereas, The Fiscal 2021 budget included \$65 million in grants to assist in the restructuring of such loans such that the amount owed for each medallion will be reduced to \$170,000 (“Restructured Loans”); and

Whereas, The Fiscal 2022 budget includes an additional \$50 million in grants to be paid to an entity identified by the City to be used to cover shortfalls in payments by obligors on such Restructured Loans; and

Whereas, In implementing this medallion loan restructuring program, the City may need to undertake, subject to appropriation, additional amounts in order for the entity to cover shortfalls in payments on such Restructured Loans; now, therefore, be it

Resolved, That the Council of the City of New York hereby supports an undertaking by the City, subject to appropriation by the Council in accordance with the Charter, to pay to an entity identified by the City an amount equivalent to any shortfall in loan payments by taxi medallion owners with Restructured Loans to the extent such shortfall is not covered by the sale of medallions following such defaults or funds available from previous appropriations of the Council for such purpose.

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, DIANA AYALA, KEITH POWERS, FARAH N. LOUIS, DARMA V. DIAZ, SELVENA N. BROOKS-POWERS, STEVEN MATTEO; Committee on Finance, December 15, 2021 (Remote Hearing).

Other Council Members Attending: Council Member Vallone.

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

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

Report for M-359

Report of the Committee on Finance in favor of approving a Communication from the Office of Management & Budget - Transfer City funds between various agencies in Fiscal Year 2022 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter (MN-1).

The Committee on Finance, to which the annexed preconsidered communication was referred on December 15, 2021 and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

Introduction. At a meeting of the Committee on Finance of the City Council of the City of New York (the “City Council”) on December 15, 2021, the Committee on Finance considered a communication, dated December 13, 2021, from the Office of Management and Budget of the Mayor of The City of New York (the “Mayor”), of a proposed request, attached hereto as Exhibit “1” (the “modification” or “MN-1”), to modify units of appropriation and transfer City funds between various agencies in the amount of \$1,004,794,184 in the Fiscal 2022 expense budget as adopted by the Council on June 30, 2021.

Analysis. The Council annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 30, 2021, the Council adopted the expense budget for Fiscal 2022 (the “Fiscal 2022 Expense Budget”). This Modification reallocates appropriations in the amount of \$1,004,794,184 that were reflected in the Fiscal 2022 Expense Budget to implement changes reflected in the November Financial Plan and to implement changes reflected in the November Financial Plan and to fund City Council initiatives and other discretionary programs. The net effect of the modification is zero.

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

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

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

TO: Honorable Corey Johnson
 Speaker

 Honorable Daniel Dromm
 Chair, Finance Committee

FROM: Latonia McKinney, Director, Finance Division
 Regina Poreda Ryan, Deputy Director, Finance Division
 Nathan Toth, Deputy Director, Finance Division
 Paul Scimone, Deputy Director, Finance Division
 Rebecca Chasan, Senior Counsel, Finance Division
 Noah Brick, Assistant Counsel, Finance Division

DATE: December 13, 2021

SUBJECT: Expense Budget Modification for Fiscal 2022 (MN-1)

INITIATION: By letter dated December 13, 2021, the Director of the Office of Management and Budget submitted to the Council, pursuant to section 107(b) of the New York City Charter, a request for approval to modify units of appropriation and transfer funds from various agencies in the amount of \$1,004,794,184 to implement changes in the City's expense budget.

BACKGROUND: MN-1 will implement expense budget changes which were reflected in the City's November Financial Plan. In addition, as requested by the City Council, this modification reflects the funding for the reallocation of City Council initiatives that were included in the Fiscal 2022 Adopted Budget.

FISCAL IMPACT: MN-1 represents the reallocation of appropriations. The net effect of this modification is zero.

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 1876

RESOLUTION APPROVING THE MODIFICATION (MN-1) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE NEW YORK CITY CHARTER.

By Council Member Dromm.

Whereas, At a meeting of the Committee on Finance of the City Council of the City of New York (the "City Council") on December 15, 2021, the Committee on Finance considered a communication, dated December 13, 2021, from the Office of Management and Budget of the Mayor of The City of New York (the "Mayor"), of a proposed request, attached hereto as Exhibit 1 (the "Modification"), to modify units of appropriation and transfer city funds in the amount of \$1,004,794,184 in the Fiscal 2022 expense budget as adopted by the Council on June 30, 2021, pursuant to Section 107(b) of the Charter of the City of New York (the "Charter"); and

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

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

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

ATTACHMENT:

EXHIBIT 1: [MN-1](#)

(Please see the New York City Council website at <https://council.nyc.gov/> for the MN-1 and Appendix A attachments to [M-359 & Res. No. 1876 of 2021](#) found in the attachments section of the respective legislative file web page)

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, DIANA AYALA, KEITH POWERS, FARAH N. LOUIS, DARMA V. DIAZ, SELVENA N. BROOKS-POWERS, STEVEN MATTEO; Committee on Finance, *December 15, 2021* (Remote Hearing).
Other Council Members Attending: Council Member Vallone.

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

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

Report for M-360

Report of the Committee on Finance in favor of approving a Communication from the Office of Management & Budget - Appropriation of new City revenues in Fiscal Year 2022, pursuant to Section 107(e) of the New York City Charter (MN-2).

The Committee on Finance, to which the annexed preconsidered communication was referred on December 15, 2021 and which same communication was coupled with the resolution shown below, respectfully

REPORTS:

Introduction. At the meeting of the Committee on Finance of the City Council on December 15, 2021, the Council considered a communication from the Office of Management and Budget of the Mayor, dated December 13, 2021, of a proposed request to modify, pursuant to Section 107(e) of the Charter of the City of New York, the Fiscal 2022 Expense Budget Plan, and the revenue estimate related thereto prepared by the Mayor as of December 13, 2021.

Analysis. The Council annually adopts the City's budget covering expenditures pursuant to Section 254 of the Charter. On June 30, 2021, the Council adopted the expense budget for fiscal year 2022 (the "Fiscal 2022 Expense Budget"). On December 13, 2021, the Mayor submitted to the Council MN-1, modifying the Fiscal 2022 Expense Budget. On December 13, 2021, the Mayor submitted to the Council a revenue estimate MN-2, related to the Fiscal 2022 Expense Budget.

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

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

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

This modification (MN-2) seeks to increase revenues in the net amount of \$895.0 million compared to the Fiscal 2022 Adopted Budget. This represents an increase in City funds of approximately 1.3 percent.

MN-2 is the first revenue modification of Fiscal 2022 and it reflects changes since the Adopted Budget which are outlined in the Fiscal 2022 November Financial Plan.

MN-2 recognizes \$895.0 million in increased revenues. Tax revenues increased by \$71 million since the Adopted Plan. This is largely due to a \$52 million increase from the real property transfer tax, a \$45 million increase from the mortgage recording tax, and a \$42 million increase from the business corporation tax. This was partially offset by a \$73 million decrease from the personal income tax, and a \$46 million decrease from the unincorporated business tax. All changes in tax revenues are due to updated collections and not to any changes in the forecast.

Miscellaneous revenues increased by \$74 million since the Adopted Plan. This increase is mainly from a \$31 million reimbursement from the Water Board, and \$21 million in sales of In Rem properties.

Unrestricted federal aid increased by \$750 million, chiefly from FEMA.

This modification (MN-2) uses the \$895.0 million in new revenues and \$69.7 million from the General Reserve funds to prepay \$964.7 million in debt service for Fiscal 2023 in Fiscal 2022.

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

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

TO: Honorable Corey Johnson
Speaker

Honorable Daniel Dromm
Chair, Finance Committee

FROM: Latonia McKinney, Director, Finance Division
Raymond Majewski, Deputy Director/Chief Economist, Finance Division
Rebecca Chasan, Senior Counsel
Paul Sturm, Supervising Economist
Nashia Roman, Economist

DATE: December 15, 2021

SUBJECT: A Budget Modification (MN-2) for Fiscal 2022 that will appropriate \$895.0million in new revenues.

INITIATION: By letter dated December 13, 2021, the Director of the Office of Management and Budget submitted to the Council, pursuant to section 107(e) of the New York City Charter, a request to appropriate \$895.0 million in new revenues. These new revenues with an additional \$69.7 million from General Reserve will be used for prepayments of \$964.7 million to increase the Budget Stabilization Account.

BACKGROUND: This modification (MN-2) seeks to recognize \$895.0 million in new revenues, implementing changes reflected since the June 2022 Adopted Budget. These funds will add \$964.7 million to the Budget Stabilization Account to prepay debt service for Fiscal 2023 expenses, and downwardly adjust the General Reserve by \$69.7 million.

FISCAL IMPACT: This modification represents a net increase in the Fiscal 2022 budget of \$895.0 million.

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 1877

RESOLUTION APPROVING A MODIFICATION (MN-2) PURSUANT TO SECTION 107(e) OF THE CHARTER OF THE CITY OF NEW YORK.

By Council Member Dromm.

Whereas, At a meeting of the Committee on Finance of the City Council of the City of New York (the "City Council") on December 15, 2021, the Committee on Finance considered a communication, dated December 13, 2021, from the Office of Management and Budget of the Mayor of the City of New York (the "Mayor"), of a proposed request to recognize a net increase in revenue pursuant to Section 107(e) of the Charter of the City of New York (the "Charter"), attached hereto as Exhibit A (the "Request to Appropriate"); and

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

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

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

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

2. Further Actions. The City Council directs the City Clerk to forward a certified copy of this resolution to the Mayor and the Comptroller as soon as practicable so that the Mayor, the Comptroller and the City Clerk

may certify the Fiscal 2022 Expense Budget as amended by this resolution as the budget for the remainder of the fiscal year.

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

ATTACHMENT:

EXHIBIT 1: MN-2

(For text of the MN-2, please see the New York City Council website at <https://council.nyc.gov> for the respective attachments section of the M-360 & Res. No. 1877 of 2021 files)

DANIEL DROMM, *Chairperson*; KAREN KOSLOWITZ, ROBERT E. CORNEGY, Jr., LAURIE A. CUMBO, HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, ALICKA AMPRY-SAMUEL, DIANA AYALA, KEITH POWERS, FARAH N. LOUIS, DARMA V. DIAZ, SELVENA N. BROOKS-POWERS, STEVEN MATTEO; Committee on Finance, *December 15, 2021* (Remote Hearing).
Other Council Members Attending: Council Member Vallone.

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

Report of the Committee on Fire and Emergency Management

Report for Int. No. 2430-A

Report of the Committee on Fire and Emergency Management in favor of approving and adopting, as amended, a Local Law to amend the New York city fire code, in relation to the advancement and regulation of energy storage systems and the adoption of current fire safety standards as incorporated in the 2015 edition of the international fire code.

The Committee on Fire and Emergency, to which the annexed proposed amended local law was referred on October 21, 2021 (Minutes, page 2826), respectfully

REPORTS:

I. INTRODUCTION

On December 14, 2021, the Committee on Fire and Emergency Management, chaired by Council Member Joseph C. Borelli, voted on Proposed Introduction Number 2430-A (“Int. No. 2430-A”), in relation to the advancement and regulation of energy storage systems and the adoption of current fire safety standards as incorporated in the 2015 edition of the international fire code. The Committee voted in favor of the bill by a vote of five affirmatives, none opposed, and no abstentions. On October 21 of this year, the Committee held a hearing on an earlier version of the bill, Int. No. 2430, which has since been amended. Those who provided the Committee with testimony on the bill include representatives of the New York City’s Fire Department (“FDNY” or “Department”), fire safety professionals, building owners, developers, architects, engineers and interested members of the public.

II. BACKGROUND

The New York City Fire Code, codified as part of Title 29 of the Administrative Code of the City of New York, regulates such matters as emergency preparedness; the prevention and reporting of fires; the manufacture, storage, handling, use and transportation of hazardous and combustible materials; the conduct of various businesses and activities that pose fire hazards; and the design, installation, operation and maintenance of the buildings and premises that house such materials, businesses and activities.¹ Additionally, the Fire Code includes references to national standards such as those established by the National Fire Protection Agency (“NFPA”)² and Underwriters Laboratories (“UL”),³ and is supplemented by Department rules, found in Title 3 of Rules of the City of New York.⁴

In 2008, the Council passed Local Law 26, which enacted a new Fire Code for New York City effective July 1, 2008.⁵ The new Fire Code was based on the 2003 edition of the International Fire Code (“IFC”), the model fire code published by the International Code Council (“ICC”),⁶ and amended to reflect New York City’s unique character as well as existing fire safety standards and requirements.

New York City Administrative Code § 29-104, also enacted in 2008, requires that no later than the third year after the effective date and every third year thereafter, the Fire Commissioner shall review the latest edition of the IFC and submit to the City Council such proposed amendments as he or she may determine should be made to the Fire Code based upon such model code.⁷

In accordance with Administrative Code requirements, the Fire Department first undertook a three-year code review process in 2013. After consultation with representatives of the New York City Department of Buildings and industry, professional, trade and union organizations, the Fire Department proposed amendments to the Fire Code based on the 2006 and 2009 editions of the IFC, and certain portions of the 2012 IFC, as well as local initiatives.⁸ These amendments were enacted by the Council as Local Law 148 of 2013, which is commonly referred to as the “2014 Fire Code.”⁹

2018-2021 CODE REVISION PROCESS

In March of 2018, the Fire Department began the mandated code revision process, which resulted in drafting the proposed local law being considered by the Committee today. The extensive revision process involved technical review, stakeholder and expert feedback, and public input.

According to the Department, sources of proposed amendments to the current code include: (1) the 2012 and 2015 editions of the IFC and selected 2018 IFC provisions; (2) local initiatives from the FDNY or public proposals; and (3) incorporation of existing Fire Department requirements gathered from existing rules or code interpretations.¹⁰ Additionally, proposals were gathered from members of the Managing and Advisory Committees as discussed below.

¹ NYC Fire Code, New York City Fire Department website; available at: <https://www1.nyc.gov/site/fdny/codes/fire-code/fire-code.page>.

² National Fire Protection Agency; available at: <https://www.nfpa.org/>.

³ Underwriters Laboratories; available at: <https://ul.org/what-we-do/standards>.

⁴ NYCRR Title 3.

⁵ Local Law 26 of 2008; available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=448110&GUID=6200D7FF-51EE-4042-B8D6-E5D8D9BE208D&Options=ID|Text|&Search>.

⁶ The ICC was established in 1994 as a non-profit organization dedicated to developing a single set of comprehensive and coordinated national model construction codes. Due to the evolving nature of engineering and technology, local governments rely on model codes promulgated by independent organizations, such as the ICC, to form the basis of their codes. Most model codes are updated on a regular basis by the code organization that issued the respective code and are usually developed through a review process that encourages sound practices and the use of acceptable state-of-the-art technology.

⁷ NYC Admin Code. §29-104.

⁸ New York City Council Committee on Fire and Criminal Justice Services hearing on November 21, 2013, Committee Report p. 3; available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1501664&GUID=05061B59-DE0C-477E-8FC8-CD323186FE4D&Options=&Search>.

⁹ Local Law 148 of 2013; available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1501664&GUID=05061B59-DE0C-477E-8FC8-CD323186FE4D&Options=&Search>.

¹⁰ Int. No. 2430 of 2021, Section 1; available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=5188250&GUID=7228806B-0F84-4F84-A52A-FECBF0B46552&Options=&Search>.

Department and Stakeholder Review

The FDNY code revision process included multiple levels of review by members of the FDNY, the New York City Law Department and external stakeholders. The main entities conducting a substantive review of proposed code revisions were the Executive Committee, Managing Committee, Advisory Committee, and Technical Committees.¹¹

The Executive Committee consisted of the Fire Commissioner, the First Deputy Fire Commissioner, and the FDNY Chief of Department. The Executive Committee was responsible for engaging with the Managing Committee on high-level policy decisions including the resolution of policy issues raised by Advisory and Managing Committee members.

The Managing Committee consisted of the FDNY Chief of Operations, Chief of Fire Prevention, Fire Code Counsel, Chairs of each Technical Committee and the Director of Code Revision. Additionally, City Council and Department of Building representatives served on the Managing Committee. The Managing Committee, with assistance of the FDNY Code Revision Unit, was responsible for presenting and receiving comments on proposed amendments from the Advisory Committee

The Advisory Committee consisted of building management representatives, design professionals, industry representatives, labor representatives, public utilities, real estate representatives and trade associations. The Advisory Committee was responsible for providing the FDNY Code Development Unit and Managing Committee with comments and feedback on proposed amendments.

Additionally, there were four Technical Committees staffed by FDNY personnel including fire officers, fire prevention inspectors, and engineers. These Technical Committees were responsible for conducting preliminary review of IFC provisions and local initiatives for inclusion in the code revision process, and reviewing proposed amendments in consultation with the FDNY Code Development Unit.

The code revision process was coordinated by the FDNY Code Development unit and tracked the following approximate timeline.

- Invitation of organizations to participate on Advisory Committee, and designation of representatives;
- Internal FDNY Technical Committees preliminary review of IFC provisions and local initiatives;
- Proposed Fire Code amendments drafted by Code Development Unit and reviewed by Technical Committees;
- Preliminary NYC Law Department review;
- Formal presentation of amendments to Managing Committee, including City Council and Department of Buildings representatives;
- Distribution of proposed amendments to Advisory Committee representatives and FDNY substantive presentation to Advisory Committee members;
- FDNY received, responded and discussed Advisory Committee comments, including additional meetings;
- Public Forum on proposed amendments;
 - Notice of public forum on proposed amended Fire Code provided via FDNY website;
 - Comments received at public forum considered and incorporated, as appropriate;
- Final Law Department review;
- Proposed Local Law submitted to Council and introduced by the Council as Introduction No. 2430 for public hearings, amendments as necessary, and enactment.
- On October 21, 2021, the Council's Committee on Fire and Emergency Management held a hearing on Introduction No. 2430.

Prior to and after the October 21 hearing, Committee staff met with various stakeholders who expressed continued concerns that informed Council edits to the final version of the bill.

¹¹ Presentation by FDNY Code Development Unit delivered to Council Committee staff on November 2, 2018.

III. ANALYSIS OF INT. NO. 2430-A

This bill would amend the New York city fire code, in relation to the advancement and regulation of energy storage systems and the adoption of current fire safety standards as incorporated in the 2015 edition of the international fire code. The Fire Department's Memorandum in Support, posted on the Department's website, provided detailed information on all amendments included in the proposed Fire Code and offered rationale for their implementation.¹² Below is a brief overview of significant amendments contained in that memorandum, in addition to updates that reflect the revised bill the Committee will be voting on today.

- **Section renumbering.** The renumbering of all Fire Code chapters and sections, except for the first ten chapters, to conform to the International Fire Code format. This change serves to improve understanding and maintain the transparency of the Fire Code for the many businesses and design professionals already familiar with the International Fire Code, which is the Fire Code in effect in New York State outside of New York City.
- **Stationary energy storage systems.** The proposed Fire Code would establish a regulatory framework that allows the introduction of new battery technologies in buildings while addressing the fire safety hazards associated with those technologies.
 - **Equipment approvals.** Fire Department equipment approvals based on Underwriters Laboratories test reports and listing standards. This approval would serve to confirm the nature and severity of any potential fire and explosion hazards and whether the manufacturer has adequately engineered solutions or mitigation measures.
 - **Installation approvals.** Indoor installations to be filed with the Department of Buildings and constructed in accordance with Building Code requirements, with Fire Department review and approval of fire protection systems. Outdoor systems to be filed with the Fire Department, as they are currently.
 - **Supervision.** All stationary energy storage system installations must be under the general supervision of a Certificate of Fitness holder familiar with the installation and New York City regulations. Indoor systems with an aggregate energy capacity of one-megawatt hour or more must be under the personal supervision of a qualified person.
 - **Emergency management plan.** The proposed Fire Code requires development of an emergency management plan or protocol, by the owner, manufacturer and/or installer, to designate responsibility for management of emergencies arising from the operation of a stationary energy storage system. The plan must include procedures for notifications, provision of technical assistance to the Fire Department, mitigation of hazardous conditions, and decommissioning or restoration to normal operation.
 - **Maximum aggregate rated energy capacity.** The proposed Fire Code regulates the energy capacity and location of indoor systems in manner similar to other hazardous materials, by creating a maximum rated energy capacity per control area for such systems.
 - **Energy storage management system monitoring.** The proposed Fire Code requires that all stationary energy storage systems be designed with an energy storage management system that transmits data about system status and temperature to a remote monitoring facility or other approved location. Indoor systems must be provided with an approved remote monitoring station at the building's fire command center and/or other approved location.
 - **Fire protection and hazard mitigation.** The proposed Fire Code establishes requirements for fire protection systems and other fire safety measures, explosion mitigation, ventilation systems, spill containment and emergency power.
 - **Commissioning and decommissioning.** The proposed Fire Code includes requirements for placing stationary energy storage systems into service and removing them from service.

¹² FDNY Memorandum In Support to Int. No. 2430; available at: <https://www1.nyc.gov/assets/fdny/downloads/pdf/codes/2021-fire-code-memorandum-in-support-10-15-21.pdf>

- **One and two-family dwellings.** Special provisions apply to one and two-family dwellings. Currently, stationary energy storage systems may be installed in outdoor locations and on the roofs of such dwellings. The proposed Fire Code would allow indoor installations in attached and detached garages, and on their exterior walls, subject to certain conditions. Installations within a dwelling unit would be allowed only if strict conditions are met.
- **Hydrogen fuel gas rooms.** The proposed Fire Code would allow use of fuel cells and similar technology systems that use hydrogen to produce energy in hydrogen fuel gas rooms. Fuel cell technology utilizes water, or piped natural gas, to generate hydrogen, which is immediately consumed to generate “clean” electricity to power building systems or other equipment.
- **Biodiesel fuel storage.** The proposed Fire Code would revise the requirements for combustibile liquid motor fuel storage tanks to allow their use for biodiesel, currently allowed only by Fire Department variance, subject to certain limitations designed to prevent leaks caused by chemical incompatibility.
- **Fleet fueling.** The proposed Fire Code would allow fleet fueling, fueling of vehicle fleets in their lots directly from cargo tank trucks, which would eliminate unnecessary travel and fuel consumption in the fueling of vehicle fleets.
- **Distilleries.** The proposed Fire Code would enact a new Fire Code chapter to regulate fire safety in distilleries, which manufacture and store distilled spirits, a flammable liquid. The new chapter would regulate distilled spirits separately from other flammable liquids, facilitating the development of distilleries seeking to operate tasting rooms in New York City’s mixed-occupancy buildings. The proposed Fire Code would regulate the design, installation, operation and maintenance of such distilleries.
- **Dry cleaning establishment sprinkler requirements.** The proposed Fire Code would revise sprinkler requirements for dry cleaning establishments to address the impact of environmental regulations requiring replacement of dry cleaning equipment. The proposal would adopt modified sprinkler requirements (partial sprinkler protection), currently allowed only by variance, for lawfully existing un-sprinklered dry cleaning establishments undergoing alteration or replacement of equipment, including dry cleaners replacing perchloroethylene (PERC) equipment.
- **Blasting operations.** The proposed Fire Code would reorganize, clarify and update the regulations governing the storage, handling and use of explosives for blasting operations and fireworks displays, and pyrotechnic and non-pyrotechnic materials used for special effects. It includes new regulations to ensure accurate and professional monitoring of ground vibrations and air overpressure impacts during blasting operations.
- **Powered mobility devices.** The proposed Fire Code would establish new requirements for the storage and charging of powered mobility devices, such as motorized bicycles, motorized scooters and other personal mobility devices powered by a lithium-ion or other storage battery
 - The proposed Fire Code would regulate powered mobility device storage and charging areas in any type of building or occupancy,¹³ and require that powered mobility devices using a storage battery must be charged in a suitable indoor room or area or outdoor location that: (1) has sufficient natural or mechanical ventilation; (2) has an adequate electrical supply and a sufficient number of electrical outlets to allow the charging equipment for each device to be

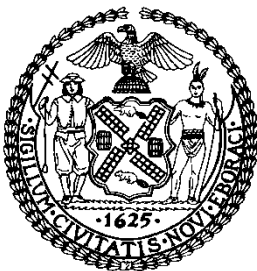
¹³ As per the Fire Department’s Memo in Support, the proposed Fire Code does not undertake to regulate the personal use of e-bikes. The proposed Fire Code exempts storage and charging in a one or two-family dwelling (Group R-3 occupancy) or apartment (Group R-2 dwelling unit) of not more than five powered mobility devices using a storage battery, provided that such devices are for personal use; and the charging (anywhere) of a single powered mobility device by and in the presence of its owner or user.

directly connected to an outlet, not an extension cord or power strip; (3) allows a minimum of 3 feet be maintained between each device during charging operations; and a minimum of 2 or 3 feet between each battery pack or other removable storage battery during charging operations; (4) is not used for the storage of combustible materials, combustible waste or hazardous materials; (5) is separated by a fire barrier with a minimum one-hour fire-resistance rating from areas in which repairs or other servicing is conducted on the storage battery or other electrical components of the device; (6) where six or more devices using a storage battery are being charged at a single indoor location, is dedicated for battery charging and secured from unauthorized entry; separated by a fire barrier which encloses the entire space with a minimum one-hour fire-resistance rating; and protected by a fire sprinkler system and one or more smoke detectors or smoke alarms; and (7) is provided with a portable fire extinguisher.

- **Rooftop access.** The proposed Fire Code also addresses rooftop access for firefighting operations. This includes: (1) requiring that rooftop parapets or other perimeter railing or barrier be designed to facilitate the safe dismounting of a firefighter from an aerial ladder;¹⁴ (2) requiring reasonable access from the clear path, to the maximum extent practicable, to windowed areas on any side of the building that is not fire apparatus accessible¹⁵; (3) establishing vertical clearances for firefighting operations where a building is constructed directly above another building, including a building cantilevered over another building; (4) incorporating from existing Fire Department guidance an exception from rooftop access requirements for one and two-family dwellings with shallow pitched roofs (a roof pitch of 9.5 degrees or more); and (5) requiring, to the maximum extent practicable, on buildings of more than 100 feet in height, a clear path from the bulkhead or other point of rooftop access to the rooftop perimeter on any side of the building that has windows.¹⁶

Since introduction, significant amendments have been made to the bill. First, provisions related to rooftop telecommunications installations have been amended such that the Department will require certification, rather than documentation, of compliance with certain Federal Communication Commission or “FCC” regulations pertaining to radiofrequency exposure limits. Provisions requiring set access points within blind elevator shafts, have been amended from a specific design mandate to rule-making authorization of design review and adoption of rules that facilitate rescue operations in such blind hoistways. Amendments were made to provisions governing energy storage systems to incorporate an exception for telecommunications back-up battery systems considering special considerations accorded such systems. Amendments were made to provisions pertaining to distilleries to clarify requirements, accommodate distillery business operations and afford the FDNY greater flexibility in approving distillery design. Finally, amendments were made to open fire prohibitions to permit the use of residential fire pits in certain one-and-two-family homes located within low-density zoning districts.

(The following is the text of the Fiscal Impact Statement for Int. No. 2430-A:)



**The Council of the City of New York
Finance Division
Latonia McKinney, Director
Fiscal Impact Statement
Proposed Int. No. 2430-A**

Committee: Fire and Emergency Management

¹⁴ This requirement is applicable only to newly-constructed buildings and new installations.

¹⁵ This requirement is applicable only to newly-constructed buildings and new installations.

¹⁶ This requirement is applicable only to newly-constructed buildings and new installations.

Title: A Local Law to amend the New York city fire code, in relation to the advancement and regulation of energy storage systems and the adoption of current fire safety standards as incorporated in the 2015 edition of the international fire code.

Sponsor: Council Member Borelli (by request of the Mayor).

Summary of Legislation: Proposed Int. No. 2430-A would amend the New York City Fire Code based on the 2015 edition of the International Fire Code (IFC), with adjustments that reflect the unique New York City environment. The fire code amendments include a comprehensive revision of the requirements for energy storage systems, to allow the use of lithium-ion and other new battery technologies to power buildings and building systems, while assuring appropriate building fire safety. Proposed Int. 2430-A would result in many significant changes, including the following:

- It would comprehensively renumber the New York City Fire Code to conform with the IFC format.
- It would comprehensively revise existing requirements for stationary energy storage systems and establish a regulatory framework that allows the introduction of new battery technologies in buildings while addressing the fire safety hazards associated with those technologies.
- It would allow use of fuel cells and similar technology systems that use hydrogen to produce energy in hydrogen fuel gas rooms.
- It would revise the requirements for combustible liquid motor fuel storage tanks to allow their use for biodiesel, currently allowed only by variance, subject to certain limitations designed to prevent leaks caused by chemical incompatibility.
- It would allow fleet fueling (fueling of vehicle fleets in their lots directly from cargo tank trucks), currently allowed only by variance, which would eliminate unnecessary travel and fuel consumption in the fueling of vehicle fleets.
- It would enact a new Fire Code chapter to regulate fire safety in distilleries, which manufacture and store distilled spirits, a flammable liquid. The new Fire Code chapter would regulate distilled spirits separately from other flammable liquids, facilitating (among other things) the development of distilleries seeking to operate tasting rooms in New York City's mixed occupancy buildings.
- It would revise sprinkler requirements for dry cleaning establishments to address the impact of environmental regulations requiring replacement of dry cleaning equipment. The proposed local law would modify sprinkler requirements (partial sprinkler protection), currently allowed only by variance, for lawfully existing dry cleaning establishments undergoing alteration or replacement of equipment, including dry cleaners replacing perchloroethylene (PERC) equipment.
- It would reorganize, clarify and update the regulations governing the storage, handling and use of explosives for blasting operations and fireworks displays, and pyrotechnic and non-pyrotechnic materials used for special effects. It includes new regulations to ensure accurate and professional monitoring of ground vibrations and air overpressure impacts during blasting operations.
- It would revise rooftop access requirements. On buildings more than 100 feet in height, expanded clear path access would be required. On all flat-roofed buildings and structures 100 feet or less in height, solar panels may not obstruct any rooftop area access pursuant to the Fire Code, and certain permanent obstructions may not reduce the width of clear path at any point to less than four feet.
- It would establish new fees as set forth in the table:

New Fees in 2021 Fire Code Revision			
Section	Title	Details	Fee
A01	ARC system testing company certificate	Original application	\$105
		Renewal application	\$50
		Original portable radio programming (per radio)	\$75
		Portable radio inspection (per radio)	\$75
	Fire alarm system installation, inspection, testing and servicing	Original application	\$105
		Renewal application	\$50

A02	Continuing education training schools, including training schools for building operation, maintenance and recordkeeping, and active shooter and medical emergency preparedness	Original application	\$2,940
		Renewal application	\$420
A03	Alcohol-based hand rubs	Store, handle or use more than 275 gallons (1041 L) of flammable or combustible alcohol-based hand rubs in portable container designed for consumer use with a capacity not exceeding 68 fluid ounces (2.01 L), that does not require handling of the contents	\$105
	Automotive salvage and wrecking facilities	Establish and operate an automotive salvage and wrecking facility	\$105
	Distilleries	Establish and operate a distillery, including manufacturing or distilling liquor, spirits or alcohol	\$210
		Store liquor, spirits, raw alcohol or other alcohol (except retail liquor stores and premises where alcohol is sold for consumption on the premises) In containers, each equal to or less than 55 gallons (208 L), storage tanks, or intermediate bulk container	
		More than 500 gallons (1,893 L) up to and including 1,500 gallons (5,678 L)	\$105
		More than 1500 gallons (5,678 L) up to and including 8,000 gallons (30,283 L)	\$210
		Each additional 5,000 gallons (18,925 L) or portion thereof in tanks each larger than 55 gallons (208 L) or intermediate bulk container	\$105
	Energy storage systems, stationary	Install and operate a stationary energy storage system	\$210
	Fleet fueling	Transfer of Class II and III liquids directly from a cargo tank into the fuel tank of a motor vehicle	\$210
	Hydrogen fuel gas rooms	Establish and operate a hydrogen fuel gas room for the generation, storage, handling and use of gaseous hydrogen	\$210
Non-tobacco hookah establishments	Establish and operate a non-tobacco hookah establishment	\$105	
A04	Document management for fire alarm system, emergency alarm system, auxiliary radio communication system or fire extinguishing system application and for any other application not requiring a work permit from the Department of Buildings	Per application	\$165
	Certification of corrected defects in fire alarm system installations (per certification)	Certification of defects with or without documentation	\$210
		Certification of required documentation only	\$105
	Project authorization		\$105

Effective Date: This local law would take effect 90 days after enactment, except that for the requirement of the provision of storage space for pre-positioned department equipment in high-rise structures would take effect one year from the date of adoption of a zoning amendment. The fire commissioner may take prior to such effective date any actions necessary for the timely implementation of this local law, including but limited to the promulgation of the rules.

Fiscal Year in Which Full Fiscal Impact Anticipated: Fiscal 2023

Fiscal Impact Statement:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues (+)	<i>de minimis</i>	<i>de minimis</i>	<i>de minimis</i>
Expenditures (-)	<i>de minimis</i>	<i>de minimis</i>	<i>de minimis</i>
Net	(\$0)	(\$0)	(\$0)

Impact on Revenues: It is estimated that this legislation would have a de minimis impact on revenues. The 2021 Fire Code revision would incorporate into the Fire Code some fees that the Department has already been receiving, but which were new since the 2013 Fire Code revision, as well as add some new fees to implement Fire Code requirements.

Impact on Expenditures: It is anticipated that there would be a de minimis impact on expenditures resulting from the enactment of this legislation as the relevant agency would mostly be able to use existing resources to comply with its requirements, and most of compliance expense would fall on private parties.

Source of Funds to Cover Estimated Costs: N/A

Source of Information: Fire Department of New York
New York City Council Finance Division

Estimate Prepared by: Jack Kern, Financial Analyst

Estimate Reviewed by: Regina Poreda Ryan, Deputy Director
Eisha Wright, Unit Head
Noah Brick, Assistant Counsel

Legislative History: This legislation was introduced to the October 21, 2021, as Intro. No. 2430 and was referred to the Committee on Fire and Emergency Management (Committee). The Committee held a hearing on November 1, 2021, and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 2430-A, will be considered by the Committee at a hearing on December 13, 2021. Upon a successful vote by the Committee, Proposed Int. No. 2430-A will be submitted to the full Council for a vote on December 15, 2021.

Date Prepared: December 13, 2021.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 2430-A:)

Int. No. 2430-A

By Council Members Borelli, Gennaro, Kallos and Louis (by request of the Mayor).

A Local Law to amend the New York city fire code, in relation to the advancement and regulation of energy storage systems and the adoption of current fire safety standards as incorporated in the 2015 edition of the international fire code.

(For text of the 914 page bill, please see the legislation section of the New York City Council website at www.council.nyc.gov for [the Int. No. 2430-A of 2021 file](#))

JOSEPH C. BORELLI, *Chairperson*; FERNANDO CABRERA, ALAN N. MAISEL, JUSTIN L. BRANNAN, JAMES F. GENNARO; Committee on Fire and Emergency Management, December 14, 2021 (Remote Hearing). *Other Council Members Attending: Council Members Powers, Yeager, Cumbo and Louis.*

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

Report of the Committee on General Welfare

Report for Int. No. 1358-A

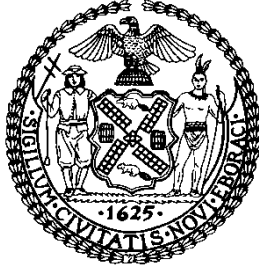
Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to information about the use of psychiatric medication for youth in foster care.

The Committee on General Welfare, to which the annexed proposed amended local law was referred on January 24, 2019 (Minutes, page 279), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on General Welfare for Int. No. 2081-A printed below in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1358-A:



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

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 1358-A

COMMITTEE: General Welfare

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to information about the use of psychiatric medication for youth in foster care.

SPONSORS: Council Members Levin, Lander, Ampry-Samuel, and Grodenchik.

SUMMARY OF LEGISLATION: Proposed Intro. No. 1358-A would require the Administration for Children's Services (ACS) to report quarterly data from its contracted foster care provider agencies about the use of psychiatric medication by children in its legal custody. Beginning no later than July 31, 2022, and quarterly thereafter, ACS would submit a report that includes prescribing trends. Additionally, ACS would be required to review quarterly and annual data and beginning on July 31, 2023, and annually thereafter, submit a report that provides the description of actions that ACS has taken in the prior fiscal year to promote best practices regarding the use of psychiatric medication for youth in foster care. Both reports would be submitted to the Council and permanently accessible on ACS' website.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures because ACS could use existing resources to comply with the provisions of the local law.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Daniel Kroop, Senior Financial Analyst

ESTIMATE REVIEWED BY: Dohini Sompura, Unit Head
Stephanie Ruiz, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was first introduced to the Council as Intro. No. 1358 on January 24, 2019 and referred to the Committee on General Welfare (the Committee). A hearing was held by the Committee on June 25, 2019, and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 1358-A, will be considered by the Committee on December 14, 2021. Upon successful vote by the Committee, Proposed Intro. No. 1358-A will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 10, 2021.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1358-A:)

Int. No. 1358-A

By Council Members Levin, Lander, Ampry-Samuel, Grodenchik, Cabán, Rosenthal, Dinowitz, Kallos, Louis and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to information about the use of psychiatric medication for youth in foster care

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 21-920 to read as follows:

§ 21-920 *Psychiatric medication for youth in foster care. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Age group. The term “age group” means the following categories: 0-6 years old; 7-12 years old; and 13-17 years old. If authorized by law and the relevant state agencies to obtain the data in a manner that can be accessed and aggregated, without obtaining appropriate individual consents, the term age group shall additionally include the category of youth age 18 and over.

Class of medication. The term “class of medication” includes the following categories of medication: ADHD medication; anti-depressant; anti-psychotic medication; anxiolytic or hypnotic medication; long-acting anti-psychotic medication; medication to treat opioid use disorder; and mood stabilizer.

Foster care provider agency. The term “foster care provider agency” means foster care programs and agencies contracted with ACS to provide services to youth and families, including family foster care, treatment family foster care, specialized foster care and residential services.

Override of parental consent. The term “override of parental consent” means a request by ACS to administer a psychiatric medication for a youth in foster care when (i) the youth’s parent or guardian has either affirmatively objected or refused to provide their informed, written consent; (ii) ACS has conducted a clinical review of the youth’s case; and (iii) ACS has determined that the medication is clinically appropriate for treatment of the youth’s psychiatric condition.

Placement type. The term “placement type” means the setting in which youth in foster care are housed, including but not limited to foster care boarding homes, approved relative foster homes, residential care facilities and pre-placement settings.

Prescriber type. The term “prescriber type” means the individual prescribing the psychiatric medication to the youth. This term includes, but is not limited to, the following types of individuals: a psychiatrist, nurse practitioner or pediatrician.

Psychiatric medication. The term “psychiatric medication” means medication used to exercise an effect on the central nervous system prescribed for the treatment of symptoms of a mental, emotional or behavioral disorder, including but not limited to, antipsychotics, antidepressants, antianxiety drugs or anxiolytics, stimulants and mood stabilizers.

Youth in foster care. The term “youth in foster care” shall mean youth in foster care on the last day of the quarter, for whom ACS has the authority to access and aggregate data from the state PSYCKES Medicaid database.

b. Beginning no later than July 31, 2022, and no later than the last day of the month following each calendar quarter thereafter, the commissioner shall submit to the speaker of the council and post to ACS’s website a quarterly report regarding youth in foster care prescribed psychiatric medication. Such report shall include the following information disaggregated by gender and age group:

- 1. Number and percentage of youth currently prescribed a psychiatric medication;*
- 2. Number of unique youth with prescriptions, disaggregated by class of medication;*
- 3. Number and percentage of youth currently prescribed three or more psychiatric medications;*
- 4. Number and percentage of youth currently prescribed more than one psychiatric medication from the same class of medication;*
- 5. Number and percentage of youth for whom an override of parental consent was requested;*
- 6. Number and percentage of youth for whom an override of parental consent was approved; and*
- 7. Number and percentage of youth currently prescribed psychiatric medication. The information required pursuant to paragraph 7 of this subdivision shall be disaggregated by prescriber type, if the relevant state agencies make such information available to ACS in a manner than can be accessed and aggregated.*

c. Beginning no later than July 31, 2022, and no later than July 31 annually thereafter, the commissioner shall submit to the speaker of the council and post to ACS’s website a report regarding youth in foster care prescribed psychiatric medication. The report shall include the number and percentage of youth currently prescribed psychiatric medication, disaggregated by placement type, and further disaggregated by gender and age group.

d. ACS shall review the quarterly and annual reports required pursuant to subdivisions b and c of this section. Accompanying the report due on July 31, 2023, and each report due July 31 thereafter, ACS shall further include a description of actions that ACS has taken in the prior fiscal year to promote best practices regarding the use of psychiatric medication for youth in foster care and obtaining informed consents, including but not limited to the following: a description of any training for foster care provider agency staff regarding relevant ACS and state policies and best practice guidance; a description of quality assurance procedures; any trends that ACS has identified as a result of its medical audits or other compliance activities, as related to foster care provider agencies; and a description of any actions taken in response to such trends.

e. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law related to the privacy of information. If any category requested contains between one and six youth, the number shall be replaced with a symbol.

f. The reports required pursuant to this section shall remain permanently accessible on ACS’s website.

§ 2. This local law takes effect immediately.

STEPHEN T. LEVIN, *Chairperson*; BRADFORD S. LANDER, VANESSA L. GIBSON, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr., DARMA V. DIAZ; Committee on General Welfare, December 14, 2021 (Remote Hearing). *Other Council Members Attending: Council Members Barron and Menchaca.*

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

Report for Int. No. 2081-A

Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to enhancing the application for and the transparency of the emergency assistance grant program.

The Committee on General Welfare, to which the annexed proposed amended local law was referred on September 16, 2020 (Minutes, page 1821), respectfully

REPORTS:

I. Introduction

On December 14, 2021, the Committee on General Welfare, chaired by Council Member Stephen Levin, heard Proposed Int. 2081-A, sponsored by Council Member Moya and Proposed Int. 1358-A, sponsored by Council Member Levin. The Committee previously held a hearing on Int. 2081 and Int. 1358, on September 15, 2021, and June 25, 2019, respectively. At the hearing on September 15, 2021, those who testified included representatives from the New York City Department of Social Services (DSS), the Mayor's Office of Operations (MOO), shelter providers, advocacy organizations, community organizations, and members of the public. At the hearing on June 25, 2019, those who testified included representatives from the Administration for Children's Services (ACS), child welfare advocates, legal service providers and other interested parties. At the hearing on December 14, 2021, the Committee voted six in favor, zero opposed and zero abstentions on Proposed Int. 2081-A, and Proposed Int. 1358-A.

II. Bill Analysis

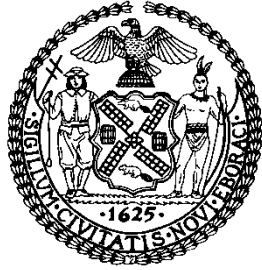
Int. 2081-A – A Local Law to amend the administrative code of the city of New York, in relation to enhancing the application for and the transparency of the emergency assistance grant program

This bill would require the Commissioner of the Department of Social Services (DSS) to enhance the application of emergency assistance grant programs. It would require the Commissioner to post information on emergency assistance grants including rental or utility arrears grants on the Human Resources Administration (HRA) website and to enhance applications for such grants, including creating an informational sheet for prospective benefit applicants in plain language. The informational sheet would include which forms and materials an applicant would be required to submit and whether or not an applicant may be required to pay back any benefits, if received. It would also require the Commissioner to improve the administration of emergency assistance grants in response to the COVID-19 pandemic and to conduct increased outreach on the program. Finally, the bill would require the Commissioner to report quarterly on the administration of emergency assistance grants, including how many applications were newly submitted, how many were accepted and how many were not accepted. If passed, the bill would take effect immediately. Since introduction, this bill has been amended to refer to the aforementioned grants as emergency assistance grants instead of "one-shot deals". The bill has also been amended to include the above-mentioned informational sheet and account for HRA job centers reopening since their temporary closure during the COVID-19 pandemic.

Int. 1358-A – A Local Law to amend the administrative code of the city of New York, in relation to information about the use of psychiatric medication for youth in foster care

Int. 1358-A would require the Administration for Children's Services (ACS) to report data on a quarterly and annual basis from its contracted foster care provider agencies about the use of psychiatric medication by children in its legal custody, and possible prescribing trends. The report would include information on how many youths are prescribed a psychiatric medication or medications, disaggregated by various categories of medication such as anti-depressant, anti-psychotic, anxiolytic or hypnotic medication, long-acting anti-psychotic medication, medication to treat opioid use disorder and mood stabilizers. ACS would be required to review the reports and submit a description of actions it took to promote best practices for use of psychiatric medication for youth in foster care. If passed, the bill would take effect immediately. Since introduction, certain information that was to be required in the report was removed, including information specific to foster care agencies.

(The following is the text of the Fiscal Impact Statement for Int. No. 2081-A:)



THE COUNCIL OF THE CITY OF NEW YORK

FINANCE DIVISION

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. NO. 2081-A

COMMITTEE: General Welfare

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to enhancing the application for and the transparency of the emergency assistance grant program.

Sponsors: Council Members Moya, Kallos, Yeger, Chin, and Cornegy.

SUMMARY OF LEGISLATION: Proposed Int. No. 2081-A would require the Human Resources Administration (HRA) to post on its website and on ACCESS HRA information related to emergency assistance grants for rent or utility arrears within 30 days of passage. The bill would also require HRA to provide information regarding emergency assistance grant applications by telephone to all applicants who did not use HRA technology to file their application. Further, HRA would be required to help individuals apply for public benefits by telephone and to aid in the paper application process. Proposed Int. No. 2081-A also would require HRA to conduct comprehensive public outreach about emergency assistance grants and provide information regarding administration changes due to COVID-19.

Proposed Int. No. 2081-A would require HRA to distribute an information sheet when a client applies for emergency assistance grants, cash assistance, and the Supplemental Nutrition Assistance Program (SNAP) on what forms and materials are needed to complete an application and whether they may be required to pay back any benefits received. By June 30, 2022, and quarterly thereafter, HRA would be required to submit a report, and post on its website, for the quarter beginning on April 1, 2022, on the administration and utilization of emergency assistance grants for the quarter. Subsequent reports are due no later than 45 days after the end of each quarter.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: Human Resources Administration
New York City Council Finance Division

ESTIMATE PREPARED BY: Julia K. Haramis, Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the Council on September 16, 2020 as Int. No. 2081 and was referred to the Committee on General Welfare (the Committee). A hearing was held by the Committee on September 15, 2021, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 2081-A, will be voted on by the Committee at a hearing on December 14, 2021. Upon a successful vote by the Committee, Proposed Intro. No. 2081-A will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 8, 2021.

(For text of Int. No. 1358-A and its Fiscal Impact Statement, please see the Report of the Committee on General Welfare for Int. No. 1358-A, printed above in these Minutes; for text of Int. No. 2081-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 1358-A and 2081-A.

(The following is the text of Int. No. 2081-A:)

Int. No. 2081-A

By Council Members Moya, Kallos, Yeger, Chin, Cornegy, Louis, Gennaro and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to enhancing the application for and the transparency of the emergency assistance grant program

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 21-150 to read as follows:

§ 21-150 Emergency assistance grants program. a. Definitions. For the purposes of this section, the following terms have the following meanings:

ACCESS HRA. The term "ACCESS HRA" means the website and mobile application in which individuals obtain information on and apply for some HRA benefits, and HRA clients obtain certain HRA benefits case information.

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

Emergency assistance grants. The term "emergency assistance grants" means a grant of financial assistance that HRA provides to households to pay expenses such as rent or utility arrears in which HRA

determines eligibility based on New York state laws and regulations.

HRA. The term "HRA" means the human resources administration.

Job center. The term "job center" has the meaning ascribed to such term in section 21-139.

b. No more than 30 days after the effective date of the local law that added this section, the commissioner shall post in the rental assistance section of the HRA website and on ACCESS HRA, and update, as appropriate, information on emergency assistance grants. Such information shall include, but need not be limited to, the application process and required documentation.

c. Until such time that a client is able to conduct their interview on demand utilizing updated agency technology, department staff shall conduct two phone calls to an applicant who filed an emergency assistance grant application, during which the staff provides the phone number established pursuant to section 21-142.2 where the client can be provided information about their application status by a live customer service agent and self-service model, or leaves a voicemail message if an applicant does not answer the phone call with the phone number established pursuant to section 21-142.2 where the client can be provided information about their application status by a live customer service agent and self-service model.

d. No more than 150 days after the effective date of the local law that added this section, the commissioner shall include with application materials for emergency assistance grants, cash assistance and SNAP an information sheet written in plain language to inform prospective applicants which application forms and other materials the applicant must complete to apply for such benefits and whether such applicant may be required to pay back any such benefits if received.

e. Outreach on emergency assistance grants. Beginning no more than 30 days after the effective date of the local law that added this section, the commissioner, in collaboration with relevant agencies, shall conduct culturally appropriate outreach about emergency assistance grants in the designated citywide languages, as defined in section 23-1101, which shall include changes in administration as a result of COVID-19. Such outreach shall include, but need not be limited to, posting information in public spaces and on relevant government websites, including, but not limited to, the rental assistance section on the department website required by subdivision b of this section.

f. HRA shall enhance opportunities for seniors, individuals with disabilities, individuals who lack technology and individuals who lack familiarity with technology, to apply for emergency assistance grants including partnerships with elected officials, community-based organizations and non-profit service providers. This shall also include having sufficient HRA staff to (i) help such individuals apply by telephone if such method of application is authorized or (ii) assist such individuals with the completion of paper applications, including mailing a paper application to such individuals with a self-addressed stamped envelope.

g. Reporting on emergency assistance grants. No later than June 30, 2022, and quarterly thereafter, the commissioner shall submit a report to the mayor and the speaker of the council that shall cover the quarter that began on April 1, 2022 on the administration and utilization of emergency assistance grants for the previous four months, which the commissioner shall post on the HRA website. Subsequent reports shall be posted and submitted no later than 45 days after the end of each quarter thereafter. The report shall include the number and percentage of:

- 1. New applications submitted solely for an emergency assistance grant;*
- 2. Applications for emergency assistance grants that were accepted; and*
- 3. Applications for emergency assistance grants that were not accepted.*

The information reported pursuant to paragraphs 1 through 3 of this subdivision shall be disaggregated by the type of emergency assistance grant, which shall include but need not be limited to, rental arrears and utilities.

§ 2. This local law takes effect immediately.

STEPHEN T. LEVIN, *Chairperson*; BRADFORD S. LANDER, VANESSA L. GIBSON, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr., DARMA V. DIAZ; Committee on General Welfare, December 14, 2021 (Remote Hearing). *Other Council Members Attending: Council Members Barron and Menchaca.*

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

Report of the Committee on Governmental Operations

Report for Int. No. 66-A

Report of the Committee on Governmental Operations in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to establishing an office for neighborhood safety and the prevention of gun violence.

The Committee on Governmental Operations, to which the annexed proposed amended local law was referred on January 31, 2018 (Minutes, page 211), respectfully

REPORTS:

I. INTRODUCTION

On December 14, 2021, the Committee on Governmental Operations, chaired by Council Member Cabrera, will hold a second hearing and vote on the following legislation: Proposed Int. 66-A, sponsored by Council Member Cumbo, in relation to establishing an office for neighborhood safety and the prevention of gun violence and Proposed Int. 2438-A, sponsored by Council Member Rosenthal, in relation to expanding language access and requiring the inclusion of video content in the Voter Guide. It will also hold a hearing and vote on Proposed Int. 2117-A, sponsored by Council Member Powers, in relation to requiring the posting of mayoral executive orders online within one business day of execution.

II. BACKGROUND

A. The Mayor's Office to Prevent Gun Violence

In February of 2017, Mayor de Blasio announced the creation of a new Office to Prevent Gun Violence (OPGV).¹ The Office was established to oversee and expand upon the City's existing anti-gun violence initiatives.² Today, the core component of the OPGV's work is the Crisis Management System (CMS).³ Arising out of a recommendation from the City Council's Task Force to Combat Gun Violence,⁴ CMS

¹ See Press Release, Mayor de Blasio, City Council Launch Mayor's Office to Prevent Gun Violence (February 2017), <https://www1.nyc.gov/office-of-the-mayor/news/064-17/mayor-de-blasio-city-council-launch-mayor-s-office-prevent-gun-violence#/0>.

² See J. Brian Charles, *A Plan to Combat Gun Violence That Doesn't Focus on Guns*, *Governing* (August 24, 2017), <https://www.governing.com/archive/gov-new-york-cure-violence-gun.html>.

³ New York City Mayor's Office of Criminal Justice, The Office of Neighborhood Safety, <https://criminaljustice.cityofnewyork.us/programs/ons/> (last accessed October 12, 2021).

⁴ See NEW YORK CITY COUNCIL TASK FORCE TO COMBAT GUN VIOLENCE, REPORT TO CITY COUNCIL SPEAKER CHRISTINE C. QUINN (2012), <http://council.nyc.gov/press/wp-content/uploads/sites/56/2016/12/gvtfreport.pdf>.

utilizes a “cure violence” approach.⁵ It deploys teams of “violence interrupters”—members of the community whose backgrounds provide them with credibility among at-risk individuals—to identify and mediate potentially-violent conflicts and connect high-risk individuals with services. By connecting these individuals with services such as employment programs, mental health services, and trauma counseling, this approach is intended to reduce the risk of violence in the long term.⁶

In 2020, Mayor de Blasio placed the OPGV under the Mayor’s Office of Neighborhood Safety (ONS).⁷ Today, the ONS consists of three interdependent programs: the OPGV, the Mayor’s Action Plan for Neighborhood Safety (MAP), and Atlas.⁸ MAP is a community-based program that aims to reduce violent crime in 15 NYCHA developments across the City. Through its NeighborhoodStat initiative, MAP brings together residents, community stakeholders, and representatives from city agencies to identify and address the underlying drivers of crime in communities.⁹

The Atlas program works directly with individuals facing criminal charges who are on pretrial release and are at heightened risk of future victimization or justice-system involvement.¹⁰ To promote well-being and overall safety, Atlas connects these individuals with therapeutic services, mentorship, education and employment opportunities, and other resources.¹¹

B. *The Publishing of Mayoral Executive Orders*

As the City’s chief executive officer, the Mayor has the authority to issue orders to executive branch agencies, offices, divisions and bureaus. Generally, executive orders concern the implementation of laws and mayoral policies. Executive orders may be amended, modified or repealed by subsequent executive orders.

Currently, the City makes executive orders available online in two places. First, the Department of Records and Information Services (DORIS) maintains a website with all executive orders from 1974 to 2013, separated into pages for Mayors Abraham D. Beame (1974 - 1977), Edward I. Koch (1978 - 1989), David N. Dinkins (1990 - 1993), Rudolph W. Giuliani (1994 - 2001) and Michael R. Bloomberg (2002 - 2013).¹² Separately, executive orders issued by current Mayor Bill de Blasio are posted to the “News” page of the website of the Office of the Mayor.¹³ To find executive orders, one must filter by type to separate them from press releases, statements, public schedules and other media hosted on the website.

Executive orders on both DORIS’ and Mayor de Blasio’s websites are posted in portable document format (“PDF”). Not every PDF enables readers to search within the executive order, but instead may present the document as a fixed image. Some executive orders include handwritten notes, such as DORIS’ publication of Executive Order No. 40 (1975), upon which is a handwritten annotation that it was amended by a subsequent executive order. Neither DORIS’ nor Mayor de Blasio’s websites allow one to search the text of multiple executive orders at once.

The Charter currently requires all Mayoral executive orders to be posted online within five business days of execution. Local Law 78 of 2020, which will become effective in 2023, will require the Corporation Counsel, head of the Law Department, to make available on a single page on the City’s website a compilation of all executive orders issued by mayors from 1974 to the present. Such compilation will be published in a searchable,

⁵ See NYC Mayor’s Office to Prevent Gun Violence, Crisis Management, <https://www1.nyc.gov/site/peacenyc/interventions/crisis-management.page> (last accessed October 12, 2021).

⁶ See *id.*; NYC Mayor’s Office of Criminal Justice, The Office of Neighborhood Safety, <https://criminaljustice.cityofnewyork.us/programs/ons/> (last accessed October 12, 2021).

⁷ See NYC Mayor’s Office of Criminal Justice, The Office of Neighborhood Safety, <https://criminaljustice.cityofnewyork.us/programs/ons/> (last accessed October 12, 2021).

⁸ *Id.*

⁹ See *id.*; Mayor’s Action Plan for Neighborhood Safety, Learn About Map, <https://map.cityofnewyork.us/learn-about-map/> (last accessed October 13, 2021).

¹⁰ NYC Mayor’s Office of Criminal Justice, The Office of Neighborhood Safety, <https://criminaljustice.cityofnewyork.us/programs/ons/> (last accessed October 12, 2021).

¹¹ *Id.*

¹² DORIS, Mayor’s Office Executive Orders 1974 – 2013, <https://www1.nyc.gov/site/records/historical-records/executive-orders.page> (last visited December 10, 2021).

¹³ Office of the Mayor, News, <https://www1.nyc.gov/site/records/historical-records/executive-orders.page> (last visited December 10, 2021).

machine-readable format, or formats that are capable of being downloaded in bulk. This compilation will indicate any executive order that has been explicitly superseded or amended by a later executive order with an annotation to the superseded or amended executive order.

C. The Voter Guide Published by the Campaign Finance Board

The Charter requires the New York City Campaign Finance Board (CFB) to develop and publish a Voter Guide to inform New Yorkers about the candidates and referenda on the ballot in each election. For local elections, the CFB publishes a printed version of the Voter Guide that it mails to every household in the City with at least one registered voter. In addition, the CFB publishes an online version of the Voter Guide for every election held in the City—regardless of whether there are any local contests on the ballot.

According to the CFB, the Voter Guide allows New Yorkers to "meet the candidates" by viewing candidate profiles and video statements in which candidates speak about their principles, platforms, and values.¹⁴ Currently, the Voter Guide is made available in English, Spanish, Chinese, Korean, and Bengali, and the online version of the Voter Guide is screen reader compatible and meets industry guidelines for users with disabilities.¹⁵ In addition to being mailed to every voting household in the City, the printed Voter Guide is also made available at each branch of the New York Public Library, Brooklyn Public Library, or Queens Library, at the district office of every elected city representative.¹⁶

III. LEGISLATIVE ANALYSIS

Proposed Int. 66-A

Proposed Int. 66-A (Cumbo) would require the Mayor to establish an Office for Neighborhood Safety and the Prevention of Gun Violence. Such Office would be headed by a Director who would be appointed by the Mayor.

The purpose of the Office would be to address gun violence and public safety holistically, using an approach that considers socioeconomic and public health factors and that seeks to address the root causes of violence by: (i) developing and implementing trauma-informed responses to incidents of gun violence in geographic areas designated by the mayor; (ii) creating and distributing educational materials on conflict resolution and the prevention of gun violence; (iii) analyzing socioeconomic and public health challenges such as gun violence, mental health and economic opportunity; (iv) developing and implementing programs, initiatives and strategies that respond to the socioeconomic and public health challenges that impact public safety and the quality of life; and (v) developing and implementing programs, initiatives and strategies that increase community empowerment and engagement.

The Director of the Office would be responsible for advising the Mayor in planning and coordinating efforts among Mayoral agencies to prevent gun violence and enhance neighborhood safety. Such efforts may include programs and initiatives that have the goal of reducing and preventing violence, that are designed to co-create public safety and empower communities, that are designed to enhance trust within communities, and that are focused on supporting and strengthening the capacity of local community-based organizations and service providers.

The Director would also be required to implement a crisis management system for the City's responses to incidents of gun violence. Such responses would be required to include the strategic deployment of violence interrupters, coordination of trauma-informed services, and such other coordination as the director may deem necessary and appropriate. In addition, the Director would be required to work with elected officials, community

¹⁴ See NYC Campaign Finance Board, NYC's Official Voter Guide is Now Available, <https://www.nycffb.info/media/press-releases/nyc-official-voter-guide-2021/> (last visited December 10, 2021).

¹⁵ See *id.*

¹⁶ *Id.*

members, and other stakeholders to develop initiatives to enhance neighborhood safety, and, at the request of the Mayor, review budget request for programs related to neighborhood safety.

Each year on April 1st, the Office would be required to submit a report to the Mayor and the Speaker discussing gun violence prevention and neighborhood safety goals and concerns throughout the City. The report would also have to discuss the activities of the office during the previous calendar year, including the identification of neighborhoods or populations that are particularly vulnerable to gun violence or other crimes, information and metrics related to each programmatic initiative of the office, information and metrics related to the strategic outcomes and impacts of the office, and assessments of the availability and efficacy of resources needed to support the work of the office.

In addition, the Director would be required to conduct a public outreach and information campaign designed to address the prevention of gun violence and the importance of conflict resolution. Such outreach would need to include identifying partners, stakeholders and opportunities, as well as distributing materials and resources.

This bill would take effect 30 days after it becomes law, except that the public outreach campaign would be required to begin one year after this bill becomes law.

Proposed Int. 2117-A

Proposed Int. 2117-A (Powers) would shorten the deadline for posting Mayoral executive orders online. Specifically, section two of the bill—which would take effect immediately—would require any Mayoral executive order issued on or after July 1, 2021 to be posted online within one business day of execution. In addition, section one of the bill—which would take effect on the same date that Local Law 78 of 2020 goes into effect¹⁷—would require executive orders to be included on the searchable web page established by Local Law 78 within one business day of execution.

Section two of the bill would be deemed repealed on the date that section one becomes effective.

Proposed Int. 2438-A

Proposed Int. 2438-A (Rosenthal) would expand upon the CFB's obligations when it comes to developing and publishing the Voter Guide. Specifically, the bill would codify the CFB's current practice of publishing the Voter Guide in at least two formats (print and online) for local elections, and publishing the Voter Guide in at least an online format for non-local elections. The bill would also require the CFB to collaborate with good government groups, organizations representing people with disabilities and people with limited English proficiency, and city agencies, including the Mayor's Office for People with Disabilities and the 311 Customer Service Center, in order to improve public awareness of candidates and proposals on the ballot in New York City. Each year, the CFB would be required to publish a list of the organizations with which it collaborates.

Under Proposed Int. 2438-A, any information required by the Charter to be included in the printed Voter Guide would also be required to be included in the online Voter Guide. This would include information explaining when and how to vote in each local election, certain specified information about each local candidate, and information explaining any ballot proposals or referenda. The bill would also require both the print and online Voter Guides to be published in English and in each of the top ten non-English languages spoken in New York City.¹⁸

In addition, the bill would require each online version of the Voter Guide to include a video statement from each candidate for Mayor, Comptroller, Public Advocate, Borough President, or City Council Member who has agreed to participate in such a video and has met any further requirements established by the CFB by rule. Such

¹⁷ Local Law 78 of 2020 goes into effect two years after the expiration of the state disaster emergency declared by Governor Cuomo in executive order number 202, dated March 7, 2020. This state disaster emergency expired on June 24, 2021. *See* Press Release: Governor Cuomo Announces New York Ending COVID-19 State Disaster Emergency on June 24, <https://www.governor.ny.gov/news/governor-cuomo-announces-new-york-ending-covid-19-state-disaster-emergency-june-24>.

¹⁸ Currently, these include Spanish, Chinese, Russian, Bengali, Haitian, Korean, Arabic, Urdu, French, and Polish. *See* NYC Mayor's Office of Immigrant Affairs, Language Access, <https://www1.nyc.gov/site/immigrants/about/language-and-disability-access.page> (last visited December 10, 2021).

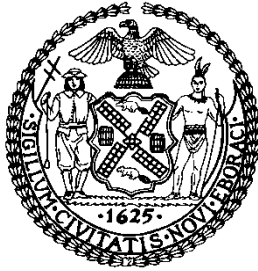
videos would be required to include information about the candidate, which may include a concise audio description. Each candidate video would need to be made available with American Sign Language translation as well as captioning in English and each of the top ten non-English languages spoken in the City. The CFB would be required to promulgate rules to ensure that such videos are accessible to people with visual disabilities and would be required to submit such videos to any city-owned and operated television channels for broadcast.

Under the bill, any candidate for Mayor, Comptroller, Public Advocate, Borough President, or City Council Member who participates in the public matching funds programs and does not create a candidate video for inclusion in the online Voter Guide would be subject to non-payment of 5% of their public matching funds. The bill would require the Voter Guide to include a statement informing voters of this rule.

For any election in which the Charter requires the CFB to publish a printed Voter Guide, this bill would require the CFB to collaborate with public libraries and other organizations to cause the information the printed Voter Guide to be made available in a format that is accessible to individuals with print or visual disabilities.

This bill would take effect on January 1, 2023.

The following is the text of the Fiscal Impact Statement for Int. No. 66-A:)



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

PROPOSED INT. NO. 66-A

COMMITTEE: Governmental Operations

TITLE: A Local Law to amend the New York city charter, in relation to establishing an office for neighborhood safety and the prevention of gun violence.

SPONSORS: Council Members Cumbo, the Public Advocate (Mr. Williams), Gibson, Cabrera, Brannan, Powers, Levine, Lander, Dinowitz, Brooks-Powers, Adams, Riley, Levin, Rosenthal, Kallos, Menchaca, Louis, Moya, Koslowitz, Ampry-Samuel, Rose and D. Diaz.

SUMMARY OF LEGISLATION: This bill would create an office for neighborhood safety and the prevention of gun violence.

EFFECTIVE DATE: This local law would take effect 30 days after it becomes law, provided, however, that subdivision d of section 13-f of the New York city charter, as added by section one of this local law, would take effect 1 year after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCES OF INFORMATION: New York City Council Finance Division
Mayor's Office of Criminal Justice
Mayor's Office of Neighborhood Safety

ESTIMATE PREPARED BY: Sebastian Palacio Bacchi, Senior Financial Analyst

ESTIMATE REVIEWED BY: Nathaniel Toth, Deputy Director
John Russell, Unit Head
Stephanie Ruiz, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 66 on January 31, 2018 and was referred to the Committee on Governmental Operations (Committee). A hearing was held by the Committee on October 19, 2021, and the legislation was laid over. The legislation was subsequently amended, and the amended legislation, Proposed Int. No. 66-A, will be considered by the Committee on December 14, 2021. Upon a successful vote by the Committee, Proposed Int. No. 66-A will be submitted to the full council for a vote on December 15, 2021.

DATE PREPARED: December 8, 2021.

(For text of Int. Nos. 2117-A and 2438-A and their Fiscal Impact Statements, please see the Report of the Committee on Governmental Operations for Int. Nos. 2117-A and 2438-A, respectively, printed in these Minutes; for text of Int. No. 66-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 66-A, 2117-A, and 2438-A.

(The following is the text of Int. No. 66-A:)

Int. No. 66-A

By Council Members Cumbo, the Public Advocate (Mr. Williams), Gibson, Cabrera, Brannan, Powers, Levine, Lander, Dinowitz, Brooks-Powers, Adams, Riley, Levin, Rosenthal, Kallos, Menchaca, Louis, Moya, Koslowitz, Ampry-Samuel, Rose, D. Diaz and Feliz.

A Local Law to amend the New York city charter, in relation to establishing an office for neighborhood safety and the prevention of gun violence

Be it enacted by the Council as follows:

Section 1. The New York city charter is amended by adding a new section 13-f to read as follows:

§ 13-f Office for neighborhood safety and the prevention of gun violence. a. The mayor shall establish an office for neighborhood safety and the prevention of gun violence. Such office may, but need not, be established in the executive office of the mayor and may be established as a separate office within any other office of the mayor. Such office shall be headed by a director who shall be appointed by the mayor. For the purposes of this

section, the term "director" means the director of the office for neighborhood safety and the prevention of gun violence.

b. The purpose of the office for neighborhood safety and the prevention of gun violence shall be to address gun violence and public safety holistically, using an approach that considers socioeconomic and public health factors and seeks to address the root causes of violence by:

1. Developing and implementing trauma-informed responses to incidents of gun violence in geographic areas designated by the mayor;
2. Creating and distributing educational materials on conflict resolution and the prevention of gun violence;
3. Analyzing socioeconomic and public health challenges that include, but are not limited to, gun violence, mental health and economic opportunity;
4. Developing and implementing programs, initiatives and strategies that respond to the socioeconomic and public health challenges that impact public safety and the quality of life; and
5. Developing and implementing programs, initiatives and strategies that increase community empowerment and engagement.

c. The director of the office for neighborhood safety and the prevention of gun violence shall have the power and the duty to:

1. Advise and assist the mayor in planning, developing and coordinating efforts among agencies under the jurisdiction of the mayor to prevent gun violence and enhance neighborhood safety in geographic areas designated by the mayor, elected officials and other interested groups and individuals. These efforts shall be holistic and employ an approach, based on socioeconomic and public health considerations, that addresses the root causes of violence. Such efforts may include, but are not limited to, the development and implementation of programs, initiatives and strategies that:

- (a) have the goal of reducing and preventing violence, including but not limited to gun violence;
- (b) are designed to co-create public safety with and empower communities;
- (c) are designed to enhance trust within communities; and

(d) are focused on supporting and strengthening the capacity of local community-based organizations and service providers. Such support and strengthening shall include the provision of services and programs designed to assist such organizations and service providers in developing the competencies and skills that improve their ability to fulfill their missions;

2. Create and implement a crisis management system for the city's response to incidents of gun violence in geographic areas designated by the mayor, applying the approach described in subdivision b of this section. Such system's responses to incidents of gun violence shall include, but are not limited to:

- (a) The strategic deployment of violence interrupters to the geographic area affected by incidents of gun violence;
- (b) Coordination of trauma-informed services to the geographic area affected by incidents of gun violence;
- (c) Coordination of trauma-informed services to the family and close contacts of the victims of incidents of gun violence; and
- (d) Such other support as the director, at the request of the mayor, may deem necessary for an appropriate response to incidents of gun violence;

3. Work with elected officials, other interested groups and individuals, and members of communities in geographic areas designated by the mayor, to identify and develop programs, initiatives and strategies to enhance neighborhood safety by increasing community empowerment and engagement;

4. At the request of the mayor, review the budget requests of all agencies for programs related to neighborhood safety, recommend budget priorities among such programs and assist the mayor in prioritizing and implementing such requests;

5. No later than April 1, 2023 and no later than each April 1 of every year thereafter, the office shall provide to the speaker of the council and post on the office's website a report discussing gun violence prevention and neighborhood safety goals and concerns throughout the city, as well as the activities of the office during the previous calendar year, including, but not limited to, the following:

- (a) identification of neighborhoods or populations within the city that are particularly vulnerable to gun violence and other crimes which the office deems relevant to its mission;
- (b) information and metrics related to each programmatic initiative of the office, including initiatives conducted in partnership with other offices, agencies, and community-based organizations;

(c) information and metrics relating to the strategic outcomes and impacts of the work of the office, including outcomes and impacts that are indicative of neighborhood safety. Such factors may include, but are not limited to, quality of life and public health assessments, and rates and impacts of crime, including but not limited to, crimes involving guns;

(d) assessment of the availability and efficacy of various resources and services needed to support or enhance the work of the office and related outcomes, and recommendations for the improvement of such resources and services; and

6. Perform such other duties as the mayor may assign.

d. The director shall conduct a public information and outreach campaign designed to address the prevention of gun violence and the importance of conflict resolution. Such outreach shall at a minimum include (i) identifying community outreach partners, stakeholders and opportunities; and (ii) distributing materials and resources. The department shall consult with individuals and organizations with expertise in conflict resolution and the prevention of gun violence in the development of such public information and outreach campaign.

§ 2. This local law takes effect 30 days after it becomes law; provided, however, that subdivision d of section 13-f of the New York city charter, as added by section one of this local law, shall take effect 1 year after it becomes law.

FERNANDO CABRERA, *Chairperson*; YDANIS A. RODRIGUEZ, BEN KALLOS, STEPHEN T. LEVIN, ALAN N. MAISEL, BILL PERKINS, KEITH POWERS, KALMAN YEGER, DARMA V. DIAZ; Committee on Governmental Operations, December 14, 2021. *Other Council Members Attending: Council Members Rosenthal, Feliz, Rose and Cumbo.*

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

Report for Int. No. 2117-A

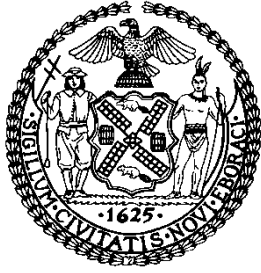
Report of the Committee on Governmental Operations in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the posting of mayoral executive orders online within one business day of execution.

The Committee on Governmental Operations, to which the annexed proposed amended local law was referred on October 15, 2020 (Minutes, page 2199), respectfully

REPORTS:

For text of report, please see the Report of the Committee on Governmental Operations for Int. No. 66-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 2117-A:



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

PROPOSED INT. NO. 2117-A

COMMITTEE: Governmental Operations

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the posting of mayoral executive orders online within one business day of execution. **SPONSORS:** Council Members Powers and Kallos.

SUMMARY OF LEGISLATION: This bill would require that all mayoral executive orders on or after July 1, 2022 be provided to the Council and posted online within one business day of execution.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCES OF INFORMATION: New York City Council Finance Division
Mayor’s Office of Legislative Affairs
Department of Records and Information Services

ESTIMATE PREPARED BY: Sebastian Palacio Bacchi, Senior Financial Analyst

ESTIMATE REVIEWED BY: Nathaniel Toth, Deputy Director
John Russell, Unit Head
Stephanie Ruiz, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 2117 on October 15, 2020 and was referred to the Committee on Governmental Operations (Committee). The legislation was subsequently amended and the amended version, Proposed Int. No. 2117-A, will be voted on by the Committee at a hearing

on December 14, 2021. Upon a successful vote by the Committee, Proposed Int. No. 2117-A will be submitted to the full council for a vote on December 15, 2021.

DATE PREPARED: December 8, 2021.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 2117-A:)

Int. No. 2117-A

By Council Members Powers, Kallos, Cabán, Rosenthal, Yeger, Dinowitz, Louis, Gennaro and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the posting of mayoral executive orders online within one business day of execution

Be it enacted by the Council as follows:

Section 1. Paragraph (2) of subdivision a of section 3-113.1 of the administrative code of the city of New York, as amended by local law number 78 for the year 2020, is amended to read as follows:

(2) [All mayoral] *Mayoral* executive orders [issued on or after July 1, 2011] shall be provided to the council and made available on the city's website in accordance with paragraph (1) of this subdivision within [five business days] *one business day* from the date of execution.

§ 2. All mayoral executive orders issued on or after July 1, 2022 shall be provided to the council and made available on the city's website one business day from the date of execution. This section shall not be construed to create a private right of action to enforce its provisions. Failure to comply with the requirement of this section shall not result in the invalidation of any mayoral executive order or any action taken pursuant to such executive order.

§ 3. This local law takes effect immediately, provided, however, that section one of this local law shall take effect on the same date that local law number 78 for the year 2020 takes effect, and provided further that section two of this local law shall be deemed repealed on such date.

FERNANDO CABRERA, *Chairperson*; YDANIS A. RODRIGUEZ, BEN KALLOS, STEPHEN T. LEVIN, ALAN N. MAISEL, BILL PERKINS, KEITH POWERS, KALMAN YEGER, DARMA V. DIAZ; Committee on Governmental Operations, December 14, 2021. *Other Council Members Attending: Council Members Rosenthal, Feliz, Rose and Cumbo.*

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

Report for Int. No. 2438-A

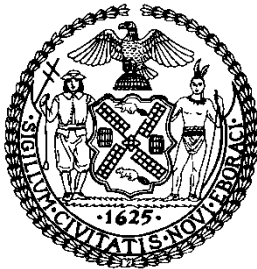
Report of the Committee on Governmental Operations in favor of approving and adopting, as amended, a Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to expanding language access and requiring the inclusion of video content in the voter guide.

The Committee on Governmental Operations, to which the annexed proposed amended local law was referred on October 21, 2021 (Minutes, page 2837), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Governmental Operations for Int. No. 66-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 2438-A:



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

PROPOSED INT. NO. 2438-A

COMMITTEE: Governmental Operations

TITLE: A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to expanding language access and requiring the inclusion of video content in the voter guide.

SPONSORS: Council Members Rosenthal, Brooks-Powers, Ampry-Samuel, Menchaca, D. Diaz, Dinowitz, Ayala and Koo.

SUMMARY OF LEGISLATION: This bill would expand upon CFB’s obligations when it comes to developing and publishing the voter guide. Specifically, the bill would require both the print and online voter guides to be published in English and in each of the top ten non-English languages spoken in New York City. In addition, the bill would require each online version of the voter guide to include a video statement from each candidate for Mayor, Comptroller, Public Advocate, Borough President, or City Council Member. Such videos would need to be made available with captioning and American Sign Language translation. Any candidate who participates in the public matching funds programs and does not create a candidate video for inclusion in the online voter guide would be subject to non-payment of 5% of their public matching funds.

EFFECTIVE DATE: This local law would take effect January 1, 2023

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

	Effective FY23	FY Succeeding Effective FY24	Full Fiscal Impact FY24
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$1,085,090	\$970,180	\$970,180
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is estimated that there would be a fiscal impact of approximately \$1.1 million in Fiscal 2023 and \$970,180 in Fiscal 2024 from the enactment of this legislation. This includes costs associated with translating video and print voter guides into the 10 citywide designated languages, website development related to displaying videos with closed captioning, contracting for closed captioning, making the print voter guide accessible to people with disabilities, and the addition of three full-time staff to manage translations and disability components.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCES OF INFORMATION: New York City Council Finance Division
Campaign Finance Board

ESTIMATE PREPARED BY: Sebastian Palacio Bacchi, Senior Financial Analyst

ESTIMATE REVIEWED BY: Nathaniel Toth, Deputy Director
John Russell, Unit Head
Stephanie Ruiz, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 2438 on October 21, 2021 and was referred to the Committee on Governmental Operations (Committee). A hearing was held by the Committee on November 29, 2021, and the legislation was laid over. The legislation was subsequently amended, and the amended version, Proposed Int. No. 2438-A, will be voted by the Committee at a hearing on December 14, 2021. Upon a successful vote by the Committee, Proposed Int. No. 2438-A will be submitted to the full council for a vote on December 15, 2021.

DATE PREPARED: December 8, 2021.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 2438-A:)

Int. No. 2438-A

By Council Members Rosenthal, Brooks-Powers, Ampry-Samuel, Menchaca, D. Diaz, Dinowitz, Ayala, Koo, Cabán, Kallos, Louis and Rose.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to expanding language access and requiring the inclusion of video content in the voter guide

Be it enacted by the Council as follows:

Section 1. Paragraphs 1 and 2 of subdivision b of section 1052 of the New York city charter, paragraph 1 as amended by local law number 170 for the year 2016, and paragraph 2 as added by such local law, are amended, and a new paragraph 4 is added, to read as follows:

1. The board shall take such actions as it deems necessary and appropriate to improve public awareness of the candidates, ballot proposals or referenda in all elections in which there are contested elections for the offices of mayor, public advocate, borough presidents, comptroller, or city council or ballot proposals or referenda pursuant to this charter or the municipal home rule law, including but not necessarily limited to the publication of a non-partisan, impartial voter guide in at least [one media format] *two media formats, including but not necessarily limited to a printed voter guide and a voter guide to be published online*, providing information on candidates, ballot proposals and referenda, and the distribution of one copy of such *printed* guide to each household in which there is at least one registered voter eligible to vote in the election involved. A voter may

opt out of receiving a [printed] copy of such *printed* guide and the board shall comply with this request to the extent feasible.

2. The board shall also take such actions as it deems necessary and appropriate to improve public awareness of the candidates in all other contested elections held in the city of New York for any city, county, state, or federal office or ballot proposals or referenda pursuant to city, county, state, or federal law, including but not necessarily limited to the publication of a non-partisan, impartial voter guide in at least one media format, *including but not necessarily limited to a voter guide to be published online*, providing information on such candidates, ballot proposals or referenda. [The board shall coordinate with other agencies in general and specialized efforts to improve public awareness of such candidates, proposals, or referenda.]

4. *The board shall coordinate with good government organizations, organizations representing or run by people with disabilities, organizations representing or run by people with limited English proficiency, and other agencies, including but not necessarily limited to the mayor's office for people with disabilities and the 311 customer service center, as necessary to improve public awareness of candidates, proposals, and referenda as provided by this chapter. The board shall publish on an annual basis the names of any organizations with which it collaborates pursuant to this paragraph.*

§ 2. Section 1053 of the New York city charter, as amended by local law number 88 for the year 2017, is amended to read as follows:

§ 1053 Voter guide. a. For all elections in which there are contested elections for the offices of mayor, public advocate, borough presidents, comptroller, or city council or ballot proposals or referenda pursuant to this charter or the municipal home rule law, each printed *and online* voter guide published by the board shall contain:

1. material explaining the date and hours during which the polls will be open for that election; when, where, and how to register to vote; when [a citizen] *an eligible voter* is required to reregister; when, where, and how absentee ballots are obtained and used; instructions on how to vote; information on the political subdivisions applicable to a particular [citizen's] *voter's* address; and any other general information on voting deemed by the board to be necessary or useful to the electorate or otherwise consistent with the goals of this charter;

2. such tables of contents, graphics, and other materials which the board determines will make the voter guide easier to understand or more useful for the average voter;

3. information on each candidate, [including] *which shall include* but *need not be* limited to name, party affiliation, present and previous public offices held, present occupation and employer, prior employment and other public service experience, educational background, a listing of major organizational affiliations and endorsements, [and] a concise statement by each candidate of [his or her] *such candidate's* principles, platforms or views, *and any other information required by the board by rule*;

4. where there is a ballot proposal or referendum, concise statements explaining such proposal or referendum and an abstract of each such proposal or referendum; and

5. For a *printed* voter guide mailed in connection with the citywide primary and general elections held every four years, such *printed* voter guide shall include for each registered voter a list of the primary and general elections held over the previous four calendar years for which, according to the records of the board of elections, such voter was registered to vote and whether such voter voted in each such election. Such information may be printed separately from such *printed* voter guide, provided that it is included with the mailing of such printed voter guide.

b. For all other elections in which there are contested elections held in the city of New York for any city, county, state, or federal office or ballot proposals or referenda pursuant to city, county, state, or federal law, each voter guide shall contain information that the board deems necessary or useful to the electorate or is otherwise consistent with the board's responsibility under this chapter to improve public awareness of candidates, ballot proposals, or referenda.

c. [Voter] *All board-generated content in the voter guides* shall be prepared in plain language using words with common and everyday meanings.

d. The board shall *prepare and publish each voter guide, regardless of format, in English and in each of the designated citywide languages as defined in section 23-1101 of the administrative code and shall promulgate* such rules as it deems necessary for the preparation and publication of voter guides in [English, Spanish and] any other languages the board determines to be necessary and appropriate [and for the distribution of the guide in at least one media format]. The purpose of such rules shall be to ensure that the guide and its distribution will serve to fully, fairly and impartially inform the public about the issues and candidates appearing on the ballot.

e. 1. The online voter guide published by the board pursuant to paragraph 1 of subdivision b of section 1052 of this charter shall include a brief video statement from each candidate who:

(a) is on the ballot in a contested primary or general election for the office of mayor, public advocate, borough president, comptroller or city council;

(b) has agreed to participate in such a candidate video statement; and

(c) has met any further requirements established by the board by rule.

2. Each such candidate video statement shall contain information regarding the candidate, which may include but need not be limited to, a concise audio description of the candidate.

3. For each candidate video statement included in the online voter guide pursuant to this subdivision, the board shall ensure that viewers have the ability to view such video statement with captioning in English and each of the designated citywide languages as defined in section 23-1101 of the administrative code, as well as the ability to view such video statement with American Sign Language translation.

4. The board shall promulgate rules to ensure that any candidate video statements included in the online voter guide are accessible to individuals with vision disabilities and may promulgate any additional rules that it determines to be necessary for the implementation of this subdivision.

5. The board shall make all candidate video statements created pursuant to this subdivision available to any city-owned or operated television channels for broadcast on such channels.

6. Each voter guide shall contain a statement informing voters that a participating candidate who is on the ballot in a contested primary or general election for the office of mayor, public advocate, borough president, comptroller or city council shall be subject to non-payment of five percent of such candidate's public funds payments if such candidate does not participate in a candidate video statement.

f. For any election in which the board publishes a printed voter guide pursuant to subdivision b of section 1052 of this charter, the board shall collaborate with public libraries and other organizations, as necessary, to cause the information in such printed voter guide to be made available in a format that is accessible to individuals with print or vision disabilities.

§ 3. Subdivision 4 of section 3-705 of the administrative code of the city of New York, as amended by local law number 128 for the year 2019, is amended to read as follows:

For contributions reported less than ninety days before a covered general election, less than forty-five days before a covered primary election, or less than thirty days before any other covered election, the campaign finance board shall make possible payment within four business days after receipt of reports of matchable contributions, or as soon thereafter as is practicable; provided, however, that the board shall withhold [up to] five percent of all public funds payments to participating candidates until the final pre-election payment for any given election; *and further provided that, in addition to any other reason for withholding or non-payment pursuant to applicable law or board rules, such withheld funds shall not be payable to any candidate who is on the ballot in a contested primary or general election for the office of mayor, public advocate, borough president, comptroller or city council and fails to provide, to the satisfaction of the board, such submissions as may be requested by the board for the purpose of publishing a video statement in the online voter guide.* The board shall schedule payment dates on December 15 of the year preceding the year of election, as well as January 15, February 15, March 15, April 15 and a minimum of three payment dates within the forty-five days prior to a covered primary election, a payment date of July 15 and a minimum of four payment dates within the ninety days prior to a covered general election, and a minimum of three payment dates within the thirty days prior to any other covered election. A written certification pursuant to paragraph (c) of subdivision 1 of section 3-703 shall be required to have been filed no less than fifteen business days prior to the December 15, January 15, February 15, March 15, April 15, or July 15 payment dates scheduled pursuant to this subdivision, for a participating candidate to receive public funds on such payment date. For purposes of such payment dates, the board shall provide each candidate with a written determination specifying the basis for any non-payment. The board shall provide candidates with a process by which they may immediately upon receipt of such determination petition the board for reconsideration of any such non-payment and such reconsideration shall occur within five business days of the filing of such petition. In the event that the board denies such petition then it shall immediately notify the candidate of [his or her] *such candidate's* right to bring a special proceeding pursuant to article 78 of the civil practice law and rules.

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

FERNANDO CABRERA, *Chairperson*; YDANIS A. RODRIGUEZ, BEN KALLOS, STEPHEN T. LEVIN, ALAN N. MAISEL, BILL PERKINS, KEITH POWERS, KALMAN YEGER, DARMA V. DIAZ; Committee on Governmental Operations, December 14, 2021. *Other Council Members Attending: Council Members Rosenthal, Feliz, Rose and Cumbo.*

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

Report of the Committee on Health

Report for Int. No. 1326-B

Report of the Committee on Health in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring added sugar notifications in chain restaurants.

The Committee on Health, to which the annexed proposed amended local law was referred on January 9, 2019 (Minutes, page 87), respectfully

REPORTS:

INTRODUCTION

On December 14, 2021, the Committee on Health, chaired by Council Member Mark Levine, held a hearing on Introduction Number 1326-B (Int. 1326), a Local Law to amend the administrative code of the city of New York, in relation to requiring added sugar notifications in chain restaurants. Int. 1326 was originally heard by this Committee in February 2019. Among those invited to testify were representatives from the New York City Department of Health and Mental Hygiene (DOHMH), advocates, and other interested parties. On December 14, 2021, the Committee also considered Resolution Number 638, calling on the New York State Department of Health to create stand-alone, self-contained isolation centers or units for the treatment of patients with infectious disease due to epidemic, including highly contagious and airborne diseases. On December 14, 2021, the Committee passed both pieces of legislation by a vote of nine in the affirmative, zero in the negative, and zero abstentions.

BACKGROUND

Diabetes, Obesity and Prepared Foods

Diabetes

Diabetes is a disease involving a hormone called insulin, which is released by the pancreas to guide the body in storing and using the sugar and fat from ingested food.¹ Diabetes causes a production of too much or too little insulin, which causes the blood glucose (sugar) levels to rise higher or lower than normal.² Type 2 diabetes is the most common form of diabetes and occurs when the body's cells become resistant to the action of insulin, and the pancreas is unable to make sufficient insulin to overcome this resistance, causing sugar to build up in

¹ "Diabetes Overview," WebMD, available at <https://www.webmd.com/diabetes/default.htm>.

² *Id.*

the bloodstream.³ Although not all causes of diabetes are known, Type 2 diabetes is caused by genetic and environmental factors, and is most closely linked with obesity and being overweight.⁴

In the United States, it is estimated that more than 100 million Americans have diabetes or prediabetes.⁵ Approximately 1 in 4, or 7.2 million, adults are living with diabetes, and an additional 84.1 million have prediabetes, which can lead to Type 2 diabetes within five years if not treated.⁶ In New York City, an estimated 987,000 New Yorkers have diabetes, many without knowledge of their condition.⁷ Diabetes in New York is also economically, racially, and ethnically determined, with black, Hispanic, and Asian New Yorkers being twice as likely as white New Yorkers to have diabetes, as of 2013.⁸ Diabetes disproportionately affects high-poverty communities in New York City, where the neighborhoods with the highest prevalence of diabetes were Fordham-Bronx Park (14.6%), East New York (14.4%) and Williamsburg-Bushwick (13.9%) in Brooklyn, Northeast Bronx (13.9%), and the South Bronx (13.9%), and the neighborhoods with the lowest prevalence of diabetes were Upper East Side-Gramercy and Chelsea-Village in Manhattan (4.4% and 4.1%).⁹ As of 2013, diabetes was almost 70% more common in high-poverty neighborhoods than in low-poverty neighborhoods.¹⁰ Interestingly, racial and ethnic disparities in diabetes persist across levels of household poverty, where white New Yorkers had the lowest prevalence of diabetes among the wealthiest New Yorkers and had a lower prevalence than both blacks and Hispanics among the poorest.

Obesity

Obesity rates in the United States have been climbing nationwide for decades and have led to massive increases in the prevalence of Type 2 diabetes, heart disease, and certain types of cancer.¹¹ Among children, 1 in 5 school age children and young people (6 to 19 years) has obesity.¹² Obese children and adolescents are more likely to become obese adults and even young children can develop chronic health conditions and diseases, including asthma, sleep apnea, bone and joint problems, Type 2 diabetes, and risk factors for heart disease.¹³

According to DOHMH, more than half of adult New Yorkers are overweight (34%) or obese (22%), while almost half of all elementary school children and Head Start children are currently at an unhealthy weight.¹⁴ In New York City, 1 in 5 kindergarten students and 1 in 4 Head Start children is obese. New York City has made strides in starting to reverse this trend by improving the food environment, making public spaces more amenable to physical activity, increasing the availability of tap water, and discouraging the drinking of sugar-sweetened beverages.¹⁵ However, obesity rates among NYC students is still too high, with over 20 percent of children categorized as obese and even more defined as overweight.¹⁶

³ “Diabetes,” Mayo Clinic, available at <https://www.mayoclinic.org/diseases-conditions/diabetes/symptoms-causes/syc-20371444>.

⁴ *Id.*

⁵ “New CDC Report: More than 100 million Americans have diabetes or prediabetes,” CDC, available at <https://www.cdc.gov/media/releases/2017/p0718-diabetes-report.html>.

⁶ *Id.*

⁷ “Type 2 Diabetes,” DOHMH, available at <https://www1.nyc.gov/site/doh/health/health-topics/diabetes.page>.

⁸ “Diabetes in New York City,” EPI Data Brief, DOHMH, Apr. 2013, available at <https://www1.nyc.gov/assets/doh/downloads/pdf/epi/databrief26.pdf>.

⁹ *Id.*

¹⁰ *Id.*

¹¹ “Adult Obesity Facts,” Centers for Disease Control and Prevention (CDC), available at <https://www.cdc.gov/obesity/data/adult.html>.

¹² “Childhood Obesity Facts,” CDC Healthy Schools, available at <https://www.cdc.gov/healthyschools/obesity/facts.htm>.

¹³ *Id.*

¹⁴ “Obesity,” DOHMH, available at <https://www1.nyc.gov/site/doh/health/health-topics/obesity.page>.

¹⁵ NYC Obesity Task Force, “Reversing the Epidemic: The New York City Obesity Task Force Plan to Prevent and Control Obesity,” NYC Obesity Task Force, May 31, 2012, available at http://www.nyc.gov/html/om/pdf/2012/otf_report.pdf.

¹⁶ Sophia E. Day, et al. “Severe Obesity Among Children in New York City Public Elementary and Middle Schools, School Years 2006–07 Through 2010–11,” Preventing Chronic Disease, July 10, 2014, available at http://www.cdc.gov/pcd/issues/2014/13_0439.htm.

Prepared foods

Prepared food is a growing and problematic part of New Yorkers' diets, particularly among children, making up approximately 25 percent of a child's daily calories, on average.¹⁷ Consumption of restaurant foods has been linked with increased caloric intake, poor nutrition, and higher risk for being overweight and obese.¹⁸ Eating out has also been shown to influence the future food preferences and eating habits of children.¹⁹

Research has found that food marketing influences children's food preferences, food choices, diets, and health.²⁰ For restaurants, including toys with children's meals is the leading form of food marketing directed at children by expenditure.²¹ In 2009, fast food restaurants sold slightly more than 1 billion children's meals with toys to children ages 12 and under.²² Restaurant toys or premiums are often tied to movie characters, cartoon characters and celebrities and studies have shown this practice affects children's food choices and preferences.²³

In 2013, McDonald's, the largest fast food retailer in the world, committed to healthy substitutes for fries and soda in its children's meal and has included nutrition information in children's promotional material.²⁴ In recent years, some restaurants have made improvements to their children's meals and even removed toys altogether, while others have done little.²⁵ According to a 2013 study, the vast majority of restaurant children's meals do not meet nutrition standards created by the National Restaurant Association.²⁶

Current Research and Programs to Impact Purchasing Choices

In 2010, Santa Clara County in California became the first jurisdiction in the United States to regulate the nutritional content of restaurant children's meals that provided a toy or other incentive item "linked with" the meal.²⁷ A study published in 2012 in the American Journal of Preventative Medicine found the regulation "appear[ed] to have positively influenced marketing of healthful menu items and toys...but did not affect the number of healthful food items offered."²⁸

In 2011, San Francisco became the first city to regulate the nutritional content of restaurant children's meals with toys or other incentive items.²⁹ That law prohibits the distribution of a free toy or other incentive item with a meal that fails to meet certain nutrition standards. A study published in 2014 in Preventing Chronic Disease found that, among the restaurants studied, the only effect of the law was to induce them to charge 10 cents for the toy or other incentive item.³⁰ Restaurants did not change their menus to comply with the ordinance.

¹⁷ Otten JJ, "Food Marketing: Using Toys to Market Children's Meals," Healthy Eating Research, 2014, available at http://healthyeatingresearch.org/wp-content/uploads/2014/07/her_marketing_toys_AUGUST_14.pdf.

¹⁸ Koplan J, Liverman CT, Kraak VI, editors. Institute of Medicine Committee on Prevention of Obesity in Children and Youth. Preventing Childhood Obesity: Health in the Balance. National Academies Press (2005), available at <http://www.nap.edu/catalog/11015/preventing-childhood-obesity-health-in-the-balance>; Larson N, Neumark-Sztainer D, Laska MN, Story M. Young adults and eating away from home: Associations with dietary intake patterns and weight status differ by choice of restaurant. *J Acad Nutr Diet.* (Nov 2011);111(11):1696-1703, available at <http://www.ncbi.nlm.nih.gov/pubmed/22027052>; Powell LM, Nguyen BT. Fast-food and full-service restaurant consumption among children and adolescents effect on energy, beverage, and nutrient intake. *JAMA Pediatr.* (Jan 2013);167(1):14-20, available at <http://www.ncbi.nlm.nih.gov/pubmed/23128151>.

¹⁹ *Id.*

²⁰ *Supra*, note 7.

²¹ Leibowitz J RJ, Ramirez E, Brill J, Ohlhausen M. "A Review of Food Marketing to Children and Adolescents: Federal Trade Commission Follow-Up Report," Dec. 2012, available at <https://www.ftc.gov/sites/default/files/documents/reports/review-food-marketing-children-and-adolescents-follow-report/121221foodmarketingreport.pdf>.

²² *Id.*

²³ *Supra*, note 7.

²⁴ Clinton Foundation Press Release, "Alliance for a Healthier Generation and McDonald's Announce Groundbreaking CGI Commitment to Promote Balanced Food and Beverage Choices," Sept. 26, 2013, available at <https://www.clintonfoundation.org/press-releases/alliance-healthier-generation-and-mcdonalds-announce-groundbreaking-cgi-commitment>.

²⁵ *Supra*, note 7.

²⁶ Center for Science in the Public Interest. Kids' Meals II: Obesity and Poor Nutrition on the Menu, 2013, available at <https://cspinet.org/new/pdf/cspi-kids-meals-2013.pdf>.

²⁷ Codified at Santa Clara County Code of Ordinances §§ A18-350-355.

²⁸ Jennifer Otten, et. al., "Food Marketing to Children Through Toys," *American Journal of Preventive Medicine*, Volume 42, Issue 1 (Jan. 2012).

²⁹ The Health Food Incentives Ordinance, No. 290-10, San Francisco, CA.

³⁰ Jennifer Otten, et. al., "Impact of San Francisco's Toy Ordinance on Restaurants and Children's Food Purchases, 2011-2012" *Preventing Chronic Disease* (2014).

In 2016, New York City Council held a hearing on Introduction Number 442, sponsored by Council Member Kallos, a Local Law to amend the administrative code of the city of New York, in relation to setting nutritional standards for distributing incentive items aimed at children.

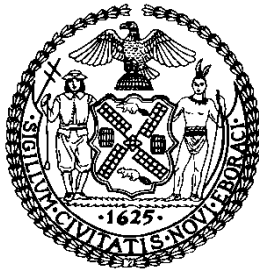
LEGISLATIVE ANALYSIS: INT. NO. 1326-B

This bill would require the Department of Health and Mental Hygiene (DOHMH) to issue a rule designating an icon to be displayed in a clear and conspicuous manner on (i) menus or menu boards adjacent to the listed prepackaged food items and (ii) prepackaged food items on display, that exceed a specified level of added sugars, including, but not limited to, 100 percent or more of the daily value for added sugars. Such rule would also provide a factual warning statement about high added sugars intake. No later than 1 year after the issuance of such rule, chain restaurants (those with 15 or more restaurants) in New York City must post such icon on or next to a prepackaged food item on display, or next to a prepackaged food item listed on the menu or menu board, and post such warning statement at the point of purchase. Failure to do so would result in financial penalties of \$200-500. Finally, this bill would require DOHMH to conduct public outreach to educate restaurants about the requirements of this local law.

UPDATE

On December 14, 2021, the Committee passed Int. No. 1326-B and Res. 638 by a vote of nine in the affirmative, zero in the negative, and zero abstentions.

(The following is the text of the Fiscal Impact Statement for Int. No. 1326-B:)



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

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 1326-B

COMMITTEE: Health

TITLE: A local law to amend the administrative code of the city of New York, in relation to requiring added sugar notifications in chain restaurants.

SPONSORS: Council Members Levine, Cornegy, Kallos, Rosenthal, Ampry-Samuel, Ayala, Cumbo, Powers, Lander, Brannan, Chin, D. Diaz, Van Bramer, Reynoso, Salamanca, Miller, Levin, Gibson, Brooks-Powers, Koo, Vallone, Cabrera and Ulrich.

SUMMARY OF LEGISLATION: Proposed Intro. No. 1326-B would require the Department of Health and Mental Hygiene (DOHMH) to issue a rule designating an icon to be displayed in a clear and conspicuous manner on (i) menus or menu boards adjacent to the listed prepackaged food items and (ii) prepackaged food items on display, that exceed a specified level of added sugars, including, but not limited to, 100 percent or more of the daily value for added sugars. Such rule would also provide a factual warning statement about high added sugars intake.

No later than one year after the issuance of such rule, chain restaurants (those with 15 or more restaurants) in New York City would be required to post such icon on or next to a prepackaged food item on display, or next to a prepackaged food item listed on the menu or menu board, and post such warning statement at the point of purchase. Failure to do so would result in financial penalties of \$200-500 per instance.

Finally, this bill would require DOHMH to conduct public outreach to educate restaurants about the requirements of this local law.

EFFECTIVE DATE: This local law would take effect no later than one year after the expiration of the declaration of the local state of emergency for COVID-19 declared in emergency Executive Order 98 of Mayor Bill de Blasio, dated March 12, 2020, including subsequent extensions after it became law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$1,500,000	\$100,000	\$100,000
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that the proposed legislation would have no impact on revenues.

IMPACT ON EXPENDITURES: While because Executive Order 98 continues to be extended and thus the law would not require implementation by DOHMH any sooner than one year from passage, DOHMH anticipates \$1.5 million of expenditures in Fiscal 2022 resulting from the hiring of a full-time outreach worker and the printing and distribution of outreach material to comply with the requirements to provide public education to restaurants prior to the enactment of the legislation. The outreach worker and associated fringe benefits would continue into Fiscal 2023 and the outyears.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division
Department of Health and Mental Hygiene

ESTIMATE PREPARED BY: Lauren Hunt, Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director
Crilhien R. Francisco, Unit Head
Noah Brick, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on January 9, 2019 and was referred to the Committee on Health (Committee). A hearing was held by the Committee on February 25, 2020, and the bill was laid over. The legislation was subsequently amended, and amended again, and the most recently amended version, Proposed Intro. No. 1326-B, will be considered by the Committee on December 14, 2021. Upon a successful vote by the Committee, Proposed Intro. No. 1326-B will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 13, 2021.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1326-B:)

Int. No. 1326-B

By Council Members Levine, Cornegy, Kallos, Rosenthal, Ampy-Samuel, Ayala, Cumbo, Powers, Lander, Brannan, Chin, D. Diaz, Van Bramer, Reynoso, Salamanca, Miller, Levin, Gibson, Brooks-Powers, Koo, Vallone, Cabrera, Cabán, Dinowitz, Louis, Rose, Riley and Ulrich.

A Local Law to amend the administrative code of the city of New York, in relation to requiring added sugar notifications in chain restaurants

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 17-199.18 to read as follows:

§ 17-199.18 *Added sugar notifications. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Added sugars. The term “added sugars” has the same meaning as used in title 21, section 101.9 (c)(6)(iii) of the code of federal regulations, or any successor regulations.

Covered establishment. The term “covered establishment” means any food service establishment inspected pursuant to the restaurant grading program established pursuant to subdivision a of section 81.51 of the New York city health code that is part of a chain with 15 or more locations doing business under the same name and offering for sale substantially the same food items.

Daily value. The term “daily value” means the daily reference value established in title 21, section 101.9 (c)(9) of the code of federal regulations, or any successor regulations.

Food service establishment. The term “food service establishment” has the same meaning as in section 81.03 of the New York city health code.

Icon. The term “icon” means a graphic or illustrated image, with or without accompanying text.

Menu or menu board. The term “menu or menu board” has the same meaning as in section 81.49 of the New York city health code.

Prepackaged food item. The term “prepackaged food item” means a food item that is packaged by the manufacturer and required to have a nutrition facts label pursuant to title 21, part 101 of the code of federal regulations, or any successor regulations.

Prepackaged item on display. The term “prepackaged item on display” means a prepackaged food item that is visible to the customer before the customer makes a selection.

b. Warning statement. The department shall issue a rule designating an icon to be displayed in a clear and conspicuous manner on (i) menus or menu boards adjacent to the listed prepackaged food items and (ii) prepackaged food items on display, that exceed a specified level of added sugars, including, but not limited to, 100 percent or more of the daily value for added sugars, as determined by the federal food and drug administration, or exceed another amount specified in rules of the department. Such rule shall also provide a factual warning statement about high added sugars intake.

c. No later than one year after the department issues the rule required pursuant to subdivision b of this section, a covered establishment that offers one or more prepackaged food items or prepackaged items on display shall, in accordance with rules promulgated by the department:

1. Post a clearly visible icon on or near the prepackaged item on display;

2. Post a clearly visible icon on the menu or menu board next to the prepackaged food item wherever such item appears; and

3. Post the factual warning statement required pursuant to subdivision b of this section prominently and conspicuously at the point of purchase.

d. Any covered establishment that violates any of the provisions of this section shall be liable for a civil penalty of not less than \$200 nor more than \$500 for a violation thereof.

e. No later than three months after the department issues the rule required by subdivision b of this section, the department shall conduct public outreach to educate covered establishments about the requirements of this local law.

f. Nothing in this local law prohibits the department from requiring an icon or warning statement regarding additional foods, ingredients, or nutrients of concern.

§ 2. This local law takes effect no later than one year after the expiration of the declaration of the local state of emergency for COVID-19 declared in emergency executive order number 98 of Mayor Bill de Blasio, dated March 12, 2020, including any subsequent extensions.

MARK D. LEVINE, *Chairperson*; MATHIEU EUGENE; INEZ D. BARRON ALICKA AMPRY-SAMUEL, ROBERT F. HOLDEN, KEITH POWERS, DARMA V. DIAZ, SELVENA N. BROOKS-POWERS; OSWALD FELIZ; Committee on Health, December 14, 2021 (Remote Hearing).

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

Report of the Committee on Housing and Buildings

Report for Int. No. 2246-A

Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law in relation to the establishment of a task force to study and make recommendations regarding the potential conversion of vacant or commercially unviable office space to other uses.

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on March 25, 2021 (Minutes, page 777), respectfully

REPORTS:

Introduction

On December 14, 2021, the Committee on Housing and Buildings, chaired by Council Member Robert E. Cornegy, Jr., held a hearing on Int. No. 2246-A, A Local Law in relation to the establishment of a task force to study and make recommendations regarding the potential conversion of vacant or commercially unviable office space to other uses; Int. No. 2265-B, A Local Law to amend the administrative code of the city of New York, in relation to stove safety knobs; Int. No. 2411-A, A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to enforcement provisions of the zoning resolution related to eligibility requirements with respect to the development, acquisition, rehabilitation, preservation, sale or rental of affordable housing administered by the department of housing preservation and development; Int. No. 2449-A, A Local Law to amend the administrative code of the city of New York, in relation to penalties for failing to certify correction of immediately hazardous conditions and the reinspection of immediately hazardous conditions at construction sites; Int. No. 2476, in relation to exemption from taxation of alterations and improvements to multiple dwellings; and Res. No. 1840-A, calling upon the New York State Legislature to pass and the Governor to sign A.5573/S.3082, in relation to prohibiting eviction without good cause. Int. No. 2246-A, Int. No. 2411-A, and Int. No. 2449-A were first heard on November 9, 2021. More information about those bills, together with materials for that hearing, can be found at <https://on.nyc.gov/3DL8OAP>. Int. No. 2265-B was first heard on September 13, 2021. More information about that bill, together with materials for that hearing, can be found at <https://on.nyc.gov/3plxSDz>. Int. No. 2476 was first heard on November 29, 2021 as a

preconsidered item. More information about that bill, together with materials for that hearing, can be found at <https://on.nyc.gov/3IH8wOV>.

Legislation

Int. No. 2246-A

Int. No. 2246-A would establish an Office Conversions Task Force (“Task Force”) to study options and make recommendations for converting vacant or commercially unviable office space into other uses, including affordable housing. The Task Force would be comprised of the Commissioner of Housing Preservation and Development (“HPD”), the Director of the Department of City Planning (“DCP”), the President of the Economic Development Corporation, and the Commissioner of Buildings, or their respective designees. Additionally, the Task Force would include eight appointed members with knowledge or expertise relevant to office conversions: one by the Speaker of the Council, one by the Public Advocate, and six by the Mayor, at least one of whom must be a union representative. The Task Force would be required to consider such factors as the potential effects on health and welfare, and economic implications of such conversion. The Task Force would be required to report its findings and recommendations to the Mayor, Speaker, and Public Advocate no later than two years from the effective date, and would terminate upon submission of its report.

This legislation would take effect immediately.

Int. No. 2265-B

Local Law 117 of 2018 (“Local Law 117”) amended the Housing Maintenance Code to require the provision of stove knob covers to tenants of multiple dwellings in which a child under the age of six resides. Int. No. 2265-B gives the landlord of a unit covered by Local Law 117 the option of providing a tenant either with stove knob covers or replacement locking stove knobs. This bill also requires landlords to keep records of outreach to tenants regarding the provision of either stove knob covers or replacement locking stove knobs as required by Local Law 117 and this local law.

This legislation would take effect 180 days after becoming law.

Int. No. 2411-A

Int. No. 2411-A would authorize HPD to enforce the affordable housing provisions placed within HPD’s responsibility in accordance with the Zoning Resolution, and provide procedures by which enforcement is to take place. This bill would establish the manner in which HPD is empowered to enforce the provisions of the Zoning Resolution related to affordable housing programs administered by HPD. HPD would be empowered to take action through proceedings in the Office of Administrative Trials and Hearings (“OATH”), civil judicial proceedings, HPD investigations, appointing an authorized monitor, or certain other special remedies. This bill would require HPD to promulgate rules that specifically prohibit: (1) occupancy of an affordable housing unit by other than a qualifying household; (2) unlawful configuration, distribution, sizing or use of an affordable housing unit; (3) charging unlawful monthly rent or fees for an affordable housing unit; (4) filing a certification of correction of a violation or a statement that an unlawful use or condition has been corrected or did not exist that contains material misstatements of fact; (5) failing to comply with an order issued by HPD under its Inclusionary Housing Program enforcement authority; (6) charging of an unlawful sales price or fees for an affordable housing unit; (7) failing to comply with primary residence requirements; and (8) unlawful restriction of access to the premises.

This legislation would take effect 180 days after becoming law.

Int. No. 2449-A

Int. No. 2449-A would limit penalties issued by the New York City Department of Buildings (“DOB”) for failure to certify correction and re-inspection requirements to construction sites only, and specifically creates an exception for one- to four-family homes from these two requirements. Additionally, this bill would allow that, for one- to two-family homes, DOB can issue a request to correct in lieu of a notice of violation, provided that property hadn’t received a DOB violation in the previous five years, and that the violating condition is not an illegal conversion or an immediately hazardous violation that led to death or serious injury. This bill would enable DOB to refocus its enforcement efforts from one- to four-family homes to the construction sites that pose true safety risks.

This legislation would take effect 120 days after becoming law.

Int. No. 2476

Int. No. 2476 would extend the J-51 tax exemption and abatement program through June 30, 2022. This legislation would take effect immediately.

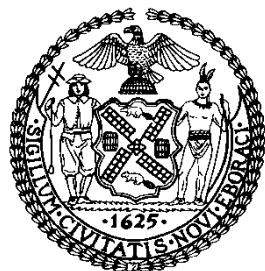
Res. No. 1840-A

Res. No. 1840-A would call on the New York State Legislature to pass, and the Governor to sign, A.5573/S.3082, in relation to prohibiting eviction without good cause.

Update

On Tuesday, December 14, 2021, the Committee adopted Int. No. 2246-A, Int. No. 2265-B, Int. No. 2411-A, Int. No. 2449-A, by a vote of eight in the affirmative, zero in the negative, and zero abstentions. The Committee adopted Int. No. 2476 by a vote of seven in the affirmative, one in the negative, and zero abstentions. The Committee adopted Res. No. 1840-A by a vote of six in the affirmative, one in the negative, and one abstention.

(The following is the text of the Fiscal Impact Statement for Int. No. 2246-A:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INT. NO: 2246-A
COMMITTEE: Housing and Buildings**

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the establishment of a task force to study options and make recommendations regarding the potential conversion of vacant or commercially unviable office space to other uses.

SPONSORS: Council Members Brannan, Yeger, Kallos, Rosenthal, Perkins, Louis, Koslowitz, Riley, Levine, Moya, Ampry-Samuel, Gjonaj, and Dinowitz.

SUMMARY OF LEGISLATION: Proposed Int. No. 2446-A would establish an Office Conversions Task Force (“Task Force”) to study options and make recommendations for converting vacant or commercially unviable office space to other potential uses, including affordable housing. The Task Force would be comprised of the Commissioner of the Department of Housing Preservation and Development (“HPD”), the Director of the

Department of City Planning (“DCP”), the President of the Economic Development Corporation, the Commissioner of the Department of Buildings, or their respective designees. Additionally, the Task Force would include eight appointed members with knowledge or expertise relevant to office conversions: one by the Speaker of the Council, one by the Public Advocate, and six by the Mayor, at least one of whom must be a union representative. The Task Force would be required to report its findings and recommendations to the Mayor, the Speaker and the Public Advocate no later than two years after the effective date of this local law and would publish the report on HPD and DCP’s websites.

EFFECTIVE DATE: This local law would take effect immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: John Basile, Senior Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was first introduced to the Council as Intro. No. 2246 on March 25, 2021 and referred to the Committee on Housing and Buildings (Committee). A hearing was held by the Committee on November 9, 2021, and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 2246-A, will be considered by the Committee on December 14, 2021. Upon a successful vote by the Committee, Proposed Int. No. 2246-A will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 13, 2021.

(For text of Int. Nos. 2265-B, 2411-A, 2449-A and 2476 and their Fiscal Impact Statements, please see the Report of the Committee on Housing and Buildings for Int. Nos. 2265-B, 2411-A, 2449-A, and 2476, respectively, printed in these Minutes; for text of Res. No. 1840-A, please see the Report of the Committee on Housing and Buildings for Res. No. 1840-A printed in the voice-vote Resolutions Calendar of these Minutes; for text of Int. No. 2246-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 2246-A, 2265-B, 2411-A, 2449-A, 2476 and Res. No. 1840-A.

(The following is the text of Int. No. 2246-A:)

Int. No. 2246-A

By Council Members Brannan, Yeger, Kallos, Rosenthal, Perkins, Louis, Koslowitz, Riley, Levine, Moya, Ampry-Samuel, Gjonaj, Dinowitz, Gennaro and Rose.

A Local Law in relation to the establishment of a task force to study and make recommendations regarding the potential conversion of vacant or commercially unviable office space to other uses

Be it enacted by the Council as follows:

Section 1. Definitions. For purposes of this local law, the term “task force” means the office conversions task force established by this local law.

§ 2. Task force established. There is hereby established a task force to be known as the office conversions task force.

§ 3. Duties. The task force shall study the potential for the conversion of vacant or commercially unviable office space in the city to other uses including, but not limited to, affordable housing, and shall make recommendations for legislation and policy in furtherance of that objective. The recommendations shall take into account potential effects on the health and welfare of persons in the city, implications for business and economic activity within the city, consistency with other plans and policies for the districts and neighborhoods in which such office buildings are located, the projected estimated costs to the city of implementing any recommendations, anticipated effects on stakeholders, and any other considerations the task force determines relevant.

§ 4. Membership. a. The task force shall be composed of the following members to be appointed within 150 days of the effective date of this local law:

1. The commissioner of housing preservation and development or such commissioner’s designee;
2. The director of the department of city planning or such director’s designee;
3. The president of a not-for-profit corporation of which a majority of its members are appointed by the mayor that is under contract with the city to provide or administer economic development benefits on behalf of the city or such president’s designee;
4. The commissioner of buildings or such commissioner’s designee;
5. Eight members with experience relevant to studying and making recommendations about the potential for conversion of vacant or commercially unviable office space to other uses, one of whom shall be appointed by the speaker of the council, one of whom shall be appointed by the public advocate, and six of whom shall be appointed by the mayor. At least one of the members appointed by the mayor shall be a representative from a labor union.

b. The mayor shall appoint the chair of the task force. The chair may invite officers and representatives of relevant federal, state, and local agencies and authorities to participate in the work of the task force.

c. 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 60 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, the chair shall convene the first meeting of the task force within 30 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 as appropriate to carry out the duties described in section three.

§ 6. Report. a. No later than 2 years 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 regarding the following:

1. Identification of types of office buildings likely to be unviable as commercial office space in the long term and that could be converted to other uses;
2. The feasibility of converting vacant or commercially unviable office space to other uses;
3. Under what circumstances commercially unviable office conversions to affordable housing units could be implemented, any costs or tradeoffs to the city associated with such conversions and proposals for how to fund or mitigate such costs; and
4. Any zoning or other regulatory provisions that currently impede the conversion of commercial office buildings to other uses such as housing.

b. The report shall include a summary of the information that the task force considered in formulating its recommendations.

c. The chair of the task force shall publish the task force's report electronically on the websites of the department of housing preservation and development and the department of city planning no later than 10 days after its submission to the mayor, the speaker of the council, and the public advocate.

§ 7. Agency support. The task force may request each agency affected by this local law to provide appropriate staff and resources to support the work of the agency related to the task force.

§ 8. Termination. The task force shall terminate after the date on which it submits its report, as required by section six.

§ 9. Effective date. This local law takes effect immediately.

ROBERT E. CORNEGY, Jr., *Chairperson*; FERNANDO CABRERA, MARGARET S. CHIN; HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, MARK GJONAJ, FARAH N. LOUIS; Committee on Housing and Buildings, December 14, 2021. *Other Council Members Attending: Council Member Yeger.*

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

Report for Int. No. 2265-B

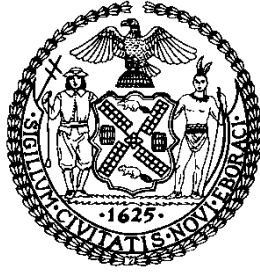
Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to stove safety knobs.

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on April 22, 2021 (Minutes, page 893), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int. No. 2246-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 2265-B:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INT. NO: 2265-B
COMMITTEE: Housing and Buildings

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to stove safety knobs.

SPONSORS: Council Members Cumbo, Chin, Kallos, Louis and Rivera.

SUMMARY OF LEGISLATION: Proposed Int. No. 2265-B would amend the Housing Maintenance Code by requiring owners of units in multiple dwellings to provide to tenants with either permanent stove safety knobs with integrated locking mechanisms or stove knob covers for each knob located on the front of each gas-powered stove at the tenant's option. This bill would also require owners of such units to keep a record of outreach to tenants regarding the installation of permanent stove safety knobs with integrated locking mechanism or stove knob covers.

EFFECTIVE DATE: This local law would take effect 180 days after becoming law, provided that the requirement to provide an annual notice to each tenant of a unit regarding the owner's obligation to provide permanent stove safety knobs with integrated locking mechanisms or stove knob covers shall only apply after such date.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures resulting from the enactment of this legislation as the required costs would be borne by private parties.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: John Basile, Senior Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was first introduced to the Council as Intro. No. 2265 on April 22, 2021 and referred to the Committee on Housing and Buildings (Committee). A hearing was held by the Committee on September 13, 2021 and the bill was laid over. The legislation was subsequently amended twice and the last amended version, Proposed Int. No. 2265-B, will be considered by the Committee on December 14,

2021. Upon a successful vote by the Committee, Proposed Int. No. 2265-B will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 13, 2021.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 2265-B:)

Int. No. 2265-B

By Council Members Cumbo, Chin, Kallos, Louis and Rivera.

A Local Law to amend the administrative code of the city of New York, in relation to stove safety knobs.

Be it enacted by the Council as follows:

Section 1. Section 27-2046.4 of the administrative code of the city of New York, as added by local law number 117 for the year 2018, is amended to read as follows:

§ 27-2046.4 Stovetop protection. a. An owner of a unit in a multiple dwelling, other than a dwelling unit in a multiple dwelling owned as a condominium or cooperative and used as the primary residence of such owner, shall provide *the tenant the option of either permanent stove safety knobs with integrated locking mechanisms or stove knob covers* for each knob located on the front of each gas-powered stove to tenants in each dwelling unit in which the owner knows or reasonably should know a child under six years of age resides, except where such owner has documented proof that there is no available *permanent stove safety knob with an integrated locking mechanism or stove knob cover* that is compatible with [the knobs on] such stove. Such *permanent stove safety knobs with integrated locking mechanisms or stove knob covers* shall be made available within [thirty] 30 days of a request of such [owner providing] *tenant upon receiving* the notice required in subdivision b of this section [unless such owner has previously made such _stove knob covers available to the tenant and the tenant has not requested a replacement].

b. 1. Such owner shall provide an annual notice to each tenant of a unit regarding the owner's obligation to provide *permanent stove safety knobs with integrated locking mechanisms or stove knob covers* pursuant to subdivision a of this section. Such notice shall inform the tenant of [his or her] *the tenant's* option to [refuse] *request permanent stove safety knobs with integrated locking mechanisms or stove knob covers*.

2. Upon being provided with such notice, a tenant [may] *who wants either permanent stove safety knobs with integrated locking mechanisms or stove knob covers* shall notify such owner, in writing[, that such tenant refuses stove knob covers]. If the tenant does not notify the owner, in writing, that the tenant [refuses] *requests permanent stove safety knobs with integrated locking mechanisms or stove knob covers*, the owner will not be obligated to make [the] *either permanent stove safety knobs with integrated locking mechanisms or stove knob covers* available to the tenant pursuant to subdivision a of this section.

3. An owner [will] *shall* keep a record of: (i) *outreach conducted to tenants regarding the installation of permanent stove safety knobs with integrated locking mechanism or stove knob covers*, (ii) written notifications of [refusal of] *request for permanent stove safety knobs with integrated locking mechanisms or stove knob covers* received from a tenant of a dwelling unit, [(ii)] (iii) the owner's attempts to provide *permanent stove safety knobs with integrated locking mechanisms or stove knob covers* to tenants pursuant to subdivision a of this section, [(iii)] (iv) units for which *permanent stove safety knobs with integrated locking mechanisms or stove knob covers* were made available, and [(iv)] (v) tenants who have requested *permanent stove safety knobs with integrated locking mechanisms or stove knob covers*.

c. No owner shall refuse a written request of a tenant of such dwelling unit to provide *either permanent stove safety knobs with integrated locking mechanisms or stove knob covers*, regardless of whether making such *knobs or covers* available is required pursuant to this section.

d. Any owner who is required to provide *permanent stove safety knobs with integrated locking mechanisms or stove knob covers* pursuant to this section who fails to do so shall be liable for a class B hazardous violation,

provided that it shall be an exception to a violation where (i) the owner provides documented proof that there is no available *permanent stove safety knob with an integrated locking mechanism* or stove knob cover that is compatible with [the knobs on] such stove or (ii) the owner has already fulfilled two requests for replacement *permanent stove safety knobs with integrated locking mechanisms* or stove knob covers within the previous year.

§ 2. This local law takes effect 180 days after it becomes law, provided that the requirements of subdivision b of section 27-2046.4 of the administrative code of the city of New York, as amended by section one of this local law, shall only apply to a notice provided after such date.

ROBERT E. CORNEGY, Jr., *Chairperson*; FERNANDO CABRERA, MARGARET S. CHIN; HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, MARK GJONAJ, FARAH N. LOUIS; Committee on Housing and Buildings, December 14, 2021. *Other Council Members Attending: Council Member Yeger.*

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

Report for Int. No. 2411-A

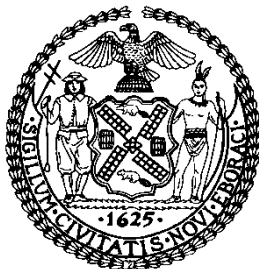
Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to enforcement of provisions of the zoning resolution related to eligibility requirements with respect to the development, acquisition, rehabilitation, preservation, sale or rental of affordable housing administered by the department of housing preservation and development

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on October 7, 2021 (Minutes, page 2629), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int. No. 2246-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 2411-A:



:
**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INT. NO: 2411-A
COMMITTEE: Housing and Buildings**

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to enforcement of provisions of the zoning resolution related to eligibility requirements with respect to the development, acquisition, rehabilitation, preservation, sale or rental of affordable housing

SPONSORS: Council Member Cornegy (by request of the Mayor).

administered by the department of housing preservation and development.

SUMMARY OF LEGISLATION: Proposed Int. No. 2411-A would authorize the Department of Housing Preservation and Development to enforce the affordable housing provisions placed within its responsibility in Zoning Resolution, and provides procedures by which enforcement is to take place. For major violations, a civil penalty of not more than \$25,000 may be imposed for each violation, with an additional \$1,000 penalty for each day the violation is not corrected. For minor violations, a civil penalty of not more than \$10,000 may be imposed for each violation, with an additional \$250 for each 30-day period that the violation is not corrected.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is estimated that there would be no impact on revenues resulting from the enactment of this legislation. While the administering agency is authorized to impose civil penalties with respect to major and minor violations, this estimate assumes full compliant with the provisions of this legislation.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: John Basile, Senior Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was first introduced to the Council as Intro. No. 2411 on October 7, 2021 and referred to the Committee on Housing and Buildings (Committee). A hearing was held by the Committee on November 9, 2021, and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 2411-A, will be considered by the Committee on December 14, 2021. Upon a successful vote by the Committee, Proposed Int. No. 2411-A will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 13, 2021.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 2411-A:)

Int. No. 2411-A

By Council Members Cornegy, Gennaro, Kallos and Rose (by request of the Mayor).

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to enforcement of provisions of the zoning resolution related to eligibility requirements with respect to the development, acquisition, rehabilitation, preservation, sale or rental of affordable housing administered by the department of housing preservation and development

Be it enacted by the Council as follows:

Section 1. Paragraphs (l) and (m) of subdivision 6 of section 1802 of the New York city charter, as amended by a vote of the electors on November 7, 1989, are amended, and a new paragraph (n) is added, to read as follows:

(l) exercise such other powers and duties as may be prescribed by law in relation to the management, demolition or sealing or other treatment of residential real property of the city; [and]

(m) employ professional, community and other personnel to manage residential real property of the city; and

(n) enforce the provisions of the zoning resolution related to eligibility requirements with respect to the development, acquisition, rehabilitation, preservation, sale or rental of affordable housing administered by the department pursuant to such resolution, including, but not limited to, sections 23-90 and 23-154 of the zoning resolution and related provisions of law and rules promulgated pursuant to such sections.

§ 2. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 33 to read as follows:

CHAPTER 33

ENFORCEMENT OF ZONING RESOLUTION PROVISIONS RELATED TO ELIGIBILITY REQUIREMENTS REGARDING THE DEVELOPMENT, ACQUISITION, REHABILITATION, PRESERVATION, SALE OR RENTAL OF AFFORDABLE HOUSING ADMINISTERED BY THE DEPARTMENT

§ 26-3001 *Definitions.* For the purposes of this chapter, the following terms have the following meanings:

Affordable housing unit. The term “affordable housing unit” means a dwelling unit subject to affordability restrictions by the zoning resolution.

Applicable affordable housing provisions. The term “applicable affordable housing provisions” means provisions of the zoning resolution related to eligibility requirements with respect to the development, acquisition, rehabilitation, preservation, sale or rental of affordable housing administered by the department pursuant to such resolution, including, but not limited to, provisions found in sections 23-90 and 23-154 of the zoning resolution, and related provisions of law and rules promulgated pursuant thereto.

Authorized monitor. The term “authorized monitor” means a person, partnership, corporation or other legal entity appointed by the department pursuant to contract to ensure that unlawful conduct under this chapter has been corrected. The department shall, through standards imposed by means of procurement, ensure that such person, partnership, corporation or other legal entity is subject to appropriate eligibility criteria, training requirements and grounds for revoking monitoring authority.

Building. The term “building” has the same meaning as set forth in section 28-101.5.

Commissioner. The term “commissioner” means the commissioner of the department or the commissioner’s designee.

Department. The term “department” means the department of housing preservation and development or its successor agency or designee.

Owner. The term “owner” means any person, agent, firm, partnership, corporation or other legal entity having a legal or equitable interest in, or control of, the premises, or their successors.

Premises. The term “premises” has the same meaning as set forth in section 28-101.5.

Qualifying household. The term “qualifying household” has the same meaning as set forth in section 23-911 of the zoning resolution.

Regulatory agreement. The term “regulatory agreement” has the same meaning as set forth in section 23-911 of the zoning resolution.

Zoning resolution. The term “zoning resolution” means the New York city zoning resolution.

§ 26-3002 *General.* The department shall enforce compliance with applicable affordable housing provisions, as provided in this chapter and the rules of the department.

§ 26-3003 *Methods of enforcement.* The commissioner may use any of the methods set forth in this chapter to enforce compliance with applicable affordable housing provisions, including, but not limited to:

- a. Proceedings before an administrative tribunal within the jurisdiction of the office of administrative trials and hearings for the recovery of civil penalties for violations;
- b. Civil judicial proceedings for the recovery of civil penalties or injunctive relief or both for violations, and for the enforcement of orders issued by the commissioner;
- c. Investigatory powers as set forth in this chapter;
- d. Appointment of an authorized monitor; and
- e. Other special remedies as set forth in this chapter, the zoning resolution, or other related provisions of law and rules.

§ 26-3004 *Unlawful conduct.* It shall be unlawful to erect, construct, alter, extend, occupy, use, operate, rent or sell any building or premises subject to applicable affordable housing provisions, or to cause or permit same to be done, in conflict with or in violation of any such provisions. It shall be unlawful to fail to comply with an order of the commissioner or to violate any order of the commissioner issued pursuant to this chapter, or to cause or permit same to be done.

§ 26-3005 *Enforcement.* Officers and employees of the department and of other city agencies designated by the commissioner shall have the power to issue notices of violation, administrative summonses and appearance tickets for violations of applicable affordable housing provisions.

§ 26-3006 *Classification of violations.* The commissioner shall promulgate rules classifying each violation of applicable affordable housing provisions as a major violation or a minor violation. Such classification of violations shall be based upon, but not limited to, such factors as the effect of the violation on neighborhood economic diversity, the public interest or the necessity for economic disincentives.

§ 26-3007 *Rules.* The department shall promulgate rules necessary to effectuate applicable affordable housing provisions. Such rules shall include, but not be limited to, provisions that prohibit the following, which shall constitute violations of section 23-90 or 23-154 of the zoning resolution:

- a. Occupancy of an affordable housing unit by other than a qualifying household;
- b. Unlawful configuration, distribution, sizing or use of an affordable housing unit;
- c. Charging unlawful monthly rent or fees for an affordable housing unit;
- d. Filing a certification of correction of a violation or a statement that an unlawful use or condition has been corrected or did not exist that contains material misstatements of fact;
- e. Failing to comply with an order of the commissioner issued pursuant to this chapter;
- f. Charging unlawful fees or an unlawful sales price for an affordable housing unit;
- g. Failing to comply with primary residence requirements; and
- h. Unlawful restriction of access to the premises.

§ 26-3008 *Civil penalties.* Except as otherwise provided by law, violations of applicable affordable housing provisions shall be punishable by civil penalties in accordance with penalty schedules established by rules promulgated by the department and such schedules shall be within the ranges set forth below:

- a. For major violations, a civil penalty of not more than \$25,000 may be imposed for each violation. In addition to such civil penalty, a separate additional penalty may be imposed of not more than \$1,000 for each day that the violation is not corrected.
- b. For minor violations, a civil penalty of not more than \$10,000 may be imposed for each violation. In addition to such civil penalty, a separate additional penalty may be imposed of not more than \$250 for each 30-day period that the violation is not corrected.
- c. Notwithstanding the assessment of daily penalties, each day that a violation continues shall be a separate and distinct offense.

§ 26-3009 *Enforcement of civil penalty.* The owner, architect, builder, contractor, engineer or any other person who maintains any building, or who erects, constructs, alters, extends, occupies, uses, operates, rents or sells any building or affordable housing unit subject to applicable affordable housing provisions, or assists or

causes same to be done, in conflict with or in violation of any of such provisions, or who fails to comply with an order of the commissioner or violates any order of the commissioner issued pursuant to this chapter, shall be liable for a civil penalty that may be recovered in a proceeding before an administrative tribunal within the jurisdiction of the office of administrative trials and hearings or before a court of competent jurisdiction.

§ 26-3010 Correction order. Each notice of violation, administrative summons or appearance ticket issued pursuant to this chapter shall contain an order of the commissioner directing the respondent to correct the condition constituting the violation and to file with the department electronically, or in such other manner as the department may authorize by rule, a certification that the condition has been corrected. The time for correction of such violation may be as specified by the department in rules.

§ 26-3011 Dismissal. In any proceeding pursuant to this chapter, if the administrative tribunal determines that the commissioner has failed to prove the violation charged, the order requiring the respondent to correct the condition constituting the violation shall be deemed dismissed.

§ 26-3012 Failure to comply. Failure to comply with an order of the commissioner issued pursuant to this chapter to correct and to certify correction of a violation within the applicable time period shall be a violation of this chapter for which a civil penalty of not more than \$10,000 may be imposed in addition to the penalties that may be or have been imposed for the violation referred to in such order. Upon application, for good cause, the commissioner may extend the time for filing the certification of correction of a violation.

§ 26-3013 Material misstatements of fact. For the purposes of this chapter, if there is a finding that a certification of correction filed pursuant to section 26-3010 or a statement filed pursuant to subdivision c of section 26-3016 contained material misstatements of fact relating to the correction or existence of a violation, such certification of correction or statement shall be deemed null and void and the penalties set forth in this chapter for the violation may be imposed as if such false certification or statement had not been filed with and accepted by the department. It shall be an affirmative defense that the respondent neither knew nor should have known that such material misstatements of fact in such certification of correction or statement were false.

§ 26-3014 Orders. a. The commissioner may issue an order to the persons responsible for any unlawful use or condition relating to applicable affordable housing provisions in any premises, directing such person to correct the unlawful use or condition. Each such order shall have the commissioner's signature affixed thereto, provided, however, that the commissioner may authorize an officer or employee of the department to affix such signature, including an electronic signature.

b. All orders issued by the commissioner shall contain a description of the building or subject matter affected, and shall be designated by address, where applicable. All such orders shall be served by regular mail or, upon consent, electronically. Such orders may be served by any officer or employee of the department, or of any agency authorized by the department. Failure to comply with a commissioner's order within the time stated in the order shall be a violation of this chapter punishable by a civil penalty of not more than \$10,000. Proof of compliance with a commissioner's order shall consist of certification as prescribed by the rules of the department.

§ 26-3015 Power to hold investigatory hearings; subpoena power; production of documents. The department may investigate any matter within its jurisdiction pursuant to this chapter and shall have full power to compel the attendance, to examine and take testimony under oath of such persons as it may deem necessary in relation to such investigation, and to require the production of books, accounts, papers and other evidence relevant to such investigation.

§ 26-3016 Commissioner's request for corrective action. a. As an alternative to the issuance of an order or notice of violation, administrative summons or appearance ticket, the commissioner may issue a request for corrective action to any person responsible for any claimed violation of applicable affordable housing provisions. Each request for corrective action shall have the commissioner's signature affixed thereto; but the commissioner may authorize an officer or employee of the department to affix such signature, including an electronic signature.

b. A request for corrective action issued pursuant to subdivision a shall contain a description of the building, premises, affordable housing unit or subject matter affected, which shall be designated by address, where applicable, and shall be sent by regular mail or, upon consent, electronically to the owner, lessee, person in charge, or occupant of the building or to any person responsible for the unlawful use or condition at the last known address for such person. Requests for corrective action may be sent to a managing agent or other person specifically designated by the owner to attend to such requests on behalf of the owner. Each such request shall

describe the violation of applicable affordable housing provisions and call upon the person addressed to correct it and to inform the department of the action taken. A time for correction or response shall be specified on the request for corrective action.

c. The department shall keep a record, available to the public, of requests for corrective action issued pursuant to this chapter. The record of a request for corrective action shall be reflected as withdrawn upon submission to the department of a statement in a form prescribed by rule indicating that the use or condition has been corrected or did not exist, or following an inspection or investigation by the department that confirms correction. A request for corrective action may be issued in response to a complaint, investigation or inspection. Nothing in this section shall be construed to require that the commissioner issue a request for corrective action as a prerequisite to any other enforcement action.

§ 26-3017 Inspection. a. An authorized representative of the department may, consistent with applicable law and in accordance with rules of the department, enter a building or premises described in the notice of violation or request for corrective action and access any records of the owner related to unlawful conduct under this chapter to confirm that such violation has been corrected.

b. The commissioner may delegate to authorized monitors the authority to carry out inspections pursuant to this chapter or any rule promulgated pursuant thereto and report their findings to the department.

c. The cost of inspections pursuant to this chapter shall be paid by the owner.

§ 26-3018 Judicial proceedings. a. The owner, architect, builder, contractor, engineer or any other person who maintains any building or premises, or who erects, constructs, alters, extends, occupies, uses, operates, rents or sells any building, premises or affordable housing unit subject to applicable affordable housing provisions, or assists or causes same to be done, in conflict with or in violation of any of such provisions, or who fails to comply with an order of the commissioner or violates any order of the commissioner issued pursuant to this chapter, shall be subject to an action or proceeding to restrain, correct or abate such violation, or to compel compliance with such order. Upon request of the commissioner, the corporation counsel may institute judicial actions or proceedings seeking such relief. In addition to any other remedies, in any such action or proceeding, the defendant or respondent shall be subject to the payment of civil penalties as provided in this chapter.

b. Such actions and proceedings may be instituted by the corporation counsel in the name of the city in any court of competent jurisdiction in such city. In such actions or proceedings, the city may apply for restraining orders, preliminary injunctions or other provisional remedies and no undertakings shall be required as a condition to the granting or issuing of any such order, injunction or remedy, or by reason thereof.

§ 26-3019 Regulatory agreement. The commissioner may take any actions necessary to enforce the provisions of any regulatory agreement recorded in accordance with section 23-953 of the zoning resolution or any successor provision. Such actions may include seeking the imposition of penalties or injunctive relief.

§ 26-3020 Appeals to board of standards and appeals. Any order, requirement, decision or determination of the commissioner made pursuant to provisions of the zoning resolution related to the construction or renovation of affordable housing, including, but not limited to, sections 23-96(c) and 23-94(f) of the zoning resolution, and related provisions of law and rules promulgated thereto, shall be subject to review by the board of standards and appeals in the same manner and with the same effect as determinations of the commissioner of buildings with respect to such matters pursuant to section 666 of the New York city charter.

§ 3. This local law takes effect 180 days after it becomes law, provided, however, that the commissioner of housing preservation and development may take any actions, including the promulgation of rules, for its implementation prior to such effective date.

ROBERT E. CORNEGY, Jr., *Chairperson*; FERNANDO CABRERA, MARGARET S. CHIN; HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, MARK GJONAJ, FARAH N. LOUIS; Committee on Housing and Buildings, December 14, 2021. *Other Council Members Attending: Council Member Yeger.*

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

Report for Int. No. 2449-A

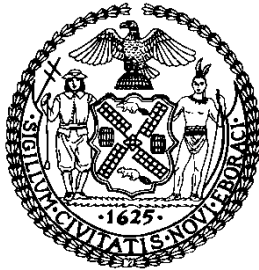
Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to enforcement of provisions of the zoning resolution related to eligibility requirements with respect to the development, acquisition, rehabilitation, preservation, sale or rental of affordable housing administered by the department of housing preservation and development.

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on November 10, 2021 (Minutes, page 3107), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int. No. 2246-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 2449-A:



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INT. NO: 2449-A
COMMITTEE: Housing and Buildings**

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to penalties for failing to certify correction of immediately hazardous conditions and the reinspection of immediately hazardous conditions at construction sites, and penalties for one to four family homes.

SPONSORS: Council Members Gibson, Van Bramer, Gjonaj, Cornegy, and Brannan.

SUMMARY OF LEGISLATION: Proposed Int. No. 2446-A would clarify Department of Buildings (“DOB”) enforcement requirements with respect to one- to four-family homes. This bill would allow DOB to issue a request for corrective action in lieu of a notice of violation to one- and two-family homes, with some exceptions. This bill clarifies that the penalty issued for failure to submit a certification of correction of an immediately hazardous violation and the re-inspection requirement for such violation apply only at construction sites, and do not apply to one- to four-family homes.

EFFECTIVE DATE: This local law would take effect 120 days after becoming law

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: John Basile, Senior Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was first considered by the Committee on Housing and Buildings (the "Committee") on November 9, 2021 as a Pre-considered Introduction and the bill was laid over. Following the Committee hearing, the legislation was introduced to the full Council on November 10, 2021 as Int. No. 2449 and was referred to the Committee. The legislation was subsequently amended and the amended version, Proposed Int. No. 2449-A, will be considered by the Committee on December 14, 2021. Upon a successful vote by the Committee, Proposed Int. No. 2449-A will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 13, 2021.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 2449-A:)

Int. No. 2449-A

By Council Members Gibson, Van Bramer, Gjonaj, Cornegy, Brannan, Yeger, Gennaro, Kallos, Louis and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to penalties for failing to certify correction of immediately hazardous conditions and the reinspection of immediately hazardous conditions at construction sites

Be it enacted by the Council as follows:

Section 1. Section 28-208.1.3 of the administrative code of the city of New York is renumbered section 28-208.3.

§ 2. Article 208 of chapter 2 of title 28 of the administrative code of the city of New York is amended to add a new section 28-208.2 to read as follows:

§ 28-208.2 Issuing requests for corrective action to one and two-family homes. *A request for corrective action, in lieu of a notice of violation, may be issued to the owners of one- and two-family homes where a notice of violation has not been issued at the property within the past five years. A waiver of department penalties, which may include department penalties for performing work without a permit or any other penalties that must be paid before a permit may be issued by the department, may be made available to owners of one-and two-family homes who seek to correct conditions identified in a request for corrective action issued by the department. Additional*

parameters regarding issuing requests for corrective action to the owners of one- and two-family homes may be established by the department by rule.

Exceptions: *This section shall not apply to immediately hazardous violations for illegal conversions as described in section 28-210.1 and immediately hazardous violations that led to death or serious injury.*

§ 3. Section 28-219.1 of the administrative code of the city of New York, as added by chapter 250 of the laws of 2009 and renumbered by local law number 51 for the year 2014, is amended to read as follows:

§ 28-219.1 Department penalty for failure to certify correction. In addition to any penalties otherwise authorized by law pursuant to article 202 and the rules of the department, whenever any person fails to submit certification of correction of an immediately hazardous violation *issued with respect to an immediately hazardous condition at a construction site* that poses a threat of imminent danger to public safety or property, as required by an order issued pursuant to section 28-204.2, a penalty shall be paid to the department in the amount of [not less than one thousand five hundred dollars or more than five thousand dollars] *no more than \$5,000*. No permit or certificate of occupancy shall be issued and no stop work order may be rescinded at the property named in the order until such penalty is paid to the department. Failure to pay such penalty shall not prevent the issuance of a permit for work to be performed pursuant to articles 215 or 216 of this chapter.

Exception: *Department penalties for failure to certify correction shall not apply to one- to four-family homes.*

§ 4. Section 28-219.2 of the administrative code of the city of New York, as added by chapter 250 of the laws of 2009 and renumbered by local law 51 for the year 2014, is amended to read as follows:

§ 28-219.2 Reinspection. Where an immediately hazardous condition *at a construction site* has been identified as posing a threat of imminent danger to public safety or property and a violation has been issued, the commissioner shall re-inspect the condition that gave rise to the violation within 60 days of the date of the notice of a violation, unless:

1. A certification of the correction of the condition has been filed in the manner and form prescribed by the department;
2. The person to whom the violation has been directed has obtained an extension of time for filing the certificate of correction of the violation from the commissioner in accordance with section 28-204.4 and with any applicable rules of the department, and said extension of time to file has not yet expired; [or]
3. The condition has been corrected in the presence of the commissioner.

Exception: *One- to four-family homes shall not be subject to the re-inspection requirement of this section for the same condition that gave rise to the notice of violation, provided that this exception shall not be construed to limit the power of the commissioner to inspect such home for any other non-compliant condition or to issue a violation for such other non-compliant condition.*

§ 5. Article 219 of title 28 of the administrative code of the city of New York is amended by adding new sections 28-219.5 and 28-219.6 to read as follows:

§ 28-219.5 Definition. *For the purposes of this article, the term “construction site” shall mean a building or site with a permit issued by the department to perform construction work.*

§ 28-219.6 Other remedies not precluded. *Nothing in this article shall be construed to limit the power of the commissioner to take any other action authorized by this code with respect to any unlawful use or condition.*

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

ROBERT E. CORNEGY, Jr., *Chairperson*; FERNANDO CABRERA, MARGARET S. CHIN; HELEN K. ROSENTHAL, BARRY S. GRODENCHIK, MARK GJONAJ, FARAH N. LOUIS; Committee on Housing and Buildings, December 14, 2021. *Other Council Members Attending: Council Member Yeger.*

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

Report for Int. No. 2476

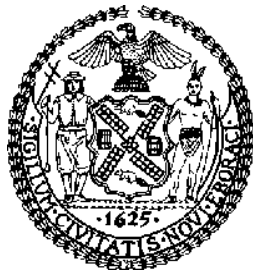
Report of the Committee on Housing and Buildings in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to exemption from taxation of alterations and improvements to multiple dwellings.

The Committee on Housing and Buildings, to which the annexed proposed amended local law was referred on December 9, 2021 (Minutes, page 3877), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int. No. 2246-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 2476:



**THE COUNCIL OF THE CITY OF
NEW YORK FINANCE DIVISION
LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INT. NO: 2476
COMMITTEE: Housing and Buildings**

TITLE: A Local Law to amend the administrative code of the city Council of New York, in relation to exemption from taxation of alterations and improvements to multiple dwellings.

SPONSORS: Council Members Yeger, Grodenchik, Cornegy, Vallone and Riley.

SUMMARY OF LEGISLATION: Proposed Int. No. 2476 would extend the J-51 tax exemption and abatement program through June 30, 2022.

EFFECTIVE DATE: Immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures resulting from the enactment of this legislation because the department would utilize existing resources to implement 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: John Basile, Senior Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was first considered by the Committee on Housing and Buildings (the Committee) on November 29, 2021 as a Pre-considered Introduction and the bill was laid over. Following the Committee hearing, the legislation was introduced to the full Council on December 9, 2021 as Int. No. 2476 and was referred to the Committee. Proposed Int. No. 2476 will be considered by the Committee on December 14, 2021. Upon a successful vote by the Committee, Proposed Int. No. 2476 will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 15, 2021.

Accordingly, this Committee recommends its adoption.

(The following is the text of Int. No. 2476:)

Int. No. 2476

By Council Members Yeger, Grodenchik, Cornegy, Vallone, Riley, Louis, Gennaro and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to exemption from taxation of alterations and improvements to multiple dwellings

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 11-243 of the administrative code of the city of New York, as amended by local law number 23 for the year 2020, is amended to read as follows:

b. Subject to the limitations provided in subdivision d of this section and the restrictions in this section on conversion of buildings used in whole or in part for single room occupancy, any increase in the assessed valuation of real property shall be exempt from taxation for local purposes to the extent such increase results from the reasonable cost of: (1) the conversion of a class B multiple dwelling to a class A multiple dwelling except insofar

as the gross cubic content of such building is increased thereby; or (2) the conversion of any nonresidential building or structure situated in the county of New York to a class A multiple dwelling except insofar as the gross cubic content of such building is increased; or (3) the conversion of any nonresidential building or structure situated in the counties of Bronx, Kings, Queens or Richmond to a class A multiple dwelling except insofar as the gross cubic content of such building or structure is increased thereby; or (4) alterations or improvements to the exterior of an otherwise eligible building or structure visible from a public street pursuant to a permit issued by the landmarks commission with respect to a designated historic or landmark site or structure; or (5) alterations or improvements constituting a moderate rehabilitation of a substantially occupied class A multiple dwelling except insofar as the gross cubic content of such building or structure is increased thereby; or (6) alterations or improvements to an otherwise eligible building or structure commenced after January first, nineteen hundred eighty designed to conserve the use of fuel, electricity or other energy sources or to reduce demand for electricity, including the installation of meters for purposes of measuring the amount of electricity consumed for each dwelling unit, and conversions of direct metering to a system that includes a master meter and submeters in any cooperative, condominium, or housing development fund company organized under article eleven of the private housing finance law; or (7) alterations or improvements to existing dwellings to eliminate existing unhealthy or dangerous conditions in any such existing dwelling or replace inadequate and obsolete sanitary facilities in any such existing dwelling, any of which represents fire or health hazards, including as improvements asbestos abatement to the extent such asbestos abatement is required by federal, state or local law, except insofar as the gross cubic content of such existing dwelling is increased thereby; or (8) conversion of residential units qualified for the protection of article seven-C of the multiple dwelling law in buildings or portions thereof registered with the New York city loft board as interim multiple dwellings pursuant to such article to units which are in compliance with the standards of safety and fire protection set forth in article seven-B of the multiple dwelling law or to units which have a certificate of occupancy as class A multiple dwellings; or (9) alterations or improvements commenced on or after September first, nineteen hundred eighty-seven constituting a substantial rehabilitation of a class A multiple dwelling, or a conversion of a building or structure into a class A multiple dwelling, as part of a program to provide housing for low and moderate income households as defined by the department of housing preservation and development pursuant to the rules and regulations promulgated pursuant to subdivision m of this section, provided that such alterations or improvements or conversions shall be aided by a grant, loan or subsidy from any federal, state or local agency or instrumentality, including, in the discretion of the department of housing preservation and development, a subsidy in the form of a below market sale from the city of New York; or (10) alterations or improvements to any private dwelling or conversion of any private dwelling to a multiple dwelling or conversion of any multiple dwelling to a private dwelling, provided that such alterations, improvements or conversions are part of a project that has applied for or is receiving benefits pursuant to this section and shall be aided by a grant, loan or subsidy from any federal, state or local agency or instrumentality. Such conversions, alterations or improvements shall be completed within thirty months after the date on which same shall be started except that such thirty month limitation shall not apply to conversions of residential units which are registered with the loft board in accordance with article seven-C of the multiple dwelling law pursuant to paragraph eight of this subdivision. Notwithstanding the foregoing, a sixty-month period for completion shall be available for alterations or improvements undertaken by a housing development fund company organized pursuant to article eleven of the private housing finance law, which are carried out with the substantial assistance of grants, loans or subsidies from any federal, state or local governmental agency or instrumentality or which are carried out in a property transferred from the city of New York if alterations and improvements are completed within seven years after the date of transfer. In addition, the department of housing preservation and development may grant an extension of the period of completion for any project carried out with the substantial assistance of grants, loans or subsidies from any federal, state or local governmental agency or instrumentality, if such alterations, improvements or conversions are completed within sixty months from commencement of construction. Provided, further, that such conversions, alterations or improvements shall in any event be completed prior to June thirtieth, two thousand [twenty] *twenty-two*. Exemption for conversions, alterations or improvements pursuant to paragraph one, two, three, four, six, seven, eight or ten of this subdivision shall continue for a period not to exceed fourteen years and begin no sooner than the first tax period immediately following the completion of such conversions, alterations or improvements. Exemption for alterations or improvements pursuant to paragraph five or nine of this subdivision shall continue for a period not to exceed thirty-four years and shall begin no sooner than the first tax period immediately following the

completion of such alterations or improvements. Such exemption shall be equal to the increase in the valuation, which is subject to exemption in full or proportionally under this subdivision for ten or thirty years, whichever is applicable. After such period of time, the amount of such exempted assessed valuation of such improvements shall be reduced by twenty percent in each succeeding year until the assessed value of the improvements is fully taxable. Provided, however, exemption for any conversions, alterations or improvements, which are aided by a loan or grant under article eight, eight-A, eleven, twelve, fifteen, or twenty-two of the private housing finance law, section six hundred ninety-six-a or section ninety-nine-h of the general municipal law, or section three hundred twelve of the housing act of nineteen hundred sixty-four (42 U.S.C.A. 1452b), or the Cranston-Gonzalez national affordable housing act, (42 U.S.C.A. 12701 et seq.), or started after July first, nineteen hundred eighty-three by a housing development fund company organized pursuant to article eleven of the private housing finance law which are carried out with the substantial assistance of grants, loans or subsidies from any federal, state or local governmental agency or instrumentality or which are carried out in a property transferred from the city of New York and where alterations and improvements are completed within seven years after the date of transfer may commence at the beginning of any tax period subsequent to the start of such conversions, alterations or improvements and prior to the completion of such conversions, alterations or improvements. The assessed valuation of the land occupied by such dwelling and any increase in assessed valuation resulting from conversions, alterations, or improvements other than those made pursuant to this section shall not be affected by the provisions of this section.

§ 2. This local law takes effect immediately.

ROBERT E. CORNEGY, Jr., *Chairperson*; FERNANDO CABRERA, MARGARET S. CHIN; BARRY S. GRODENCHIK, MARK GJONAJ, FARAH N. LOUIS; Committee on Housing and Buildings, December 14, 2021. *Other Council Members Attending: Council Member Yeger.*

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

Report of the Committee on Mental Health, Disabilities, and Addiction

Report for Int. No. 2005-A

Report of the Committee on Mental Health, Disabilities and Addiction in favor of approving and adopting, as amended, a Local Law in relation to reporting on the mental health of New Yorkers during the COVID-19 public health crisis.

The Committee on Mental Health, Disabilities and Addiction, to which the annexed proposed amended local law was referred on July 28, 2020 (Minutes, page 1393), respectfully

REPORTS:

I. Introduction

On December 14, 2021, the Committee on Mental Health, Disabilities, and Addiction, chaired by Council Member Farah Louis, considered Introduction Number 2005-A (Int. No. 2005-A), sponsored by Council Member Louis. The legislation was previously heard at a hearing of this Committee on September 22, 2020, at which the Committee received testimony from New York City Department of Health and Mental Hygiene

(DOHMH), ThriveNYC, and other interested parties. On December 14, 2021, the Committee passed this legislation by a vote of six in the affirmative, zero in the negative and zero abstentions.

II. Background

Effects of COVID-19 on Mental Health

COVID-19 has brought many emotional anxiety and socioeconomic uncertainties. The fear of contracting coronavirus—a deadly disease that has killed hundreds of thousands of people—has been compounded by the ripple effects of the pandemic on daily life.¹ For many, these concerns include exposure to infected sources, infected family members, loss of loved ones, school closures and the pressures of homeschooling children, the loss of childcare, job loss and economic insecurity, home confinement issues ranging from social and emotional isolation to domestic violence concerns, the inability to effectively manage preexisting physical or psychological conditions, inadequate access to supplies such as groceries and money for rent and utilities, loss of employer sponsored healthcare resulting in the lack of prescription medications, and an overall shortage of pandemic related resources such as timely testing and access to personal protective equipment (PPE) for essential workers.² According to the *New England Journal of Medicine*, these daily pressures “undoubtedly contribute to widespread emotional distress and increased risk for psychiatric illnesses” associated with and attributable to COVID-19.³

For many, the fundamental challenges associated with the pandemic are compounded by various state and local stay-at-home and quarantine orders that have resulted in a variety of psychosocial stressors including feelings of fear, frustration, confusion, and anger due in large part to the indefinite nature and unknown scope of the crisis.⁴ Absent a national plan to address COVID-19, “conflicting messages from government and public health authorities” have served to heighten already inherent uncertainties of the pandemic, thereby serving to increase emotional stress, rather than alleviate it.⁵

Whereas after a conventional disaster, some people emerge more resilient having found a renewed sense of inner strength and resolve, the seemingly unending nature of this pandemic has served to provoke vulnerable communities.⁶ This is especially true for those living with substance use disorders and mental health diagnoses who, in the absence of access to regular care, may be more prone to emotional distress and relapse.⁷ Prior to COVID-19, nearly one in five American adults reported having a mental illness, serious mental illness or major depressive episode within the past year.⁸ For many, the COVID-19 pandemic has served to exacerbate pre-existing mental health and substance use disorders.⁹ According to a July 2020 Kaiser Family Foundation (KFF) Tracking Poll, 53 percent of adults in the United States reported that their mental health has been negatively impacted due to worry and stress over COVID-19, which is a significantly higher number than the 32 percent previously reported in March (See Figure 1 below).¹⁰ Survey respondents attributed this increase to a direct result of experiencing isolation due to social distancing, job loss, or negative health consequences during the pandemic which had resulted in “increased depression, anxiety, distress and low self-esteem, which for some led to higher rates of substance use and suicide ideation.”¹¹ Notably, barriers to accessing mental health and substance use disorder services during the pandemic compounded behavioral health problems and a recent study found that

¹ See, e.g., “Coping with Stress,” Centers for Disease Control and Prevention, <https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/managing-stress-anxiety.html#:~:text=Panemics%20can%20be%20stressful,-The%20coronavirus%20disease&text=Fear%20and%20anxiety%20about%20a,can%20increase%20stress%20and%20anxiety.>

² Mental Health and the Covid-9 Pandemic, August 2020, *New England Journal of Medicine*, from <https://www.nejm.org/doi/full/10.1056/NEJMp2008017>

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ Ibid.

⁸ The Implications of COVID-19 for Mental Health and Substance Use, August 2020, from <https://www.kff.org/coronavirus-covid-19/issue-brief/the-implications-of-covid-19-for-mental-health-and-substance-use/>

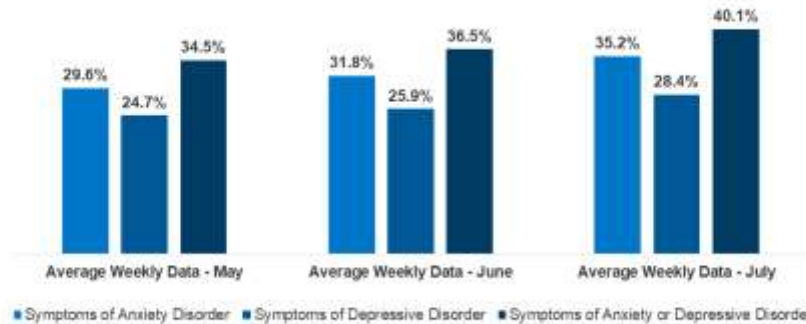
⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

13.3 percent of adults found new or increased substance use to be an effective coping tool for increased stress and anxiety.¹²

Figure 1
Average Share of Adults Reporting Symptoms of Anxiety or Depressive Disorder During the COVID-19 Pandemic, May-July 2020



NOTES: These adults, ages 18+, have symptoms of anxiety or depressive disorder that generally occur more than half the days or nearly every day. Data presented for "symptoms of anxiety or depressive disorder" also includes adults with symptoms of both anxiety and depressive disorder. Data presented for May is the average of the following weeks of data: May 7-12, May 14-19, May 21-26, May 28-June 2. For June, data is the average of June 4-9, June 11-16, June 18-23, and June 25-30; for July, data is the average of July 2-7, July 9-14, and July 16-21 (last week of published data).
SOURCE: U.S. Census Bureau, Household Pulse Survey, 2020.



Effects of COVID-19 on Substance Use Disorder and Overdose Rates

While epidemics have been known to induce general stress across the population, it is likely that mental health challenges and substance use disorder rates will continue to increase among individuals with and without prior histories of behavioral health disorders.¹³ Data collected nationally from ambulance teams, hospitals and police departments indicates that suspected drug overdoses jumped 18 percent in March, 29 percent in April, and 42 percent in May.¹⁴ Suggested causes include the disrupted supply chains, prompting people to seek substances from less familiar suppliers, and social distancing, which has left some to "take drugs alone...making it less likely someone will be there to call 911 or administer Narcan."¹⁵ Additionally, a White House drug policy office analysis showed an 11.4 percent increase in fatalities during the first four months of the year, while a New York Times analysis estimated the increase to be 13 percent.¹⁶ According to the American Medical Association (AMA), while drug overdose deaths in the US fell in 2018 for the first time in years, "as of July 20, 2020 more than 35 states have reported increases in drug-related deaths and other concerns with drug use and mental illnesses...with some municipalities reporting overdose death rates increasing by as much as 60 percent."¹⁷ In response, the AMA urged governors and state legislatures to adopt new Substance Abuse and Mental Health Services Administration (SAMSHA) and Drug Enforcement Administration (DEA) guidelines which include the removal of barriers such as prior authorizations for medications used to treat opioid disorders.¹⁸

¹² Ibid.

¹³ Ibid.

¹⁴ Cries for Help: Drug Overdoses are soaring during the coronavirus pandemic, July 1, 2020, The Washington Post from <https://www.washingtonpost.com/health/2020/07/01/coronavirus-drug-overdose/>

¹⁵ Ibid.

¹⁶ Leaving Jail, Kicking Heroin, and Then Facing the Pandemic, Gothamist, Aug. 13, 2020, <https://gothamist.com/news/leaving-jail-addicts-face-growing-opioid-crisis-during-pandemic>.

¹⁷ American Medical Association Advocacy Research Center, September 8, 2020, Issue brief: Report of increases in opioid-related overdose and other concerns during the COVID pandemic, from <https://www.ama-assn.org/system/files/2020-09/issue-brief-increases-in-opioid-related-overdose.pdf>

¹⁸ Ibid.

In July, respondents to a Siena College Poll reported that 59 percent of New Yorkers have been affected by or “touched” by opioid abuse—up from 54 percent two years ago.¹⁹ According to preliminary New York City Police Department (NYPD) statistics, “while overdoses have fallen overall in the first half of 2020, overdose deaths appear to have significantly increased during this time...” However, DOHMH has stated that it is currently “too soon to tell” if there has been a spike in overdose deaths, due to the way data is tracked using anecdotal evidence rather than real time statistics.²⁰ According to some preliminary statistics, Queens saw a 56 percent spike in overdose deaths during the first five months of the year; Staten Island saw 58 overdose fatalities so far this year, representing an increase from 49 at this time last year.²¹ Additionally, Emergency Medical Technicians in New York City administered opioid overdose-reversal narcotics 23 percent more often than last year.²²

Mental Health and Substance Use Disorder Resources from the State and City

There have been several efforts at both the state and city level to address the increasing mental health and substance use disorder needs of New Yorkers throughout the pandemic.²³ Such efforts have included existing services that received renewed attention and other efforts have included newly created resources²⁴. Those efforts include:

- NYC Well: A free, confidential mental health support system, where users can connect to a counselor via phone, text, or chat and receive access to mental health and substance use services, in more than 200 languages, 24/7/365, operating under Thrive NYC;²⁵
- DOHMH partnered with select CVS and Walgreens pharmacies to give out free naloxone kits to any individuals who requested one, operating under NYC Well;²⁶
- Resources to address the behavioral health needs of New York City veterans, including a partnership between Thrive NYC and the New York City Department of Veterans’ Services to create Mission: VetCheck, an initiative that allows volunteers from the veteran community to make check-in calls to veterans across NYC;²⁷
- The New York State Office of Mental Health (OMH) created an Emotional Support Helpline, which offers free and confidential support to those experiencing increased anxiety due to COVID-19;²⁸
- Additionally, OMH created a guide for managing Stress and Anxiety during the COVID-19 Outbreak;²⁹
- The New York State Office of Addiction Services and Supports compiled a list of addiction treatment centers offering remote addiction support services during the pandemic.³⁰

In addition to these services, many community-based organizations and service providers have successfully shifted their models to offer virtual or socially distanced services to New Yorkers, though many are struggling to transition with limited budgets and shifting health guidelines.

¹⁹ Siena Research Institute: Prescription for Progress Poll, July 19, 2020 from <https://www.timesunion.com/news/article/Siena-poll-More-in-NY-touched-by-opioids-as-15413678.php>

²⁰ Have Drug Overdoses Spiked During the Coronavirus Crisis? It Depends on Who You Ask, June 25, 2020, The Gotham Gazette from <https://www.gothamgazette.com/city/9534-drug-overdoses-spiked-during-coronavirus-pandemic-new-york-city-unclear>

²¹ Leaving Jail, Kicking Heroin, and Then Facing the Pandemic, Gothamist, Aug. 13, 2020, <https://gothamist.com/news/leaving-jail-addicts-face-growing-opioid-crisis-during-pandemic>

²² Leaving Jail, Kicking Heroin, and Then Facing the Pandemic, Gothamist, Aug. 13, 2020, <https://gothamist.com/news/leaving-jail-addicts-face-growing-opioid-crisis-during-pandemic>

²³ See COVID-19 Resources, New York State Office of Mental Health; *see also*, Mental Health & Behavioral Health, DOHMH, <https://omh.ny.gov/omhweb/covid-19-resources.html>

²⁴ *See, e.g.*, Mayor’s Management Report, Sept. 2020, https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2020/2020_mmr.pdf.

²⁵ <https://nycwell.cityofnewyork.us/en/>

²⁶ <https://nycwell.cityofnewyork.us/en/naloxone/>

²⁷ <https://thrivenyc.cityofnewyork.us/mission-vetcheck>

²⁸ <https://omh.ny.gov/omhweb/covid-19-resources.html>

²⁹ <https://omh.ny.gov/omhweb/guidance/covid-19-managing-stress-anxiety.pdf>

³⁰ <https://findaddictiontreatment.ny.gov/>

Issues and Concerns

While there are many concerns surrounding the increased mental health and substance abuse challenges experienced by New Yorkers due to the COVID-19 pandemic, perhaps none are more pressing than the continued need for access to quality behavioral health care.³¹ For many New Yorkers who were seeking treatment, accessing in-person mental health or addiction services treatment has been nearly impossible due to the many physical office closures of mental health providers.³² Additionally, a large number of psychiatric beds in hospitals were shut down to make room for COVID patients, and such departments have not yet returned to full services.³³ While this difficulty accessing in-person services has necessitated an unprecedented effort to offer telehealth services³⁴ – a solution that could be incredibly helpful in the long run – underlying issues surrounding pay rate parity and a dearth of culturally sensitive mental health providers serve as barriers to achieving full, adequate access to quality behavioral health care.³⁵

Many concerns also surround the lack of comprehensive data in New York City, where, unlike other states and jurisdictions, neither the State nor City health departments have collected and published public data about overdose deaths and mental illness rates in 2020.³⁶

Finally, as the City and State face massive budget cuts and cuts to public programming due to the economic downturn, without a guaranteed federal bailout behavioral health services face potential cuts in provision.

III. Legislative Analysis

Int. No. 2005-A

This bill would require the New York City Department of Health and Mental Hygiene (DOHMH) to track and issue a report on the mental health of New Yorkers during the COVID-19 public health emergency. The report would be published every six months and would include: the number of 311 calls relating to mental health; the number of 911 calls relating to mental health emergencies and substance misuse or overdoses; the number of calls received by any mental health hotline maintained by the department or by another agency; the number of hospital admissions for overdoses or that were substance use-related; and any other information regarding the mental health of New Yorkers during the COVID-19 public health emergency that the Commissioner of Health deems appropriate.

The information required in this report would be disaggregated by age, race, gender, zip code and any other demographic category that the department deems relevant, to the extent such demographic information is available. Additionally, on an annual basis, the report would include a description of any trends in adverse mental health of New Yorkers during the COVID-19 public health emergency and any steps taken by DOHMH to address such trends. If passed, this bill would take effect immediately.

³¹ See, e.g., “Advocacy,” National Alliance on Mental Illness-New York City Metro, <https://www.namyncmetro.org/get-involved/advocacy/>.

³² See, e.g., Mental Health Struggles on the Rise Amid Pandemic, Spectrum News, Sept. 11, 2020, <https://spectrumlocalnews.com/nys/central-ny/ny-state-of-politics/2020/09/11/mental-health-struggles-on-the-rise-amid-pandemic>

³³ Many Psychiatric Units Went Offline During The Pandemic. Healthcare Workers Wonder If They’ll Ever Return, Gothamist, Aug. 2, 2020, <https://gothamist.com/news/many-psychiatric-units-went-offline-during-the-pandemic-healthcare-workers-wonder-if-theyll-ever-return>

³⁴ Online Therapy, Booming During the Coronavirus Pandemic, May Be Here to Stay, Time, Aug. 27, 2020, https://time.com/5883704/teletherapy-coronavirus/?utm_source=newsletter&utm_medium=email&utm_campaign=coronavirus-brief&utm_content=20200828&et rid=94904351

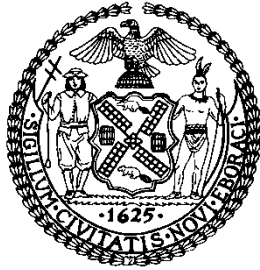
³⁵ See, e.g., “Advocacy,” National Alliance on Mental Illness-New York City Metro, <https://www.namyncmetro.org/get-involved/advocacy/>.

³⁶ Leaving Jail, Kicking Heroin, and Then Facing the Pandemic, Gothamist, Aug. 13, 2020, <https://gothamist.com/news/leaving-jail-addicts-face-growing-opioid-crisis-during-pandemic>

IV. Update

On December 14, 2021, the Committee passed this legislation by a vote of six in the affirmative, zero in the negative and zero abstentions.

(The following is the text of the Fiscal Impact Statement for Int. No. 2005-A:)



THE COUNCIL OF THE CITY OF NEW YORK

FINANCE DIVISION

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 2005-A

**COMMITTEE: Mental Health, Disabilities and
Addiction**

TITLE: A Local Law in relation to reporting on the mental health of New Yorkers during the COVID-19 public health crisis. **SPONSORS:** Council Member Louis, Kallos and Ayala.

SUMMARY OF LEGISLATION: Proposed Intro. No. 2005-A would require the New York City Department of Health and Mental Hygiene (DOHMH) to track and issue a report on the mental health of New Yorkers during the COVID-19 public health emergency. The report would be published every 6 months and would include: the number of 311 calls relating to mental health; the number of 911 calls relating to mental health emergencies and substance misuse or overdoses; the number of calls received by any mental health hotline maintained by the Department or by another agency; the number of hospital admissions for overdoses or that were substance use-related; and any other information regarding the mental health of New Yorkers during the COVID-19 public health emergency that the Commissioner of Health deems appropriate.

The information required in this report would be disaggregated by age, race, gender, zip code and any other demographic category that the department deems relevant, to the extent such demographic information is available. Additionally, on an annual basis, the report would include a description of any trends in adverse mental health of New Yorkers during the COVID-19 public health emergency and any steps taken by DOHMH to address such trends.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that the proposed legislation would have no impact on revenues.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of Proposed Intro No. 2005-A as the designated agency would utilize existing resources to comply with the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
Department of Health and Mental Hygiene

ESTIMATE PREPARED BY: Lauren Hunt, Financial Analyst

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director
Cirilhien R. Francisco, Unit Head
Noah Brick, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on July 28, 2020 and was referred to the Committee on Mental Health, Disabilities and Addiction (Committee). A hearing was held by the Committee on September 22, 2020, and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 2005-A, will be considered on December 14, 2021. Upon a successful vote by the Committee, Proposed Intro. No. 2005-A will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 13, 2021.

Accordingly, this Committee recommends its adoption, as modified.

(The following is the text of Int. No. 2005-A:)

Int. No. 2005-A

By Council Members Louis, Kallos, Ayala, Rosenthal, Dinowitz, Gennaro and Rose.

A Local Law in relation to reporting on the mental health of New Yorkers during the COVID-19 public health crisis

Be it enacted by the Council as follows:

Section 1. Report on COVID-19 and mental health. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Commissioner. The term “commissioner” means the commissioner of health and mental hygiene.

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

COVID-19 public health emergency. The term “COVID-19 public health emergency” means the period of time from March 12, 2020 until the conclusion of the state of emergency in the city of New York declared in emergency executive order 98 on March 12, 2020, as extended by subsequent emergency executive orders.

Department. The term “department” means the department of health and mental hygiene.

Mental health emergency. The term “mental health emergency” means (1) a medical or behavioral health condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical or behavioral health attention to result in a significant risk of serious harm to oneself or others; or (2) where a person’s actions, feelings, and behaviors can reasonably be expected to put them at risk of

being unable to care for themselves or function in the community in a healthy manner; or (3) any other situation or circumstance designated as a mental health emergency by the department.

b. No later than six months after the enactment of this local law, and every 6 months thereafter for the duration of the COVID-19 public health emergency, the department shall track and issue a report on the mental health of New Yorkers during the COVID-19 public health emergency. Such report shall be issued to the mayor and the speaker of the council and shall be published on the department's website. The department may work with community-based organizations, federally qualified health centers, and other community providers to conduct surveys and obtain aggregate information, and may seek information from hospitals, the department of education, the department for the aging, the department of social services and any other entity as the commissioner deems appropriate.

c. The report required pursuant to subdivision b of this local law shall include the following information:

1. The number of (i) calls received by the 311 customer service center, including those referred to NYC Well or any successor service and (ii) reports received through the mobile application of the 311 customer service center relating to mental health, including, but not limited to, those seeking resources or referrals or reporting mental health emergencies, as reported to the department by the department of information technology and telecommunications;

2. The number of phone calls, text messages or online chat messages received by any mental health hotline maintained by the department or by another agency;

3. The number of 911 calls relating to (i) mental health emergencies and (ii) substance misuse or overdoses, as reported to the department by the police department;

4. The number of hospital admissions for overdoses or that were substance use-related, to the extent such information is available to the department; and

5. Any other information regarding the mental health of New Yorkers during the COVID-19 public health emergency that the commissioner deems appropriate.

d. The information required by subdivision c of this local law shall be disaggregated by age, race, gender, zip code and any other demographic category that the department deems relevant, to the extent such demographic information is available.

e. The report required pursuant to subdivision b of this section shall additionally include, on an annual basis beginning with the report due 12 months after the enactment of this local law, a description of any trends in adverse mental health of New Yorkers during the COVID-19 public health emergency and any steps taken by the department to address such trends.

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

§ 2. This local law takes effect immediately.

FARAH N. LOUIS, *Chairperson*; ALICKA AMPRY-SAMUEL, DIANA AYALA, KEVIN C. RILEY, ERIC DINOWITZ, JOSEPH C. BORELLI; Committee on Mental Health, Disabilities and Addiction; December 14, 2021 (Remote Hearing).

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

Report of the Committee on Parks and Recreation

Report for Int. No. 2462

Report of the Committee on Parks and Recreation in favor of approving and adopting, a Local Law in relation to renaming a park in the Borough of Queens, Archie Spigner Park, and to amend the official map of the city of New York accordingly.

The Committee on Parks and Recreation, to which the annexed proposed local law was referred on November 23, 2021 (Minutes, page 3464), respectfully

REPORTS:

INTRODUCTION

On December 14, 2021, the Committee on Parks and Recreation, chaired by Council Member Peter Koo, held a hearing to vote on Int. No. 2462, sponsored by Council Member Daneek Miller in relation to renaming a park in the Borough of Queens, Archie Spigner Park, and to amend the official map of the city of New York accordingly. At this hearing, the Committee voted 15 in favor, 0 opposed and 0 abstentions on the bill. More information about this bill, can be accessed [here](#).

LEGISLATION

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

Int. No. 2462, A Local Law in relation to renaming a park in the Borough of Queens, Archie Spigner Park, and to amend the official map of the city of New York accordingly

This bill would officially rename “St. Albans Park” in Queens to "Archie Spigner Park.” The renaming would honor the recently deceased former Council Member Archie Spigner who served the area where the park is located for many years in numerous capacities. Archie Spigner was born on August 27, 1928 in Orangeberg, South Carolina.¹ He was a long time New York City Council Member, serving from 1974 to 2001, and Democratic District Leader who began his career as a young bus driver and union activist. Due to his extensive influence, he was also known as the “Godfather of Politics” in Southeast Queens.² He mentored numerous African American leaders in New York City and was skilled at directing jobs and construction projects to his district.³ He was a member of the Negro American Labor Council where he organized the Queens Branch.⁴ As a Council Member, he served as Deputy Majority Leader for 15 years⁵ and chaired the Committees on Housing and Buildings, Economic Development and the Legislative Office of the Budget Review. May 6, 2005 was proclaimed “Archie Spigner” Day in Queens by Borough President Helen Marshall and a United States Post Office branch in St. Albans was renamed in his honor.⁶ Archie Spigner died on October 29, 2020.⁷

This bill would take effect immediately.

¹ Alex Traub, “Archie Spigner, ‘Godfather of Politics’ in Queens, Dies at 92,” The New York Times, November 18, 2020, <https://www.nytimes.com/2020/11/18/nyregion/archie-spigner-dead.html>.

² *Id.*

³ *Id.*

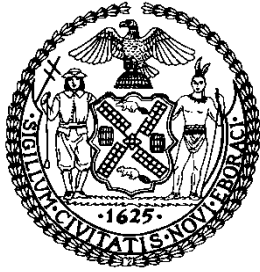
⁴ *Id.*

⁵ *Id.*

⁶ AMNY News staff, “‘Godfather of politics’ Archie Spigner, longtime southeast Queens Councilman, AMNY.com dies at 92, October 30, 2020,” <https://www.amny.com/news/godfather-of-politics-archie-spigner-longtime-southeast-queens-councilman-dies-at-92/>

⁷ *Id.*

(The following is the text of the Fiscal Impact Statement for Int. No. 2462:)



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

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. NO: 2462

COMMITTEE: Parks and Recreation

TITLE: A Local Law in relation to renaming a park in the Borough of Queens, Archie Spigner Park, and to amend the official map of the city of New York accordingly.

SPONSOR: By Council Members Miller.

SUMMARY OF LEGISLATION: Proposed Int. No. 2462 would rename “St. Albans Park” in Queens to “Archie Spigner Park.”

EFFECTIVE DATE: This local law would take effect immediately.

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

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Monika Bujak Legislative Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the Council on November 23, 2021 as Intro. No. 2462 and referred to the Committee on Parks and Recreation (Committee). The Committee will consider the legislation on December 14, 2021. Upon a successful vote by the Committee, Proposed Intro. No. 2462 will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 9, 2021.

Accordingly, this Committee recommends its adoption.

(The following is the text of Int. No. 2462:)

Int. No. 2462

By Council Members Miller, Brooks-Powers, Koslowitz, Gennaro and Rose.

A Local Law in relation to renaming a park in the Borough of Queens, Archie Spigner Park, and to amend the official map of the city of New York accordingly

Be it enacted by the Council as follows:

Section 1. The following park name, in the Borough of Queens, is hereby renamed as hereafter indicated.

New Name	Present Name	Limits
Archie Spigner Park	St. Albans Park	An existing park area generally bounded by 169 Street, Sayres Avenue, Linden Boulevard, Marne Place, 111 Road and 172 Street

§2. The official map of the city of New York shall be amended in accordance with the provisions of section one of this local law.

§3. This local law shall take effect immediately.

PETER A. KOO, *Chairperson*; JAMES G. VAN BRAMER MARK D. LEVINE, JUSTIN L. BRANNAN, MARK GJONAJ, FRANCISCO P. MOYA, CARLINA RIVERA, ROBERT HOLDEN, DARMA V. DIAZ, KEVIN C. RILEY, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS, ERIC DINOWITZ, ERIC A. ULRICH, JOSEPH C. BORELLI; Committee on Parks and Recreation, December 14, 2021 (Remote Hearing).
Other Council Members Attending: Council Members Powers, Rose and Feliz.

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

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

Report for Int. No. 2477

Report of the Committee on Parks and Recreation in favor of approving and adopting, a Local Law in relation to the naming of 199 thoroughfares and public places, Frances Perkins Place, Borough of Manhattan, TIN PAN ALLEY, Borough of Manhattan, Sumner Redstone Way, Borough of Manhattan, Mother Maude Ford Way, Borough of Queens, Alex Pauline Road, Borough of Queens, Alex Pauline Road, Borough of Queens, Boxing Row, Borough of Brooklyn, Weyman Carey Way, Borough of Brooklyn, Police Officer Randolph Holder Way, Borough of Manhattan, Cicely Tyson Way, Borough of Manhattan, Detective Robert A. Cardona Way, Borough of Manhattan, Hector "Macho" Camacho Way, Borough of Manhattan, John Johnson Way, Borough of the Bronx, Robert "Black Rob" Ross Way, Borough of Manhattan, Pura Belpre Way, Borough of Manhattan, Israel Martinez Way, Borough of the Bronx, Mexico-Tenochtitlan, Borough of Manhattan, Melissa Kruppa Way, Borough of Staten Island, Sharon Nearby Way, Borough of Staten Island, FDNY FF Jimmy Martinez Way, Borough of Staten Island, Anton Updale Way, Borough of Staten Island, Sergeant Leif E. Eikeseth Way, Borough of Staten Island, Ira D Hudson Way USN Pearl Harbor KIA, Borough of Staten Island, SGT Donald W. Tinney Jr. Street, Borough of Staten Island, Firefighter James J. Marshall Jr. Lane, Borough of Staten Island, Firefighter James J. Marshall Sr. Lane, Jennifer Diane Caputo Way, Borough of Staten Island, Dr. Ahmad Jaber Way, Borough of Brooklyn, Joseph Joyce Way, Borough of Brooklyn, Justin Wallace Way, Borough of Queens, Deborah Hoyle Way, Borough of Queens, Father Andrew Struzzieri Way, Borough of Queens, Clarence "SPUD" Josey Jr. Way, Borough of Queens, Neville Facey Way, Borough of Queens, Cathy LeBlanc Way, Borough of Queens, Benjamin Wright Way, Borough of Queens, Stephen Cooper Way, Borough of Queens, Darryl E. Greene Way, Borough of Queens, Johnny Pacheco Way, Borough of the Bronx, PFC Buford Brown Way, Borough of the Bronx, Reverend Luciano Soto Way, Borough of the Bronx, Dr. Carolyn G. Williams Way, Borough of the Bronx, Thomasina Bushby Way, Borough of the Bronx, Celia Cruz Salsa Legend, Borough of the Bronx, Sylvester Royer Corner, Borough of the Bronx, William 'Bill' Howard Sr. Way, Borough of Brooklyn, Rev. Dr. Robert E. Cornegy, Sr. Way, Borough of Brooklyn, Dr. Sam Pinn Jr. Way, Borough of Brooklyn, Carmelo Sanchez Way, Borough of the Bronx, Roxanne Reid Way, Borough of the Bronx, Beverly Roberts Way, Borough of the Bronx, Juan Antonio Rossy Way, Borough of the Bronx, John McKelvey Sr. Way Villa Rosa Bonheur, Borough of the Bronx, Tenzing Norgay Sherpa Way, Borough of Queens, Joseph Ricevuto Way, Borough of Queens, Steve Knobel Way, Borough of Queens, Stanley, Kathleen & Robert Rygor Way, Borough of Queens, Monti Castañeda Corner, Borough of Queens, Peter Magnani Way, Borough of Queens, Ebenezer "Ben" Edwards Way, Borough of Brooklyn, Phil Foglia Way, Borough of the Bronx, Joseph Migliucci Way, Borough of the Bronx, Madonia Road, Borough of the Bronx, St. John's Way, Borough of Queens, Little Bangladesh Avenue, Borough of Queens, Eleanor Dowe Blvd, Borough of the Bronx, Curtis Hamilton Way, Borough of the Bronx, Hetty Fox Lane, Borough of the Bronx, Andy "The Barber" Foxe Way, Borough of the Bronx, Winifred A.R. Bama Way, Borough of the Bronx, Bishop Roy Bryant Sr. DD Way, Borough of the Bronx, Hon. Aurelia Greene Way, Borough of the Bronx, Rosella Gregg Way, Borough of the Bronx, Mother Cordelia Gilford Way, Borough of the Bronx, Thomas 'Tommy' A. Solfio Way, Borough of the Bronx, Mario D'Agostino Way, Borough of the Bronx, Conti's Pastry Shoppe Boulevard, Borough of the Bronx, Joe Chiodi Way, Borough of the Bronx, Michael Prince Way, Borough of the Bronx, Ibrahim al-Hamdi Way, Borough of the Bronx, Joseph Oddo Way, Borough of the Bronx, Gjergj Kastrioti Skenderbeu Way, Borough of the Bronx, PePe Cardona Way, Borough of the Bronx, Carmine Palladino Way, Borough of the Bronx, Dominick Schiano Way, Borough of the Bronx, Fan Noli Way, Borough of the Bronx, Melvin "Mel" Doby Memorial Way, Borough of Queens, Reverend Laura G. Lowery Way, Borough of Queens, Union Course Racetrack, Borough of Queens, Maureen Walthers Way, Borough of Queens, Joseph Magnus Way, Borough of Queens, Phil "Scooter" Rizzuto Corner, Borough of Queens, Sarah Whiting Way, Borough of Queens, Ganesh Temple Street, Borough of Queens, Rabbi Dr. Asher Murciano Way,

Borough of Queens, Ivan Mrakovic Way, Borough of Queens, rue Barry Lewis Way, Borough of Queens, Detective Brian Simonsen Way, Borough of Queens, Police Officer FRANK G. MACRI WAY, Borough of Queens, Salvatore “Buddy” Scotto Way, Borough of Brooklyn, Andreas Stylianou Way, Borough of Brooklyn, Joseph Ferris Way, Borough of Brooklyn, Nicholas Heyward Sr. Place, Borough of Brooklyn, Elisa Torres Way, Borough of Brooklyn, District Attorney Kenneth P. Thompson Way, Borough of Brooklyn, Rita’s Way, Borough of Brooklyn, Genevieve (Jenny) Eason Way, Borough of Manhattan, David Dinkins Drive, Borough of Manhattan, Rev. Dr. J. G. McCann Way, Borough of Manhattan, Marie Andrée Bichotte Way, Borough of Brooklyn, Frank Scollo Way, Borough of Brooklyn, The Brooklyn/Bedford Park 9/11 Memorial, Borough of Brooklyn, Patrick Solomita Way, Borough of Brooklyn, John A. Cortese Way, Borough of Brooklyn, Dr. Louis A. Grecco Way, Borough of Staten Island, Louis C. Antonelli Way, Borough of Staten Island, BILL MCCREARY WAY. Borough of Queens, Archie Spigner Way, Borough of Queens, Theresa Irene Merritt Way, Borough of Queens, Robert Oliver, Jr. Way, Borough of Queens, Barbara Jackson Way, Borough of Queens, Ortner Vernon Murray, Borough of Queens, Rodney Johnson Way, Borough of Queens, James Edward Heath Way, Borough of Queens, Michael Perna Way, Borough of Queens, Mary Moody Way, Borough of Queens, Marguerite Henderson Way, Borough of Queens, Ann Petry Place, Borough of Manhattan, Althea Gibson Street, Borough of Manhattan, Judge Sheila Abdus Salaam Way, Borough of Manhattan, Bishop James P. Roberts, Sr. Way, Borough of Manhattan, Rev. Allen James Way, Borough of Manhattan, Bishop C.M. “Sweet Daddy” Grace Lane, Borough of Manhattan, Audre Lorde Way, Borough of Manhattan, Saint Tikhon Way, Borough of Manhattan, Wynn Handman Way, Borough of Manhattan, Ludie Brown Way, Borough of the Bronx, Vonte S. Murray Way, Borough of the Bronx, Onaje Allan Gumbs Way, Borough of the Bronx, Patricia Wiley Way, Borough of the Bronx, Avenues for Justice Way, Borough of Manhattan, Donald Suggs Jr. Way, Borough of Manhattan, Terrence McNally Way, Borough of Manhattan, Rafael "Bullumba" Landestoy Way, Borough of Manhattan, Isaiah Ché Moronta Way, Borough of Manhattan, Edith Prentiss Way, Borough of Manhattan, Coogan’s Way, Borough of Manhattan, Gregorio Luperon High School Way, Borough of Manhattan, Hugo Cabrera Way, Borough of Manhattan, Víctor Way, Borough of Manhattan, Johnny Ventura Way, Borough of Manhattan, Quisqueya Plaza, Borough of Manhattan, Rev. Maggie Howard Way, Borough of Staten Island, Social Activist Joseph N. Gumbs Way, Borough of Staten Island, Bartolomeo Giove Way, Borough of Staten Island, Principal Marie A. Munoz Way, Borough of Staten Island, James "Jim" Smith Way, Borough of Staten Island, Pearl Harbor Cpl. Vincent Kechner Way, Borough of Staten Island, Eric Garner Way, Borough of Staten Island, Little Liberia Way, Borough of Staten Island, Firefighter Sean D. Kenny Way, Borough of Staten Island, Joseph Triffoglio Way, Borough of Staten Island, Nick Troianiello Way, Borough of Staten Island, Detective James V. Nemorin Way, Borough of Staten Island, Detective Rodney J. Andrews Way, Borough of Staten Island, Vincent Gattullo Way, Borough of Staten Island, Educator Lawrence E. Ambrosino Way, Borough of Staten Island, Shimon Peres Place , Borough of Manhattan, Jacques d'Amboise Place, Borough of Manhattan, Freddy Perez Way, Borough of the Bronx, George Rodriguez Way, Borough of the Bronx, Ray Santos Way, Borough of the Bronx, Commissioner Louis E. Rios Way, Borough of the Bronx, Danilo Lachapel Way, Borough of the Bronx, The Point Community Development Corporation Way, Borough of the Bronx, Nos Quedamos Way, Borough of the Bronx, Russell M. Alston Way, Borough of the Bronx, Rev. T. Wendell Foster Way, Borough of the Bronx, P.O. Jorge Luis Gonzalez Way, Borough of the Bronx, Luis Angel “Supa” Torres Way, Borough of the Bronx, Grace Maldonado Way, Borough of the Bronx, Carmen Belén Bermúdez Way, Borough of the Bronx, Mrs. Esther ‘Marie’ Davis Way, Borough of the Bronx, General Colin L. Powell Way, Borough of the Bronx, Charlotte L. Taylor Way, Borough of Brooklyn, Clare Droesch Way, Borough of Queens, Lew M. Simon Way, Borough of Queens, Scott E. Jordan Way, Borough of Queens, Paul Russo Way, Borough of Queens, Claire Shulman Way, Borough of Queens, FERRIGNO PLACE, Borough of Queens, Ann Jawin Way, Borough of Queens, Little Manila Avenue, Borough of Queens, Daniel Andrews Way, Borough of Queens, Prodigy Way, Borough of Queens, Dre’s Way, Borough of Queens, Jose Miranda, Sr. Way, Borough of the Bronx, Urban Health Plan Boulevard, Borough of the Bronx, Pietro Sclafani Way, Borough of Brooklyn, Kenneth Casilla Way, Borough of Brooklyn and the repeal of sections 24 and 48 of local law number 24 for the year 2019, section 27 of

local law number 26 for the year 2020, Local Law 17 for the year 1993, sections 7, 22, 38, 40, 57, 61, 70, 77, 80 of local law number 14 for the year 2021, section 4 of local law 110 for the year 2017, section 5 of local law 158 for the year 2019 and section 75 of local law number 62 for the year 2003.

The Committee on Parks and Recreation, to which the annexed preconsidered proposed local law was referred on December 15, 2021, respectfully

REPORTS:

Comment:

On December 14, 2021, the Committee on Parks and Recreation held a hearing to vote on Preconsidered Int. No. 2477 which co-names one hundred ninety-nine (199) thoroughfares and public places. At this hearing, the Committee voted 15 in favor, 0 opposed and 0 abstentions on the bill. The Council acts upon the authority granted in subdivision (b) of section 25-102.1 of the New York City Administrative Code which states:

- b. Unless the local law specifically provides otherwise, any local law changing the name of a street, park, playground or portion thereof, or any facility or structure, located and laid out on the city map, that bears a name indicated on the city map shall not be construed to require a change in such name as it is indicated on the city map; provided, however, that in the case of a local law changing the name of a street or portion thereof, the name added by such local law shall be posted on a sign placed adjacent to or near a sign bearing the name of such street or portion thereof indicated on the city map.

The following street name changes are not to be construed as a change in the City Map, but as additional names to be posted near or adjacent to the street or location indicated on the City Map.

Section 1. Frances Perkins Place

Introduced by The Speaker, Council Member Johnson
April 10, 1880 – May 14, 1965

Frances Perkins is considered by many historians to be one of the most important American female government officials of the 20th Century. For all four terms of Franklin Roosevelt's administration she served as Secretary of Labor, the first woman to hold a cabinet position, in which she implemented most of the New Deal Social Welfare Programs, including social security. Before she was the federal Secretary of Labor, she served in a similar position here in New York State. She's was a lifelong advocate for social justice, economic security, and the rights of working people. She lived for a time in Hell's Kitchen and initiated her career in service to the public good at Hartley House at 413 West 46th Street. She holds an important place in New York City history; on March 25, 1911, while working as Executive Director of the New York office of the National Consumers League, she witnessed the deadly Triangle Shirtwaist Fire on Washington Place in Greenwich Village. This experience galvanized her resolve to improve safety and conditions for workers. She chaired the Committee on Safety that formed in the aftermath and was dedicated to determining the causes and preventing a recurrence. With the Social Security Act she established unemployment benefits, pensions for the many uncovered elderly Americans, and welfare for the poorest Americans. She pushed to reduce workplace accidents and helped craft laws against child labor. Through the Fair Labor Standards Act, she established the first minimum wage and overtime laws for American workers, and defined the standard forty-hour work week. She formed governmental policy working with labor unions and helped to alleviate strikes by way of the United States Conciliation Service. Perkins dealt with urgent labor issues during World War II, when women assumed skilled positions in the munitions and aircraft industries.

Section 2. TIN PAN ALLEY

Introduced by The Speaker, Council Member Johnson

Between 1893 and 1910, this section of West 28th Street between Sixth Avenue and Broadway became known as Tin Pan Alley, often cited as the birthplace of American popular music for making sheet music available to countless American households. Here, composers, arrangers, lyricists, performers, and printers came together as collaborative firms and revolutionized the music industry's practices for the production and promotion of popular music. Such iconic songs as "Take Me Out to the Ball Game" and "God Bless America" were published on 28th Street while the sheet music business boomed here at the turn of the 20th century. The designation of this row of five buildings also represents the diverse history of Tin Pan Alley, acknowledging the harsh realities faced by African Americans at the turn of the 20th century, as well as their achievements. Tin Pan Alley's music publishing brought ragtime to an international public, and Jewish and African-American artists and publishers were able to create new and unprecedented opportunities for themselves in mainstream American music. Many went on to gain acclaim and prominence, like Irving Berlin, Harold Arlen, Duke Ellington, George Gershwin, Cole Porter, Noble Sissle, J. Rosamond Johnson, and James Reese Europe, among others.

Section 3. Sumner Redstone Way

Introduced by The Speaker, Council Member Johnson

May 27, 1923 – August 11, 2020

Sumner Redstone graduated first in his class from the Boston Latin School in 1940 and earned a bachelor's degree from Harvard University in 1944, awarded by the University's Special Board of Overseers. He was selected to serve on an elite United States Army intelligence team responsible for breaking Japanese military and diplomatic codes during World War II due to his fluency in Japanese, Latin, French and German. He served with this unit until the end of the war and received, among many honors, the Army Commendation Award and two commendations from the Military Intelligence Division in recognition of his service, contribution and devotion to duty. After completing his military service, he received an L.L.B. from Harvard University School of Law in 1947, later amended to a Juris Doctorate, and began his career as a Law Secretary with the United States Court of Appeals and then as Special Assistant to the U.S. Attorney General. In 1951, he was named a partner in the Washington D.C. law firm of Ford, Bergson, Adams, Borkland & Redstone. Three years later, in 1954, he joined National Amusements and embarked on his celebrated, decades-long career in the entertainment industry. A skilled manager, he helped National Amusements expand to 59 screens by 1964 and 129 screens by 1974. He then began looking for growth opportunities and taking positions in companies specializing in content production. In line with his conviction that "content is king," he began accumulating stock in Twentieth Century Fox, Columbia Pictures and other content companies, all of which he turned over for significant profits when he sold his positions in the 1980s. He was especially passionate about his investment in Viacom and, seeing value in its youth-centric media holdings, purchased a controlling interest in the company in March 1987, for \$3.4 billion. He assumed the role of Chairman of Viacom and quickly oversaw a series of acquisitions that would make the company one of the top players in modern media, including the high-profile acquisitions of Paramount Pictures, Blockbuster Entertainment, DreamWorks SKG and CBS. In 1996, he was appointed CEO of Viacom, a position he held through 2005. He served as Chairman of Viacom and CBS until 2016, when he assumed the position of Chairman Emeritus at each company. CBS and Viacom announced an agreement to merge in August 2019, and completed the merger in December 2019, becoming ViacomCBS. Upon the completion of the transaction, he assumed the role of Chairman Emeritus of the combined company. Over the course of his career, he served as a member of multiple entertainment-focused organizations, including the Advisory Council for the Academy of Television Arts and Sciences Foundation and on the Board of Trustees for The Paley Center for Media. He also served as the first Chairman of the Board of the National Association of Theatre Owners of America.

Section 4. Mother Maude Ford Way

Introduced by Council Member Adams

July 27, 1881 – July 26, 1970

Mother Maude Ford, was born in Barbados. She became a dedicated member of the Salvation Army working first in Harlem in the 1920s with young women. After becoming First Chaplain she was called to minister in Jamaica Queens where she went door to door, serving the needs of the people. Soon, she established a church that held its first open-air service in July 1925. After a fire and then winds tore down the tents, the church moved to the basement of her home at 157-01 110th Avenue where she lived with her husband John. Her dynamic ministry welcomed all people races to her church, which grew quickly, so that by March 7, 1926 her garage was dedicated as Gospel Truth Tabernacle. In April 1931, the church was incorporated and its name was changed to Christ Pentecostal Temple, Inc. Mother Ford, woman of great faith and the gift of healing, expanded her following by her example. By 1953, she had negotiated the purchase of land and completed the construction and dedication of the current church edifice located at 109-45 157th Street, Jamaica. Mother Maude Ford, the founding pastor of Christ Pentecostal Temple was a forceful and beloved presence in the community of Jamaica until her death on July 26, 1970.

Section 5. Alex Pauline Road

Introduced by Council Member Adams

November 30, 1957 – January 11, 2019

TGAlex Pauline was a well-known figure in the lives of many in Rochdale Village. As a child of “Circle 4”, he grew up playing basketball in South Rochdale Playground with his brothers and friends. This playground and the adjacent school, PS80Q meant everything to Mr. Pauline for several reasons. His entire, extended family attended Public School 80Q and as an adult, he never left the area, becoming the school custodian, a teacher and the basketball coach at the school. His workdays would begin at 7 a.m. in the classroom and end at 10 p.m. with his custodial work. In 1988, he created a non-profit basketball program called “Drug Free That’s Me” that was held on weekends on the full basketball court in South Rochdale Playground. “Drug Free That’s Me” was a program that provided alternatives to drug abuse and crime, which often plagued the community. The afterschool program not only taught basketball and all aspects of the game, but also educated the youth on the detrimental effects of drug use, the importance of education, and life itself. “Coach Al” was a father figure to his students, the neighborhood kids and his basketball players. Nine months after Mr. Pauline’s passing, the first annual "Drug Free That's Me Day in Memory of Al Pauline" took place with several players that participated in Drug Free That's Me when they were kids. The summer basketball tournament "B.A.C.E" at the neighboring park presents the "Al Pauline Award" to the player that averages the most points throughout the summer basketball tournaments. In addition, Coach Al Pauline’s program had a cameo on TV One series “Uncensored” that featured former NBA star Lamar Odom who had participated in my father’s program. Many in the community still say when they look at PS80Q they think of “Coach Al.”

Section 6. Boxing Row

Introduced by Council Member Ampry-Samuel

Brownsville Brooklyn N.Y. has been the birthplace of some of the most iconic and talented boxers including, Mike Tyson, Riddick Bowe, Shannon Briggs, Zab Judah, Danny Jacobs, Bruce “Shu Shu” Carrington, Eddie Mustafa Muhammad, Decosta “Bobo” Headley and Dawson Turner. Contributing to the art of boxing, these boxers have helped stamp the neighborhood of Brownsville as a cultural landmark for the art.

Section 7. Weyman Carey Way

Introduced by Council Member Ampry-Samuel

August 4, 1936 – November 22, 2019

Weyman Carey served in the United States Army in 1955 as a paratrooper. He later worked as a bus operator and worked his way up to Safety Director. He was a Field Organizer in the Transport Workers Union Local 100.

He also served as Past Master of Joppa Lodge 55 Prince Hall Masons, Commissioner NYC Board of Elections, President of New Era Democratic Club, District Leader 58th Assembly District, President of South Carolina Club, member of the Trustee Board of Bridge Street AWME Church, member of the Thomas Jefferson Democratic Club and CEO and Co-Owner of Garden 54. He was a member of the Brooklyn Community Church where he served as a Co-Chair of the Deacon Ministry, President of the Finance Committee, Member of the Brotherhood, member of the Church Choir.

Section 8. Police Officer Randolph Holder Way

Introduced by Council Member Ayala

Died October 20, 2020

Randolph Holder served with the NYPD for five years and was assigned to Police Service Area 5. He was killed in the line of duty.

Section 9. Cicely Tyson Way

Introduced by Council Member Ayala

December 19, 1924 – January 28, 2021

Cicely Tyson was an American actress and fashion model whose career spanned over seven decades portraying strong African-American women. She received three Primetime Emmy Awards, four Black Reel Awards, one Screen Actors Guild Award, one Tony Award, an honorary Academy Award, and a Peabody Award. In addition to her screen career, she appeared in various theater productions. She received a Vernon Rice Award in 1962 for her Off-Broadway performance in *Moon on a Rainbow Shawl*. She also starred as Carrie Watts in the Broadway play *The Trip to Bountiful*, winning the Tony Award, the Outer Critics Award, and the Drama Desk Award for Best Actress in a Play in 2013. She was named a Kennedy Center honoree in 2015 and in November 2016, she received the Presidential Medal of Freedom, which is the highest civilian honor in the United States. In 2020, she was inducted into the Television Hall of Fame, in 1977, she was inducted into the Black Filmmakers Hall of Fame, in 1980, she received the Golden Plate Award of the American Academy of Achievement and in 1982, she was awarded the Women in Film Crystal Award. The award is given to outstanding women who, through their endurance and the excellence of their work, have helped to expand the role of women within the entertainment industry. In 1988, she received a Candace Award for Distinguished Service from the National Coalition of 100 Black Women and in 1997, she received a star on the Hollywood Walk of Fame. She was also honored by the Congress of Racial Equality, the National Association for the Advancement of Colored People, and the National Council of Negro Women. She was awarded the NAACP's 2010 Spingarn Medal for her contribution to the entertainment industry, her modeling career, and her support of civil rights.

Section 10. Detective Robert A. Cardona Way

Introduced by Council Member Ayala

Detective Robert Cardona died from complications as the result of contracting COVID-19 from a presumed exposure while on duty. At the time he contracted COVID-19, he was also in remission of 9/11 related cancer that he developed following exposure to hazardous materials during search and recovery efforts after 9/11. He served with the New York City Police Department for 18 years and was assigned to the 13th Precinct Detective Squad. He died in March 2020.

Section 11. Hector "Macho" Camacho Way

Introduced by Council Member Ayala

May 24, 1962 – November 24, 2012

Hector Camacho, was a famous boxer. He moved to Spanish Harlem at the age of three and started to gain a passion for boxing at the age of eleven and astonishingly won three New York City Golden Gloves titles. He was later mentored by his language teacher, Pat Flannery, who taught him to read and became a father figure,

guiding him to the Golden Gloves. He fought and beat some of the best fighters of his generation, including Ray “Boom Boom” Mancini and Rafael “Bazooka” Limon. He was a talented and gifted man who inspired many through his passion for boxing. He mentored many young men in East Harlem and throughout New York City. He competed professionally from 1980 to 2010, and was a world champion in three weight classes. He held the WBC super featherweight title from 1983 to 1984, the WBC lightweight title from 1985 to 1987, and the WBO junior welterweight title twice between 1989 and 1992. In his amateur career, he won three New York Golden Gloves tournaments, beginning with the Sub-Novice 112 pounds championship in 1978. During his professional career, he had many notable fights against some of the biggest names in boxing, defeating Roberto Durán twice late in Duran's career, and knocking out Sugar Ray Leonard to send him into permanent retirement. He also fought Julio César Chávez, Félix Trinidad, and Oscar De La Hoya, among others. During his later years, he expanded his popular role and appeared on a variety of Spanish-language reality television shows including Univision's' dancing show Mira Quien Baila and a weekly segment on the popular show El Gordo y La Flaca, named “Macho News.”

Section 12. John Johnson Way

Introduced by Council Member Ayala

John Johnson dedicated most of his adult life as a public servant, serving as a Community Organizer at Mott Haven Houses and the President of the Resident Association. He was a member of Community Board 1 for 14 years. Mr. Johnson was a beloved community member. He advocated for community issues and was always in support of the residents of Mott Haven. Mr. Johnson passed away in early 2021. He served on the District Council for all NYCHA in the South Bronx, was the City Wide Council President Chair, was a member of Community Planning Board for South Bronx, during the pandemic he organized daily feeding distributions for residents of Mott Haven Houses and received citations from Assembly Member Arroyo and Council Member Ayala for the work he has done with NYCHA residents.

Section 13. Robert “Black Rob” Ross Way

Introduced by Council Member Ayala

June 8, 1968 – April 17, 2021

Robert Ross was raised in East Harlem and later moved to Thomas Jefferson Housing. At the age of 12, he used his pen to make beats off of any surface and pen to write his rap verses. He was given an opportunity to sign to Bad Boy Records in the late 1990's. From that point forward, he was known professionally as Black Rob. He was best known for his 2000 single "Whoa!," which peaked at number 43 on the Billboard Hot 100. Hit Records like “Whoa” & “Can I Live” solidified Black Rob in the Rap Game as one of the greats. He released three studio Albums “Life Story & The Black Rob Report” on Bad Boy Records & “Game Tested, Streets Approved” on Duck Down Records. To date B.R has sold over three million records and has touched millions of people through his music. He had toured the world and always come back home to encourage and provide opportunity for his friends and the youth in East Harlem. He was responsible for introducing East Harlem's native G.Dep to Bad Boy Records. He never thought he was too big to give back to his neighborhood. In 2006, he was sentenced to seven years in prison for grand larceny in connection with a November 2004 hotel robbery. He was caught on a security camera leaving a New York hotel with a woman's purse. Authorities said he pocketed more than \$6,000 in the theft. He pleaded guilty to criminal possession of stolen property and was sentenced to two to six years in jail. Although he was free on bail, he never reported for sentencing and was eventually arrested in February in New Jersey. In 2000, he was jailed for third degree criminal possession of a weapon and a probation violation.

Section 14. Pura Belpre Way

Introduced by Council Member Ayala

February 2, 1899 – July 1, 1982

Pura Belpre was the first Puerto Rican Librarian in New York State. She was born in Cidra, Puerto Rico and later moved to New York after coming from Puerto Rico for her sister's wedding. She began working in the

Garment Industry. After using her fabric skills, she became the Hispanic Assistant at the 135th Street Library, which solidified her as the First Puerto Rican Librarian in the NYPL's history. During her tenure at the 135th Street Library, she created outreach programming in Spanish, which was unheard of at the time. It was at the 135th Street Library that she found her love for storytelling; and therefore, began her formal schooling in 1926 at the Library School of the New York Public Library. In 1929, she was transferred to the 115th Street Library, where she would stay for the rest of her career. At the 115th Street Library, she instituted bilingual story hours and implemented traditional Puerto Rican holidays into the Library's schedule. In 1932, she published her first book, *Pérez and Martina*, which was a folk tale her grandmother used to tell her while in Puerto Rico. *Pérez and Martina* became the first Puerto Rican book to be read at story time in the Library's history. As a librarian at the 115th Street Library, she metaphorically opened the doors of the Library to the Spanish speaking world. While she not only worked within the library system, she also helped compile the Archivo de Documentación Puertorriqueña, which collects original Puerto Rican documents. In 1940, she was invited to the ALA in Cincinnati, Ohio, to present a paper she wrote on working with the Spanish speaking community in East Harlem. She wrote *The Three Magi* which was published as a part of the anthology *The Animals' Christmas* by Anne Thaxter. She compiled short stories titled *The Tiger and the Rabbit and Other Tales*. This collection became the first Puerto Rican stories to be published in English in the United States. After her husband passed in 1960, she resumed her part time work at the 115th Library as the Spanish Children's Specialist; however, she travelled from East Harlem to different areas in New York City that had a high concentration of Puerto Rican children to ensure that they had a library to go to. She decided to retire in 1968, but was persuaded to help establish the South Bronx Library Project. This program promotes and provides library use and services to Latino communities in the Bronx. She helped the NYPL address the needs of the Spanish speaking community throughout the city. Her legacy can still be seen throughout the NYPL system today and has helped the Spanish speaking community comfortably go to a library.

Section 15. Israel Martinez Way

Introduced by Council Member Ayala
March 30, 1942 - April 8, 2020

Israel Martinez was born in Arecibo, Puerto Rico. His first travels to the Bronx were in 1954 and lived there for many years before returning to Puerto Rico where in 1960, he graduated from the Mizpah Bible Institute, a theological school which trained and empowered Ministers in San Juan, Puerto Rico. In 1961, at the age of nineteen, he returned to the Bronx. He embarked on a five year Revival and Missionary Campaign that took him traveling through the American Southwest, Florida, and internationally to Puerto Rico, Mexico, Columbia and the Dominican Republic. In 1966, he returned to the Bronx where he remained. In the late 1960's and early 1970's during the during the Civil Rights Era, with the assistance of an organization known as the Community/Town Congress, he took on employment discrimination, organized workers and participated in striking for better wages while employed at the Hillside Homes, a housing complex owned by former liberal and progressive New York Congressman James Scheur. He went on to organize and play a crucial role in advancing minority employment opportunities in both the gypsy, non-medallion taxi cab industry, an industry he would later in life work and drive for, and the unemployed construction worker movement while fighting for opportunities at Lincoln Hospital. In the late 1970's, through mid-80's, he served as a Special Assistant to Bronx Borough President Stanley Simon, specializing in assisting tenants with housing matters. He was very active in politics as a District Leader. Between 1988 and 1991, he served as a member of the N.Y.S. Assembly representing the then 77th Assembly District. He fought for free transportation for seniors, affordable housing, crime prevention and more police presence.

Section 16. Mexico-Tenochtitlan

Introduced by Council Member Ayala

This co-naming commemorates the Fall of Tenochtitlan.

Section 17. Melissa Kruppa Way

Introduced by Council Member Borelli
December 19, 1969 - June 20, 2020.

Melissa Kruppa was a long-time special education teacher for 20 years, spending 17 of those years at I.S. 24 School and was beloved by her students.

Section 18. Sharon Nearby Way

Introduced by Council Member Borelli
Passed away April 4, 2020.

Sharon Nearby taught at I.S. 24, Great Kills, for 27 years and was a beloved teacher who taught hundreds of students and even the children of former students due to her long career.

Section 19. FDNY FF Jimmy Martinez Way

Introduced by Council Member Borelli

Jimmy Martinez was a 24-year veteran of the FDNY and was assigned to engine 157 in Staten Island. He was part of the rescue and recovery effort at Ground Zero. He died of 9/11 related illness.

Section 20. Anton Updale Way

Introduced by Council Member Borelli
June 18, 1966 – April 5, 2020

Anton Updale was a graduate of I.S. 34 and Tottenville High School where had a successful sports career with excellence in both track and football as a running back. He attended college at the University of New Haven playing the position of slot receiver on their football team. During his sport career, he was known to many as a “great, natural athlete and an even better person.” Following college, Anton became a physical education teacher in I.S. 34, his alma mater, where he taught for over 25 years. He was able to use his knowledge and background in sports to teach young students who lived in the community he grew up in. He was a dedicated and engaging educator and someone his co-workers knew they could always count on. As a coach, Anton inspired his students and athletes. He always enjoyed running the school’s annual Field Day and assisting young athletes anyway he could. In addition to his teaching and coaching duties at I.S. 34, Anton also served as a dean for six years, which allowed him to reach out to students one-to-one. He had a major influence on many of the lives of students serving as a dean. Through his work, he had gained the respect of teachers and students alike. He also worked with Crossroads Unlimited, a nonprofit organization committed to empowering individuals with autism, Asperger’s Syndrome, neurological impairments and other developmental disabilities. He was honored in 2016 by the organization for his dedicated service to helping program residents to thrive. He was able to utilize his knowledge in sports and education to work on the independence, socialization and community skills needed by those individuals to achieve structure, meet their goals and reach their full potential.

Section 21. Sergeant Leif E. Eikeseth Way

Introduced by Council Member Borelli
July 14, 1956 – March 15, 2019

Leif E. Eikeseth served in the United States Army from 1974 until 1980 and later worked for New York City Transit for 36 years as a bus mechanic. He served as Transport Worker Union of America Chairperson for three years. When the terrorist attacks on 9/11 occurred, he volunteered to work at Ground Zero. He died as a result of 9/11 related illness.

Section 22. Ira D Hudson Way USN Pearl Harbor KIA

Introduced by Council Member Borelli

April 6, 1921 – December 7, 1941

Ira D Hudson enlisted in the United States Navy and served on the USS West Virginia as Fireman Third Class. He was killed in the line of duty in the attack on Pearl Harbor. He received the Purple Heart.

Section 23. SGT Donald W. Tinney Jr. Street

Introduced by Council Member Borelli

May 20, 1949 – April 2, 1970

Donald Tinney Jr. was a native Staten Islander. He originally lived in Silver Lake before moving to Tottenville where he grew up. He was involved in sports at Monsignor Farrell High School and excelled in football. He was a member of the school's Varsity Team for three years and an Advance All Star defensive tackle in his senior year when the team went undefeated. Most importantly, his family and friends remember him for his good character and smile which could light up a room. He graduated from Monsignor Farrell in 1967. The following year, at the height of the Vietnam War, he enlisted in the United States Army and was deployed to Vietnam as a member of the 25th Infantry Division, Fox Company, 75th Airborne Rangers whose duty was long range reconnaissance. He served in this unit for two years from 1969 to 1970. On April 2, 1970 at approximately 8:30 in the morning, then Specialist 4th Class Tinney and 14 other Fox Company men were helicoptered into Tay Nin Province, a known Viet Cong stronghold. They immediately found themselves under withering machinegun fire. They beat back the assault with hand grenades, but not before Don was hit. He was immediately evacuated to a field hospital at Long Binh, where he died of his injuries 12 days later, on April 14th at the age of 20 years old. For his heroic actions that day in repelling a superior enemy force, he was awarded the Silver Star, a Bronze Star for merit, and a Purple Heart. He was posthumously promoted to Sergeant.

Section 24. Firefighter James J. Marshall Jr. Lane

Introduced by Council Member Borelli

December 20, 1976 – October 8, 2020

James Marshall Jr. was a native Staten Islander. He grew up in Eltingville and graduated from Tottenville High School. He was an avid football player and fan, playing all through high school. He spent most of his days with his family and friends, especially his daughter whom he loved dearly. Following in his father's footsteps, he James became a fireman with the New York City Fire Department in 2001. He was a member of Ladder Co. 84 in Huguenot. He also spent part of his career at Engine 217 in Brooklyn. He is remembered by his friends at Ladder Co. 84 as being committed to his public service as a firefighter. He was known as a mentor to the younger firefighters, so they can have the best training possible to put out fires and save people. In addition to being a role model for younger firefighters, he was also renowned for his humor, smile and his occasional pranks. Having served for over 19 years in the FDNY, he served his community and city with honor and courage. He was more than happy to commit himself to saving lives over the course of his career. He was well known by his neighbors who have spoken highly of the firefighter. His life ended tragically after he was involved in a car and tractor-trailer accident in New Jersey.

Section 25. Firefighter James J. Marshall Sr. Lane

Introduced by Council Member Borelli

January 2, 1952 – November 30, 2014

James Marshall Sr. was a native Staten Islander. He grew up in Dongan Hills and graduated from New Dorp High School. He later moved to Annadale in 1981. He served in the United States Navy after completing high school and was stationed aboard the USS Enterprise in Newport News, Virginia. He went on to become a firefighter in the New York City Fire Department in 1979, following his time in the Navy. He was a member of Engine Co. 253 in Brooklyn, then Engine Co. 166 in Graniteville, and later retired from Ladder Co. 78 in Tompkinsville completing 23 years of life-saving work. He was one of many first responders who went to the site of the World Trade Center following the terrorist attacks on 9/11. Responding to the ruins of the Twin

Towers was a noble duty, but one that has led to his untimely death. He passed away on November 30, 2014 due to a 9/11 related cancer. He was later honored and remembered for his service at the World Trade Center Memorial Wall at FDNY headquarters in Brooklyn in 2015.

Section 26. Jennifer Diane Caputo Way

Introduced by Council Member Borelli

February 24, 1985 – May 11, 2013

Jennifer Diane Caputo was diagnosed at birth with a rare cognitive defect called agenesis of the corpus callosum. This meant that Jennifer lacked the tissue necessary to connect both halves of her brain. Unfortunately, the doctors that examined and diagnosed her predicted that she would not survive infancy due to this rare condition, but she would defy those odds living to the age of 28. Despite this diagnosis, her family did everything to ensure that she lived the best life possible and she even took classes through United Cerebral Palsy. In 1996, Jennifer and her family moved to Huguenot where she lived for the rest of her life. Her mother, a special education teacher, was a huge influence in her life as she provided much care for her. Jennifer loved her family deeply and treasured time spent with them, especially when they would eat out at restaurants together. She and one of her brothers would take walks with their mother being pushed down the sidewalk in a wheelchair. She would show affection through her contagious smiles and her famed eye movements. She made a tremendous impact on their lives of all those she met. By defying the odds of her doctors, she served as an inspiration to anyone who met her. Over the years, she would experience numerous seizures and significant mental development disabilities which left her non-verbal. Severe contractions in her body rendered her immobile. While she fought an uphill battle against this disease, she did not stop and continued to live far longer than any doctor could imagine. Jennifer served as a beacon of hope for all those afflicted with corpus callosum agenesis syndromes and many other serious conditions. In hopes of raising awareness of serious diagnoses given to babies like herself, Jennifer and her family were active participants in the March of Dimes organization. She showed that no matter the diagnosis, it can be overcome.

Section 27. Dr. Ahmad Jaber Way

Introduced by Council Member Brannan

June 5, 1947 – December 10, 2020

Dr. Ahmad Jaber was born in the Palestinian village of Yamoun. He immigrated to the United States in 1974, and began his medical residency at Lutheran Medical Center in Sunset Park, Brooklyn, where he was affiliated for his entire career. He became a board-certified OB-GYN and moved to Bay Ridge, Brooklyn, where he remained for the rest of his life. Throughout the course of his career as an OBGYN, Dr. Jaber personally delivered over 5,000 babies. He established a private practice on 5th Avenue in Bay Ridge, where he became a mainstay of the community. Joining forces with a then-nascent community of Arab-American doctors in the United States, he founded the NYC Chapter of the National Arab-American Medical Association in 1988. In May of 2001, Dr. Jaber alongside other community leaders founded the Arab American Association of New York, which began in a small office on the second floor of Dr. Jaber's 5th Avenue practice. The organization started as a one-room social service agency, and is now a well-established nonprofit and advocacy agency serving thousands of people a year. He remained on the Board of the organization his entire life. Dr. Jaber was also an Imam, who served at the State Street mosque in downtown Brooklyn, one of the oldest mosques in the United States. His religious and interfaith work touched many areas of New York City, through multiple organizations he helped to found or lead: the Al-Noor Islamic School, Beit Al-Maqdis Islamic Center, the Islamic Mission of America, the Arab Muslim American Federation, and the Brooklyn Heights Interfaith Clergy Association, among others. Above all, Dr. Jaber was known for his generosity and his reputation as a bridge builder. He is personally credited with helping to establish countless newly-arrived Arab immigrant families in Brooklyn, hailing from Palestine, Syria, Lebanon, Morocco, Egypt, Yemen and elsewhere. He was civically active and often acted as a liaison to elected officials and institutions on behalf of the growing Arab and Muslim community. The presence of a large, diverse, and civically engaged Arab and Muslim community in Bay Ridge, Brooklyn is in large part due to Dr. Jaber's work - professionally, civically, and personally.

Section 28. Joseph Joyce Way

Introduced by Council Member Brannan

May 19, 1945 - April 9, 2020

Joe Joyce was a true son of Brooklyn. He served in Vietnam in the United States Army. Though he moved to Staten Island to raise his family, he remained a “Bay Ridger” at heart, and, in 1978 he realized his lifelong dream of opening a pub there. He was the proprietor of JJ Bubbles on 3rd Avenue for 42 years. JJ Bubbles and Joe were fixtures in the Bay Ridge community, welcoming patrons of every color, creed, and class. Over the course of his proprietorship, he hosted countless philanthropic events, raising money for organizations like the Special Olympics, Strides for Strength, and Saint Jude Children’s Hospital. He never turned away someone who needed help, always opening his pub and his pocket to anyone who was trying to raise money for a good cause. He loved holidays in Bay Ridge, always hosting Saint Patrick’s Day celebrations and watching the Ragamuffin Parade; he even dressed as Santa for the local kids. In addition to owning and managing JJ Bubbles, he spent his life in service to others. He was a special education public school teacher for twenty-five years, serving children with disabilities. After retiring from teaching, he worked for Lifestyles for the Disabled, educating adults with disabilities and assisted operating a greenhouse. Aside from his generous spirit and good humor, he was also well known for his skill at darts. He was active in the Bay Ridge dart circle his entire adult life. He passed away from COVID-19.

Section 29. Justin Wallace Way

Introduced by Council Member Brooks-Powers

Justin Wallace was 10 years old when he was shot and killed as he and his uncle were entering their home. Police say it was over a parking dispute. He died just days before his 11th birthday and his scheduled graduation from elementary school.

Section 30. Deborah Hoyle Way

Introduced by Council Member Brooks-Powers

Died June 20, 2021

Dr. Deborah Hoyle was an educator, an environmentalist, a minister, a mother, a grandmother, and by all accounts, a staunch advocate for bettering the lives of those who live in the Rockaways. The children of the community were always her priority and her persistence in supporting Far Rockaway was relentless. She served as the Director of the Ocean Bay Cornerstone Community Center. There, she created a host of programs that provided approximately 200 children with academic support, enrichment activities—such as the hydroponics garden that she and the children nurtured—and a food bank that ensured people in Rockaway never went hungry. She worked through the pandemic, despite her illness (cancer), distributing free food each week to a thousand people who would line the outside of the center for two or three blocks. She even hired a DJ to entertain them while they waited. She was the first person to start a tenants’ association at the Ocean Village property in Arverne and was well known for writing and receiving grants that funded neighborhood needs. Her reputation for grass-roots activism even prompted a rare visit to Rockaway in 2019 by Mayor Bill de Blasio, who wanted to personally thank her for the work she was doing. She was also honored by Senator James Sanders Jr. for her leadership and community service.

Section 31. Father Andrew Struzzieri Way

Introduced by Council Member Brooks-Powers

February 19, 1947 – September 18, 2020

Father Andrew L. Struzzieri was born in Brooklyn. He was affectionately known by many as Father Andy. He served as an assistant at Our Lady of Mercy, Forest Hills, 1975-76, and St. Matthew, Crown Heights, 1976-88. He was pastor at Our Lady of Refuge, Flatbush, 1988-99, and St. Matthew’s, 1999-2012. While at St. Matthew’s, he also served as administrator of Our Lady of Charity, Brownsville. After years of serving in Brooklyn, Father Andrew was transferred to St. Clare in June 2012, where he was assigned and served as Pastor until his death. He used his opportunity as the leader of the largest Catholic Church in Rosedale as an opportunity to inspire parishioners to challenge injustices. During the COVID pandemic, he led a distribution at St. Clare’s for individuals who were food insecure. Under his leadership, the church built a strong youth ministry and took

an aggressive community service position. He was instrumental in aligning St. Clare's Church with Queens Power, a community organizing institution formerly known as EQUAL. In 2015, the parishioners organized their first campaign with over 100 attendees, fighting for a traffic sign on Brookville Blvd in Rosedale. Since then they have continued to organize and demand justice for themselves and the communities they live in. During the Summer of 2020, the parishioners rallied and protested against the injustice of African-Americans. After his death, the Rev. Andrew L. Struzzieri Memorial Endowment Fund was established to honor the memory of Father Andy. The fund provides for new household furnishings for newly arrived refugees, medical assistance, grocery gift cards and tuition costs for short-term vocational training programs.

Section 32. Clarence "SPUD" Josey Jr. Way

Introduced by Council Member Brooks-Powers

October 11, 1960 - May 12, 2020

Clarence Josey Jr. was born in New York and later attended Richmond Hill High school where he was a star player on the football team as a running back. Before graduating high school, he was drafted into the United States Marine Corp and served his country before being honorably discharged. He was affectionately called SPUD, which was his nickname that stuck with him throughout his life. He grew up in the area of South Jamaica Queens. He relocated to Far Rockaway and became a basketball coach for the youth in his neighborhood. Amongst coaching, he was a Master of Ceremony's (MC) and a DJ. He was very athletic and involved in various sports, from boxing, basketball and football. In 2011, he got involved with OPERATION SNUG (GUNS) spelled backwards. This was an anti-gun violence initiative that was based in Redfern Housing Projects within Far Rockaway, New York. He was very instrumental in spreading the message of peace and advocating for the need of brotherhood in the Far Rockaway area and abroad. In 2012, he joined Father's Alive In The Hood Inc, (F.A.I.T.H.) a nonprofit organization whose mission is to promote a positive presence of fatherhood and protection within families and communities. He invited F.A.I.T.H to partner with him in a mentorship program he was already involved with at M.S. 72, located on Guy R Brew Blvd in South East Queens area. While a part of Father's Alive In The Hood, he partook in numerous anti-gun violence Peace Walks throughout Far Rockaway and other troubled areas within New York City. He also assisted a great deal after Superstorm Sandy left Far Rockaway, Coney Island and other areas in New York ravaged. He volunteered tirelessly getting supplies to seniors and people in need.

Section 33. Neville Facey Way

Introduced by Council Member Brooks-Powers

Neville Anthony Facey dedicated his life to helping others and serving his community. He exemplified that commitment to stewardship as Director of the Robert Couche Senior Center in Jamaica, Queens. Under his leadership, he made sure hundreds of low-income, elderly residents were provided lunch daily, even during the start of the coronavirus pandemic. For many, it was their only hot meal of the day. He believed strongly in civic involvement, so he maintained an open-door policy for local and state politicians to come to the center and speak to its members. He also assembled groups to meet with the Queens Borough President's office on a regular basis regarding matters impacting seniors. Due to physical and economical constraints, many older residents lacked the ability to venture to places on their own, so they always looked forward to the popular bus trips he helped organize. That included a visit to the National Museum of African American History and Culture in Washington DC, trips to various entertainment resorts, attending theatrical events and dining at ethnically diverse restaurants. He presided over the center's highly anticipated annual dinner dance which honored volunteers, business owners, church leaders and artists in the Queens community. He also encouraged the support of beloved local businesses and destinations, including the Black Spectrum Theatre, Roy Wilkins Park and Antun's Restaurant. His goal was to help enrich the lives of older residents by maintaining instructional programs that focused on nutrition, exercise, computer training and social activities. He invited local police and firefighters to come educate the public about safety concerns. Before becoming Director, he served for many years as Treasurer on the Center's Board of Directors. Previously, he helped hundreds of Queens' residents get access to much-needed home healthcare assistance while working as assistant director of administration for Social Concern Community Development's office in Laurelton. He received several awards for his years of service in the community,

including being honored by the Guy R. Brewer United Democratic Club. He volunteered at the local polls during every election. He also helped countless people, especially immigrants, find jobs and apply to college.

Section 34. Cathy LeBlanc Way

Introduced by Council Member Brooks-Powers

Cathy Frances Clare LeBlanc owned her own businesses and was an active member of her community. She joined the Girl Scouts, helping and feeding underprivileged youth, and becoming an advocate for individuals with substance abuse. She moved to Queens in 1989, where she established her latest business, DRC Commercial Cleaning Company. She served as director of the youth ministry at St. Clare's RC Church, in which she led many fundraisers, food pantries, and events, while also serving as a grief counselor. She was an esteemed member of the pantry operations team of St. Paul's Church in Corona, Queens. She was also an active member of the Rotary Club of Southeast Queens for 10 years and helped lead coalitions that provided support for homeless veterans. She was a member of the Laurelton Block Association and Rosedale Civic Association, serving as block president for several years. She formed connections within the community, kept the neighborhood clean, and found local stray animals' food and shelter. She also volunteered at her grandson's school PS 176 in Cambria Heights. Cathy was a true neighbor and lived a life of service.

Section 35. Benjamin Wright Way

Introduced by Council Member Brooks-Powers

Benjamin Wright Jr. moved to New York City in 1950. He was employed by the City of New York for twenty-seven years, retiring as Assistant Deputy Commissioner of the Department of Homeless Services (DHS) in 1996. After retirement, he founded Green World Unlimited, Inc., located on Wall Street where he served as Chairman. He then spent the rest of his life organizing Southeast Queens and working with community based organizations. He served as president of the Southeast Queens Democratic Club, president of the Thurgood Marshall Regular Democratic Club, chairman of the board of the S.G.G.C. Community Service Agency, and afterschool service program which includes tutoring and free meals five days a week, was a lifelong member of the NAACP and was a board member as the treasurer of the Jamaica Branch, was a board member of the United Black Men of Queens where he served as vice president and treasurer, was a member of the Advisory Board of the Emblem Health Insurance Plan, was a member of the of the York College Community Advisory Committee, served on Community Board 12, was a member of the administrative board of the Springfield Gardens United Methodist Church and served as administrator of a GED Program for Adolescents in the Riker's Island Correctional Institution for Women.

Section 36. Stephen Cooper Way

Introduced by Council Member Brooks-Powers

June 17, 1941 - March 28, 2020

Stephen Cooper died due to complications related to COVID-19. He lived at 321 Beach 46th, Street, Far Rockaway, NY for over 50 years and was very devoted to his neighbors in Edgemere. He was an active member of Community Board 14 for over 35 years and he was involved in many activities not only to help Edgemere, but to assist the residents on the Rockaway Peninsula. He worked with the Bayswater Civic Association, Beachside Bungalow Association, as well as other civic associations on the peninsula. He was the President of the Frank Avenue Civic Association for over 30 years. His neighbors on Beach 46th Street remembered the many times that he would walk up and down the street in order to pick up the trash, shovel snow, cut grass, or run errands for elderly and infirm residents. He was very caring and sensitive to the needs of people. He helped the teenagers who lived on his street by employing them in garden work and buying them lunch. Whenever there was any trouble on his street, the residents knew he would reach out to the 101st Precinct where he was known for his involvement in the area. He was the Democratic State Committeeman for Rockaway in the 1980s and the 1990s. He represented the Peninsula at many political functions and gatherings. He was extremely active in the Bernard Weiner JWV Post 258 in Rockaway, and served as Commander several times. He was instrumental in

the closing of the Edgemere Landfill, as well as supporting the Farm on Beach 45 Street. Active with DC 37, he held many positions in Local 375 over the many years of his membership. He was delivering documents in Lower Manhattan when the South Tower collapsed on Sept. 11, 2001. A photographer captured him fleeing the scene amidst a cloud of smoke and debris. The image of Cooper, taken by an Associated Press reporter, was reprinted in magazines and newspapers around the world and was later featured in the 9/11 Museum.

Section 37. Darryl E. Greene Way

Introduced by Council Member Brooks-Powers

December 7, 1943 – January 2016

Darryl Greene was a community leader for diversity and inclusion, a lifelong activist for minorities in the construction industry, and a towering figure in the history of New York City. He was an author for Article 15-A of the Executive Law, which created an Office of Minority and Women's Business Development. He served as President of the Darman Group, Executive Director for the Council for Airport Opportunities, Diversity and Inclusion consultant for Forest City Ratner, and a key figure at the Empire State Development Corporation. He impacted countless lives, and his legacy continues to live on in the accomplishments of the people he mentored, many of whom have reached great heights as the next generation of our City's leadership.

Section 38. Johnny Pacheco Way

Introduced by Council Member Cabrera

March 25, 1935 - February 15, 2021

Johnny Pacheco cofounded Fania Records in 1964, which exposed many talented Latin artists. He was a songwriter, arranger and leader of the Fania All Stars, salsa's first supergroup. He was the recipient of numerous awards and honors both in the Dominican Republic and the United States and was inducted into the International Latin Music Hall of Fame in 1998. He received the Presidential Medal of Honor from the President of the Dominican Republic in 1996, the Bobby Capo Lifetime Achievement Award from Governor George Pataki and the received the First International Dominican Artist Award at the Casandra Awards and became the first Latin music producer to receive the National Academy of Recording Arts and Sciences Governor's Award. He wrote more than 150 songs, many of them now classics.

Section 39. PFC Buford Brown Way

Introduced by Council Member Cabrera

Buford Brown was born in Georgia in 1924, served in the United States Army during World War II and on active duty from October 1945 until December 1946 at Lubbock Army Air Field. Pvt. First Class Buford Brown qualified as a Carbine Sharpshooter, transported nuclear and atomic weaponry operating an Armored Tractor and received a Citation and Medal for Good Conduct and an Honorable Discharge. Following his military service, Mr. Brown returned to civilian life, married and had a family, moving from Harlem to the Bronx in 1966. For the remainder of his life, along with his wife Mrs. Dorothy Brown, Buford Brown was known as a community entrepreneur and benefactor, founding and operating multiple businesses and community organizations serving the community, including a licensed home daycare center, Jac-ga-Mar Community Improvement Association and Jac-ga-Mar Realty Corporation. The Association participated in community clean-ups, green thumb gardens and community patrols as Bronx neighborhoods were declining. For his efforts, vision and trailblazing, Mr. Brown received a Citation from the New York City Council from former Council Member Rev. Wendell Foster in the 1980's.

Section 40. Reverend Luciano Soto Way

Introduced by Council Member Cabrera

Rev. Luciano Soto was born in Patillas, Puerto Rico. His parents died when he was a boy and he and his orphan siblings went to live with different families to continue their upbringing. Reverend Soto was taken to a sister's home where he spent his childhood. He came to New York searching for better living conditions and opportunities to make the necessary money he needed to start a business in his homeland. However instead he

got involved in adverse situations that brought him a lot of problems. His plans changed when he decided to enroll in a specialized theology institution to study the word of God. After seven years, he graduated from that school with a major in theology. Then he continued studying to become a typewriter and a computer technician. As an ordained Minister of the Assemblies of God and pastoring for 45 years, he was carrying the message of the word of God at the 2 John 3:16 Christian Mission Church, located on 2019 Jerome Avenue in Bronx County. This church is listed as one of the largest in New York City. His hard work in the Community with various Rehabilitation Groups allowed him the opportunity to be part of the NYPD as a Police Clergy for the 46th Precinct. He maintains a radio program through the New York radio slings from WKDM 1380 BC. M. every Saturday from 6:00 p.m. to 6:00 a.m., for more than 25 years. He obtained a Bachelor of Theology from the Latin American Theological Seminar, a Certificate of the Biblical Institute of the Assemblies of God, Computer Operator Associate Title and NYPD Police Community Clergy. He received Proclamations and Certificates issued by Honorable William Jefferson Clinton, Former President of the United States in 2001 for over 35 years of Community Service, Honorable Hillary R. Clinton, Former Secretary of State of New York, The Honorable Rev. Ruben Diaz, Sr., New York State Senator, The Bronx Hispanic Clergy Organization, Honorable Nick Spano, Former New York State Senator, Honorable Michael R. Bloomberg, Former Mayor of New York, Honorable Efrain Gonzalez, Jr., Former New York State Senator and Ruben Diaz, Jr., Borough President of the Bronx. These awards were received for 35 years of outstanding community service, including food pantry distributions, anti-violence outreach and providing shelter for the homeless.

Section 41. Dr. Carolyn G. Williams Way

Introduced by Council Member Cabrera

Dr. Williams was named Bronx Community College's (BCC) fourth president, the first woman to hold the office. Her legacy of student success has been woven into the very fabric of our institution. She was the guiding force behind \$150 million in capital construction, including the building of North Hall and Library and the Children's Center, as well as the renovation of the Roscoe Brown Student Center. These projects were mere dreams for many years before President Williams turned them into reality. Her steadfast leadership led to BCC's student body growing to over 10,000 during her tenure and our diverse faculty increasing by more than 90 full-time educators. She was responsible for the College's first general education program and first Strategic Plan. Campus centers devoted to student success like the Writing Center, the Math Lab and the Center for Teaching, Learning and Technology were also established during her tenure. Her 15-year tenure was marked by the rapid expansion of BCC's international presence, including partnerships with schools in Africa. In her own words, that initiative was "not just study abroad and the influx of international students, but the curriculum and the whole climate of the college. We were able to bring global issues into our community." At the national level, Dr. Williams was actively involved with the American Association of Community Colleges (AACC) and served as the Chairperson in 2000. She also was actively involved in the National Council on Black American Affairs (NCBAA), a council of the AACC. Her work with NCBAA involved the development and mentoring of African American future leaders. To accomplish this goal, the Carolyn Grubbs Williams Leadership Development Institute was established in her honor. The Institute prepares African Americans in community colleges for leadership roles to insure that the pipeline to executive-level positions is fluid. President Williams will always be remembered for her passionate commitment to the students of Bronx Community College. "The students' success is our success," she was fond of saying. It is a guiding philosophy of BCC to this day.

Section 42. Thomasina Bushby Way

Introduced by Council Member Cabrera

Thomasina Bushby was a community leader dedicated to improving the lives of her fellow Bronxites. She provided food for her community through her work with Southern Christian Leadership Conference, she worked to increase participation in politics and develop community talent with the Jerome A Greene Democratic Club, and served as the secretary for Community Board 5 in the Bronx. She understood the importance of reaching the youth, not only was she a Sociology and Social Sciences professor at Monroe College, but she also advocated for more youth programs within her community and helped families find scholarships to avoid student loans for college. Ms. Bushby strived to empower her neighbors and her efforts will have long lasting effects on the

residents of Morris Heights. She became the Executive Director of the Morris Heights Neighborhood Improvement Association where she helped to establish Morris Heights Health Center in 1981 in her fight for proper health care for the then underserved community of Morris Heights. From the beginning of the center's inception, she served as a member of the board and continued to do so for forty years. As a Professor of Sociology and the Social Sciences she taught first, at the College of New Rochelle, and then at Monroe College where for 35 years, she taught courses in sociology and political science with a focus on marriage and the family and criminal justice. Throughout the years, Thomasina served her community well, working with various community organizations like CASA Organization, advocating for the rights of tenants to have adequate housing. In addition to that, she was an integral force in her community, playing a vital part in successful voter education efforts, the implementation of effective affirmative action politics and the creation of crimes prevention programs as she served and led in organizations such as the NAACP Bronx Chapter, Black United Leadership of the Bronx, South Bronx People for Change, Black Child Development Institute, 174th Street Homeowner Association, The Office of Black Ministry of the Archdiocese of New York, as well as Bronx Community Board 5. Among her efforts, she helped develop Harrison Circle, a senior citizen development as well as the 174th Street Homeowner Association. She also worked on various political campaigns, lending her time and support for various local community and council leaders such as the late Hon. Aurelia Greene, and Vanessa L. Gibson. Throughout the years, multiple times, she also stepped into the role of President of the Parish Council of her church, St. Francis of Assisi Church in the Bronx as well as being a longstanding member of the church's Rosary Society. Also, throughout the years, she constantly served as a counselor and mentor for hundreds of young adults from the Morris Heights community as she aided and prepared them to enter into college and eventually, prepared them for success in the professional world.

Section 43. Celia Cruz Salsa Legend

Introduced by Council Member Cabrera

Celia Cruz was one of Latin music's most respected vocalists. A ten-time Grammy nominee, Cruz, who sang only in her native Spanish language, received a Smithsonian Lifetime Achievement award, a National Medal of the Arts and honorary doctorates from Yale University and the University of Miami. A street in Miami was renamed in her honor, and Cruz' trademark orange, red and white polka dot dress and shoes have been placed in the permanent collection of the Smithsonian Institute of Technology. The Hollywood Wax Museum includes a statue of the Cuba-born songstress. Celia Cruz was born in Havana, Cuba on October 21, 1924. Growing up in the city's poor Santo Suárez neighborhood in a household of 14 children, she stood out because of her singing ability. Cruz won a singing contest called "La hora del té" and with her mother's encouragement began to enter other contests in various parts of Cuba. Cruz's father, however, believed that she should become a teacher, an altogether more common profession for a Cuban woman at the time. She enrolled at the national teachers' college, but dropped out after finding more and more success with her music in live and radio performances. Something of a compromise was reached when she enrolled at Havana's National Conservatory of Music—but there a professor encouraged her to consider a full time singing career. Her breakthrough came in 1950 when she became the lead vocalist for a big band called La Sonora Matancera. Bandleader Regilo Martinez showed faith in Cruz when he continued to feature her despite the protests of fans of the band's previous vocalist, and once again when an American record executive resisted the idea of making a Sonora Matancera disc that featured Cruz, believing that a rumba record with a female vocalist would not sell well. Martinez promised to pay Cruz himself if the recording flopped. It did well in both Cuba and the United States, and Cruz toured widely through Central and North America with La Sonora Matancera in the 1950's. At the time of the Communist takeover of Cuba in 1959, the group was slated to tour Mexico. However, from Mexico, rather than returning to Cuba, they entered the United States and remained there. Cruz herself became a U.S citizen in 1961. Cuban Communist leader Fidel Castro was furious and barred Cruz from returning to Cuba, enforcing the ban even after Cruz's parents' deaths. Cruz for her part vowed not to return to Cuba until such time as the Castro regime was deposed. Celia Cruz died on July 16, 2003 in Fort Lee, New Jersey.

Section 44. Sylvester Royer Corner

Introduced by Council Member Cabrera

Mr. Sylvester Royer was a longtime resident of the 14th council district. Mr. Royer was an immigrant from the Commonwealth of Dominica and raised his family here for over 45 years. Mr. Royer was instrumental in organizing and maintaining a tenant association in his building where residents and the tenant association still remember him. He graduated from Lehman College with a degree in Psychology and has been a supporter of many of the local businesses in the area. Some of his community advocacy includes attending community board meetings, advocating for the rights of individuals with disabilities and showing many community residents ways to grow plants, fruits and vegetables. Sylvester Royer will be remembered by these simple words that he regularly preached: "Keep what matters in sight." Mr. Royer passed away last year during the pandemic and is survived by his two adult children and six grandchildren.

Section 45. William 'Bill' Howard Sr. Way

Introduced by Council Member Cornegy, Jr.

July 23, 1943 – August 5, 2018

William Howard was an accomplished businessman, political strategist and supporter of Brooklyn's Caribbean-American culture. He served in the United States Air Force. He was the Finance Chair for the Honorable Shirley Chisholm and dedicated his life to upholding her mission. Additionally, he served as the President of the West Indian-American Day Carnival Association (WIADCA), and was an esteemed community leader in Brooklyn. He was a life-long friend of Congresswoman Shirley Chisholm became her campaign finance manager. He was a deputy trustee in the Justice Department and worked as a vice president for finance with the Equitable Life Assurance Society, where he was involved with making multi-million-dollar loans to various municipalities, corporations and individuals. He served on the board of Brooklyn's Jewish Hospital, later merged with Interfaith Hospital Center, where he chaired the finance committee and once was President of the nursing school. In addition, he was a City University of New York board member from 1983 to 1995. He served as first vice president of the Shirley Chisholm Cultural Institute for Children. He accomplished getting a post office in Crown Heights named in Chisholm's honor, a commemorative U.S. postage stamp put into circulation, and established the Shirley Chisholm Cultural Center. A child care center is named in her honor given her career in early childhood education and the aforementioned Shirley Chisholm Circle in Broward Park. He was instrumental in Chisholm receiving the Presidential Medal of Freedom posthumously from U.S. President Barack Obama. Most recently, U.S. Rep. Yvette Clarke introduced legislation H.R. 4856 to bring a statue of Congresswoman Shirley Chisholm to the United States Capitol. He was honored by New York State Assembly Member Rodneyse Bichotte for his success in uniting the Caribbean community in Brooklyn.

Section 46. Rev. Dr. Robert E. Cornegy, Sr. Way

Introduced by Council Member Cornegy

Rev. Dr. Robert E. Cornegy, Sr. served as pastor of Mount Calvary Baptist Church in Bedford-Stuyvesant.

Section 47. Dr. Sam Pinn Jr. Way

Introduced by Council Member Cumbo

Died December 27, 2017

Dr. Sam Pinn Jr. was born in Rice, Virginia and later moved to New York to become a life-long resident of Bedford-Stuyvesant, Brooklyn. He served in the United States Army Reserves for eight years and was honorably discharged with the rank of Lieutenant. He earned his Bachelor of Arts degree in sociology from Morgan State University, a Masters of Social Work Degree from Rutgers University, and two Doctors of Law degrees bestowed by Mary Holmes College and Morgan State University. He was also a Licensed Master of Social Work (LMSW) in the State of New York. In May 1973, he helped found and then served as Chairman of the Fort Greene Council Inc. Under his leadership, the Council expanded its sponsorship of senior centers, offering a range of comprehensive services, from their first center located in Fort Greene-Clinton Hills to its present sponsorship of 13 centers located throughout Brooklyn. The expansion also included a meals-on-wheels program, two child care centers, COMPASS, and UPK for ALLs. He was a visionary who created and organized

Jazz 966 in November 1990, opening its doors to the Brooklyn community at affordable admission fees at a modest \$15.00 donation, which was an alternative to the expensive Jazz clubs in New York City. Jazz 966 featured world renowned artist, such as Wynton Marsalis, Trumpeter; Houston Person, Saxophonist; Etta Jones, Jazz Singer; and their own Danny Mixon, Pianist. For five years, he hosted and produced "The Grand Ones," a weekly radio show formerly aired on WNYE, 91.5FM. He served as Chairman of Independent Brooklyn CORE for 16 years and helped fight for social justice and political empowerment. He was elected to Central Brooklyn's Community School Board No. 16, where he held the position of Chairman and was instrumental in initiating policies which dramatically improved the districts overall reading and math scores as well as its attendance rating. He was the recipient of more than 90 awards and accolades from various elected officials, block and tenant associations, PTAs, academic and religious orders, schools, fraternal groups, cultural institutions and other groups and was also honored by Ramapo College's Board of Trustees with its most prestigious award, the Fred and Florence Thomas Award. He was also the recipient of the inaugural Sam Pinn Educator Activist Award presented by Ramapo College's Minority Faculty and Staff Association for his years of advocacy on behalf of Ramapo's students, faculty and staff of color.

Section 48. Carmelo Sanchez Way

Introduced by Council Member D. Diaz

Carmelo Sanchez was a longtime community advocate who gave to families in need every year. He hosted annual food giveaways every November to feed many families. Despite his passing days before his food 2020 giveaway, his legacy will live on through his family who will continue the annual tradition.

Section 49. Roxanne Reid Way

Introduced by Council Member R. Diaz

March 8, 1956 – January 4, 2021

Roxanne Reid was as a school crossing guard. She was passionate about working with the police department to keep the children in her neighborhood safe and protected. She received high recognition from the local NYC Department of Education's Community Schools for her commitment to students. She set up a tenant patrol in her building which grew to other buildings within the development and also participated in marches, community building events and worked with local elected officials regarding issues that affected her community. She became President of the Castle Hill Community Development where she worked to protect youth from the dangers of the streets and helped to employ youth through summer youth programs. Several teenagers were able to get fulltime jobs within New York Housing Authority and in construction. She also worked with Community Voices Heard and any organization resolved to help her community.

Section 50. Beverly Roberts Way

Introduced by Council Member R. Diaz

June 9, 1951 – October 12, 2020

Beverly Roberts was President of the NAACP Parkchester Branch and a Gold Life member of the NAACP. She was the 1st Vice President, Chair of the Civic Engagement Committee, Chair of Women in the NAACP, as well as consultant to Special Projects. She was a community leader and a volunteer for almost 40 years devoting her time to advocate for human and civil rights. Her volunteer work included caring for premature babies and Cancer Care's—Look Good-Feel Good program. She also counseled young adults and displaced workers on job search training, developed a workshop for visually impaired first time job seekers; taught young women proper etiquette, a literacy volunteer, sponsored activities in shelters for children, educated parents about the importance of child vehicle restraints and distributed hundreds of free car seats. After Hurricane Katrina aftermath, she worked tirelessly to bring a family from the Gulf Coast to reside in Parkchester with free accommodations for one year. She has also helped educate students in Gambia, West Africa and is the founder of Read to Me, Please. She received several awards for outstanding leadership and service including NAACP Woman of the Year, NYS Assembly Citation, NYS Senate Proclamation, 7th Congressional District's Outstanding Public Service, NAACP National Thalheimer Award and the Parkchester Baptist Church Outstanding Leadership and Service.

Section 51. Juan Antonio Rossy Way

Introduced by Council Member R. Diaz

Juan Antonio Rossy was born in Adjuntas, Puerto Rico. At the age of 30 years old, he came to New York City in 1970 with his two children, Jacqueline and Edgardo Rossy. As a single father, raising two children, he dedicated his life to family, working hard to ensure their futures. He was very active in our community since 1970 and was a part of Community Board 9, worked for NYCHA in the Bronxdale area, now known as Sotomayor. He worked as a caretaker, trucker driver and a member of the NYCHA programs which helped youths acquire jobs within the community. He also worked as a gypsy cab driver, taking people by the number 5 bus to go to work. Juan was very active within the local community, he was part of NYCHA Community board, assisted in both Blessed Sacrament and Holy Family church, and gave a helping hand to everyone he met. Also gave assistance to the 43 Precinct and community 9, he was a true example of hardworking, always caring and humble. He made a difference in a lot of people's life. He had volunteered his time in elections and community service. On August 1, 2020, the community lost Juan Rossy and would like to honor his memory and all the hard work he had provided within the community by celebrating the life he lived.

Section 52. John McKelvey Sr. Way Villa Rosa Bonheur

Introduced by Council Member Dinowitz

May 24, 1863 – October 19, 1947

John Jay McKelvey, Sr. was an American author, attorney, and preservationist who set precedents in establishing the Harvard Law Review and in framing case law to craft the environs of his Spuyten Duyvil community, New York. He also built the Villa Rosa Bonheur's sisters, the Villa Charlotte Brontë and Villa Victoria around the same time, was alarmed by the wave of high-rise "city ugly" development spreading through New York City at the time. His answer was to construct cooperative apartments resembling villas, the famous "City Beautiful" movement of the early twentieth century. Mr. McKelvey's legacy in Spuyten Duyvil includes not just the three "Villas" (Rosa Bonheur, Charlotte Brontë and Victoria but also as the secretary and director of the two entities the Along-the-Hudson Company and the Edgehill Terrace Company, the development footprints of each are still apparent today. He was an attorney for the Edgehill Co-Operative Savings & Loan Association; member of the Contracts and Bronx, and Executive Committees of the Hudson-Fulton Celebration Commission of 1909; secretary of the Henry Hudson Monument Committee of 1909; founding member, trustee and incorporator of the Edgehill Church, attorney, secretary, the District Protective League and as trustee of the Barnard School for Boys (now part of Horace Mann School). At the turn of the twentieth Century, the Park District Protective League (PDPL) was an organization of exclusivity, but over the years took on a preservationist role in Riverdale. Riverdale Park was created by the contributions of landowners convinced by the PDPL of the need to protect the green space from the encroaching development of the city. In the 1950's, the PDPL became the Riverdale Community Planning Association, which went on to champion the rezoning of Riverdale and the environmental protections of the Special Natural Area District regulations. Without the stewardship and influence of John McKelvey, Sr. in those early years, it is quite possible that Riverdale would be a very different place from the place we call home today. His contribution to the modern development of the Spuyten Duyvil community was noted in obituaries both local and national, when he passed away in 1947 at the age of 84. His practice of law included a preservationist vision which resonates today in the picturesque tranquility of our green space and our sustained commitment to a planned and balanced community, and for this inspiration we owe him great thanks.

Section 53. Tenzing Norgay Sherpa Way

Introduced by Council Member Dromm

May 29, 1914 – May 9, 1986

Tenzing Norgay Sherpa along with Sir Edmund Hillary became the first to reach the summit of Mount Everest on May 29, 1953. In 1999, they were among TIME's 100 most influential people of the 20th century.

Section 54. Joseph Ricevuto Way

Introduced by Council Member Dromm

June 29, 1933 – January 26, 2021

Joseph Ricevuto was born and raised in the Bronx and moved to Jackson Heights in 1960. He served in the United States Army and fought in the Korean War. He later established William Hair Stylist barbershop on the corner of 37th Avenue and 86th Street. He worked there until retiring in 2002, and cut hair on a part time basis thereafter. He was known for his years of civic leadership in the Jackson Heights community. He was the long-time president and organizer of the Men and Women's Club of Jackson Heights, a group that helped address the isolation older adults often suffer by bringing them together regularly for a warm meal and conversation. Ricevuto was also the president of the Jackson Heights Beautification Groups Garden Club. As president, he planted flowers along Jackson Heights' 37th Avenue year after year, thereby beautifying the neighborhood's commercial corridor. Ricevuto regularly participated in the March of Dimes, raising thousands of dollars to support women and infant health. He loved to entertain children, which is why he marched in Macy's Thanksgiving Day Parade dressed as a clown for many years. Ricevuto was a devout Roman Catholic and was active as a lay leader in the Church. He was a proud member of the Knights of Columbus, the Catholic War Veterans and the Holy Name Society. He also served as an usher at St. Joan of Arc Church, his local parish in Jackson Heights.

Section 55. Steve Knobel Way

Introduced by Council Member Dromm

June 23, 1943 – January 6, 2021

Steve Knobel served as President of the Jewish Center of Jackson Heights for over twenty years, during which time the Center served not only its congregants but also the entire community. Under Steve's tenure, the Center became the de facto community center of Jackson Heights. The Jewish Center offered many programs including piano lessons for children, ESL classes for immigrants, tutoring sessions for young people, lectures, opera concerts and Broadway and Bagel performances.

Section 56. Stanley, Kathleen & Robert Rygor Way

Introduced by Council Member Dromm

Stanley Rygor (April 9, 1926 – December 25, 2019) Kathleen Rygor (August 31, 1929 – April 8, 2021) and Robert Rygor (June 17, 1953 – January 16, 1994) were very involved in the LGBT community. Robert was a well-known LGBT community activist and prominent AIDS activist and ACT UP spokesperson. In 1978, he became the first openly gay man to run for New York State Legislature. He was a member of Villagers Against Crime, advocating for safer neighborhoods and in 1992, he testified at the Democratic Platform Committee Hearings to advocate for the inclusion of AIDS awareness and funding into their platform. Stanley, Robert's father, served in the United States Navy and later became a civil rights activist during the 1960's. The Queens LGBT community referred to him as an outspoken ally and advocated for AIDS Outreach after his son contracted the virus and passed away. Stanley was a member of the Irish LGBT group Lavender and Green Alliance, which both honored him and his wife Kathleen, in 1996. Stanley and Kathleen were featured in a number of films regarding their son on the challenges of homophobia and AIDS.

Section 57. Monti Castañeda Corner

Introduced by Council Member Dromm

October 20, 1961 - June 11, 2021

Monti J. Castañeda Sanchez was born in Brooklyn. As an only child, raised by a single mother who arrived in New York from Guatemala, Monti, or *Chiqui*, as she was known in her community, had a profound connection with the challenges and struggles faced by immigrant women, the youth and the elderly in New York City. She passed away unexpectedly on June 11, 2021 as she went to bury her recently deceased mother in Guatemala. She left this world away from her beloved community of Jackson Heights, but surrounded by close family members. For over 40 years she passionately provided her talents and activism to her community of Jackson Heights where she served as a member of Queens Neighborhood Advisory Board #4 and the Community Action

Board as the Representative of Region 17 for Queens NABs #3, #4 and #17. In 2019, The Department of Youth and Community Development, with New York City Community Action Board, awarded Monti Castañeda with a certificate of great appreciation for her efforts on behalf of those in need in her community and for passionately supporting the Community Action Program. Previously, she was a featured woman in *El Diario's* 2016 Outstanding Women edition for her contributions to New York City in the area of public health. In 2012, The Ecuadorian International Center awarded her a Certificate of Recognition for her outstanding service and support for the Center's mission, while in 1996 she received *the Comité Pro Festival Latinoamericano De Queens - Rigoberta Mechu Award*. *Chiqui* was a self-made woman who earned two Master's degrees from New York University. The first on Latin American and Caribbean studies (1995), and the second on Global Public Health (2008). After almost 2 decades working at the Institute of International Education's Fulbright Program, *Chiqui* decided to follow her passion, and focused her attention on underserved immigrants in her community by working as a researcher for various health focused organizations such as Community Health Care Association of New York State (CHCANYS, 2008-2010) NYU Langone Cancer Center at Bellevue Hospital (2009-2015), and Americares Foundation (2005-2021) where she aimed at understanding the disparities in access to healthcare by marginalized groups. Her passion and commitment for understanding the barriers faced by immigrants in New York City for achieve a healthy and prosperous life, led her to a committed and dedicates life of activism in her community and beyond. From 2012 until her passing, she worked closely with the Ecuadorian International Center in Jackson Heights writing grants to raise funds for free mammogram services for low-income women, among other causes. There, she also mentored young people - especially DACA youth – empowering them to remain actively engaged in their communities and become influential advocates. In 2018, *Chiqui* helped start the Luz Colón Memorial Fund, which provides small college grants for young Latinas in New York interested in civic affairs and community leadership. In her spare time *Chiqui* conducted citizenship classes and even volunteered at SCO Queens Single Stop Program in Northwest Queens from 2012-2015 where she offered her time and kindness helping at community fairs and Christmas holiday parties for underserved children. She also supported the Mexico Now Festival since 2004 to reshape Mexican culture and identity preconceptions and to promote racial justice while highlighting the work of Mexican artists in New York City. Lastly, *Chiqui* had a particular passion for advocating for elderly migrants living in Jackson Heights. She devoted her personal life to the compassionate care of her elderly mother suffering from Alzheimer's disease and with whom she lived in the same apartment in Jackson Heights for over 40 years. She published a paper in 2008 while at the New York Academy of Medicine on the needs of older immigrants and their perspective on growing older in New York City. Because of her personal experience caring for her own mother and the knowledge she amassed researching about the health outcomes of older New Yorkers, she strongly advocated for better access to comprehensive health care services for elderly migrants. *Chiqui* also maintained close connections with other community advocates and public servants as a way to help promote much needed policy changes for migrant women, youth and the elderly.

Section 58. Peter Magnani Way

Introduced by Council Member Dromm

October 18, 1938 – July 23, 2021

Peter Magnani left an indelible mark on the built environment of Queens through his life's work as an architect and city planner. He shepherded the creation of many of the most important public buildings in the borough over the past 35 years. Peter viewed all his projects through the lens of how they would promote the welfare and quality of life of the community. Fairness, equality and balance were his motivating principles. Queens is home to more green spaces, beautiful libraries and other architecturally noteworthy public buildings thanks to his vision and expertise. Peter started his career in the public sector in 1968 in the Bronx Office of City Planning, rising by 1977 to the position of director. In 1980, he assumed the same post at the Queens Office of City Planning, the borough where he was born and where he lived. In this role, Peter advocated for a mixed-zoning plan for Long Island City to protect the area's factories and industrial production and the current owners of single-family homes from unchecked high-rise development. His plan permitted construction or expansion of light industry and one- and two-family houses. The plan also called for the preservation for public use of Long Island City's waterfront, which was no longer heavily used by industry. With an eye to balance and job growth, Peter also got Planning Commission approval for the Citicorp Office Tower in Long Island City. His work set

the stage for the current development of Long Island City. In 1986, Claire Shulman asked Peter to become her deputy. Over the next 16 years as deputy borough president, he planned and implemented the Queens West mixed-use waterfront development and championed the building of the new Queens Hospital Center, the Flushing Meadow Corona Park Olympic swimming pool and ice rink, the Queens Hall of Science addition and Queens Borough Public Library at Flushing. Following Peter's advice, Shulman allocated funding in the 1990s to restore sections of the 34th Avenue median between 69th Street and Junction Boulevard that had been removed in the 1960s. In the spring of 2020, thanks in part to that green median bisecting the street, 34th Avenue became one of New York City's most successful Open Street projects. In 2002, he became the director of capital program management for the Queens Borough Public Library. In that role, he oversaw the largest and most successful building program in the history of the library. The Children's Library Discovery Center in Jamaica, Queens, and notable new branch libraries in Long Island City, Glen Oaks, Elmhurst, Far Rockaway and Hunters Point were all built during his tenure. Peter was instrumental in the selection of Steven Holl and his "Beacon of Light" design concept for the new Hunters Point branch near the waterfront. "The idea is to use natural elements, such as the sun, wind and greenery on the roof to help insulate the building," Peter wrote. In addition to the construction of new library buildings, he brought all the branches of the Queens Borough Public Library into the 21st century by installing machines that library patrons could use to check out books on their own. In addition to his work as a city planner and builder, he played an instrumental role in the Towers Coop, his home of nearly 53 years in Jackson Heights. In the 1970s, he led a successful tenant-sponsored conversion of this complex of 120 rental apartments into a cooperative and became the founding president of the coop's board. Jackson Heights was referred to as the "Cocaine Capital" by New York Magazine at the time, and the success of the Towers conversion to coop status helped stabilize the neighborhood. In 2010, the New York Chapter of the American Institute of Architects awarded Peter its Public Architect Award for achieving architectural design excellence in the public realm.

Section 59. Ebenezer "Ben" Edwards Way

Introduced by Council Member Eugene

September 29, 1944 – December 28, 2018

Ben Edwards was one of the hardest working, committed, and productive public servants of Brooklyn. He was the long-serving president of the Lefferts Manor Association (LMA). He led an organization whose core mission was to uphold and defend the one-family-only housing covenant over the homes that comprise the Lefferts Manor Historic District, a subset of Prospect Lefferts Gardens (PLG). The group also orchestrates the popular Prospect Lefferts Gardens House and Garden Tour. The LMA also publishes the Echo. He had the longest tenure of any LMA president since the group's founding a century ago. He persuaded the Landmarks Preservation Commission to issue advice instead of fines when several homeowners in recent years ran afoul of the historic district's exterior rehab codes, especially as it related to window replacement. Working with then Brooklyn Borough President Marty Markowitz, funds were found for all of PLG to receive wrought-iron tree guards throughout the neighborhood. He managed to get the city to live up to a promise it made years earlier with the installation of the historic Bishop's Crook lampposts that line the Manor's blocks. He helped bring landmark status to the stately limestone block on Ocean Avenue near Lincoln Road. Beyond his long presidency of the LMA, he served nearly ten years as a board member and most recently treasurer on CB, and he was a longstanding member of the Police Community Council. He did all that and more while working as an associate broker at a Century franchise, earning the real estate chain's "21st Century Achiever" honor. He was a bulwark against predatory development and spent a lot of time challenging the ambitions of realtors and developers who set their targets on PLG.

Section 60. Phil Foglia Way

Introduced by Council Member Feliz

Died 2020

Phil Foglia was very involved in his community. He was a consultant for the Council of Belmont Organizations, the Italian American Alliance for Education and served on Community Planning Board 6. He was appointed by Mayor Koch to the Council on InterGroup Relations to help ease tensions between various communities throughout the City. He served as Assistant District Attorney in the Bronx where he was assigned

to the Appeals Bureau and the Investigations Bureau prosecuting rackets and narcotics cases. He was designated as a Special Assistant United States Attorney under Rudolph Giuliani, assigned to the Organized Crime and Public Corruption Strike Force in the Southern District of New York. He was a founding Board Member of the Italian American Museum, was pro bono Legal Counsel for the Bronx Special Olympics for two decades, President of the Columbus Alliance and founding director of the New Bronx Columbus Day Parade Committee. He is founding director of the Child Reach Foundation to assist youth suffering from poverty, health problems and limited educational opportunities. He was the Executive Vice President for SEBCO, an award winning Bronx non-profit company where he supervised two senior citizens nutritional programs, two homeless shelters and eight senior citizens buildings.

Section 61. Joseph Migliucci Way

Introduced by Council Member Feliz

November 18, 1938 – April 6, 2020

Joseph Migliucci was the fourth generation of the venerable Migliucci family of chefs and restaurateurs who opened Mario's Pizzeria in 1919 at 2342 Arthur Avenue in the Little Italy section of The Bronx. Joseph was the son of Mario and Rose, grandson of Giuseppe and great grandson of Scolastica whom collectively guided Mario's from a small pizzeria to a renowned Italian eatery patronized and beloved by multiple generations of customers. His parents urged Joseph to higher education and a professional career. While studying engineering in college he decided on a different course and left to join the family business. Joseph brought boundless energy, superior technical and mechanical skills and love for people, food and life to the restaurant. He learned all facets of the business: cooking, prepping, cleaning, repairing, purchasing, serving, hosting, marketing and finances. Trained by Mario and uncle Clemente, Joseph became both a world class chef and master pizza maker of Mario's signature thin crust Neapolitan style pies for which it remains famous. Generations of customers fortunate enough to eat a Joseph made pie attest that no one did it better. Far beyond preparing meals, Joseph touched countless individuals through his acts of love, kindness and friendship. Employees struggling with all kinds of life's obstacles, customers seeking comfort or advice, fellow businessmen needing assistance, friends needing help - or bail – and the 'down and out' fighting addiction needing guidance or a second chance, found it from Joseph. With a gentle heart, large frame and even bigger hands, he provided compassion to his fellow man so many times that the touching expressions of tribute arising from his sudden departure are far too many to list. Joseph displayed his generosity to the end. In his final days of life at the hospital as his condition deteriorated, he chose his fate and told the night nurse "...give the ventilator to somebody else who needs it..." Even in these trying times, true to his nature, he managed to touch the lives of those around him. He died of COVID-19.

Section 62. Madonia Road

Introduced by Council Member Feliz

Madonia Bakery was established in the Bronx in 1918, selling traditional Italian breads and later expanding to desserts. Through its existence, the bakery has lasted through economic downturns and ownership changes. Still, the bakery draws many foodies and tourists from around the world each year.

Section 63. St. John's Way

Introduced by Council Member Gennaro

This co-naming will commemorate the 150th Anniversary of St. John's the University.

Section 64. Little Bangladesh Avenue

Introduced by Council Member Gennaro

This co-naming will commemorate the Bangladeshi community and recognize the contributions that have been made and they continue to make in the future.

Section 65. Eleanor Dowe Blvd

Introduced by Council Member Gibson

January 7, 1954 – January 21, 2021

Eleanor Dowe was a public housing tenant who went into a coma and later passed away after falling down a flight of stairs as a result of the elevators in her building not functioning properly. She lived in the NYCHA Webster Houses for over 40 years. She called NYCHA for months before the accident occurred that the elevators were not working properly with no response. Her death has brought attention to the devastating consequences to two major flaws of NYCHA: the lack of timely repairs and the lack of sufficient housing for seniors and those of special disabilities.

Section 66. Curtis Hamilton Way

Introduced by Council Member Gibson and Salamanca

Died April 14, 2020

Curtis Hamilton was a Bronx resident for many years of his life. He graduated from William Howard Taft High School and pursued a degree in Early Childhood Education at Bronx Community College. He served as a Chaplain for The New York State Chaplain Worker's Task Force in the Bronx and first a Deacon, then an ordained Elder at Greater Cathedral Liberty Church. Through his leadership, the quality of life of residents, businesses, community-based organizations and the community-at-large significantly improved, particularly with the steady increase of participation in the precinct council meetings of both residents and most importantly, the youth. He successfully challenged all to come together and work as a community. He was dedicated to the 42nd Precinct Community Council for many years. He served on the Board as Treasurer from June 21, 2012 to September 22, 2016, Vice President from September 22, 2016 to June 22, 2017, and President from June 22, /2017 until his sudden death on April 14, 2020. Not only did he receive numerous honors and recognitions, but he also set the standard for National Night Out with his compelling personality, commitment, and dedication. He was able to attract visits from such luminaries as the Mayor, Council Members, Senators, Assembly Members police commissioners and community leaders from all over the city. He was extremely successful at getting participation from officers of the 42nd Pct. on their own time, as well as people and businesses within and outside of the precinct community. They not only gave materially but participated in the festivities. food, games, and fun that are a part of everyone's Night of unity, but it was his unwavering commitment to the youth of the Bronx that was showcased by the ever-growing success of National Night Out of the 42nd Precinct. He was able to take the festivities to another level with live musical performances by the renowned performing youth of "The World of Renaissance Youth Center." These showcases have been life changing for many of those youth. His plan for 2020 and 2021 was to move the National Night Out event to the very street and location we are requesting the re-naming. This is not only appropriate, but quite fitting to honor his many years and contributions to the 42nd precinct community. He was an educator, lecturer and motivational speaker, NYPD clergy liaison and N.Y.S Chaplin. He was also an active member of Bronx Community Board 3, and local community activist and leader. He promoted civic engagement and community partnerships.

Section 67. Hetty Fox Lane

Introduced by Council Member Gibson

September 13, 1937 – September 13, 2019

Hetty Agnes Fox was born in Harlem, New York. She moved to the Bronx in 1940 and attended St. Anthony of Padua Elementary and Cathedral High School. She went on to study at Hunter College where she learned Russian, majored in psychology, perfected her bridge game in the college cafeteria and earned her B.A. degree in 1962. In 1970, she found a block in decline and began a decades-long effort to rescue abandoned buildings and assist struggling families. She launched The New York Kids Foundation to provide after-school programs, recreational opportunities and a safe place to learn and play. The Christmas parties, summer play street and annual trips to Bear Mountain were for the kids she loved. She began by renovating and rescuing one-family and two-family homes on her block, and eventually turned one of them into a center for arts and education, called the Neo-Presearch Energy Foundation, Inc., located at 1370 Lyman Place. She started "Play Street" in 1977, which attracts over 100 kids daily, to give kids who cannot afford summer camp another option. She worked hard to recapture for them the joy she experienced growing up on Lyman Place and to help their parents

overcome obstacles to success in a city that many felt had abandoned them. She was committed to improving the lives of those who called Lyman Place and its neighborhood home. She planted 21 trees on her block to beautify the area. Her father taught her African dance at an early age, she played the traditional and five-drum electronic conga, mastering them enough to tour Europe with Jazz artist Ornette Coleman and record an album with saxophonist Archie Shepp. She self-published two books: "Neighborhood Rules of Order" and "Jealousy be Gone." She was instrumental in promoting the Bronx African American History Project at Fordham University and is included in the book, "Before the Fires," an oral history of Blacks in the Bronx from the 1930's to the 1960's. She was featured in the PBS Independent Lens documentary, "Decade of Fire," which revisits the 1970's when the South Bronx was abandoned to flames by the city and rescued by its residents. Her community work has been reported in the New York Times, USA Today and other media since the 1980's.

Section 68. Andy "The Barber" Foxe Way

Introduced by Council Member Gibson

Andy Foxe was born on February 23, 1968 and lived in the Bronx for 53 years. He attended DeWitt Clinton High School and graduated in 1987. After high school, he trained to become a licensed barber, and opened up his own business called the World Famous Barbershop, located at 587 East 168th Street. World Famous Barbershop & Tattoos was dedicated to providing exceptional and eye catching hair styles to every client. They were committed to providing the highest level of quality and professionalism exceeded only by the warm and relaxing atmosphere created for every customer to enjoy. His sense of commitment and leadership positively impacted the children, families and community at large. He was the embodiment of what is good in a community challenged with insuring that its children grow up with positive and productive role models. He represented all that was good in his "hood" and throughout the Bronx. His memory and legacy will forever be remembered, along with the standard of excellence that he modeled as a citizen, business owner, community leader, father and loving husband. On Thanksgiving, he would give out turkeys and food to the community, as well as helped and fed the homeless. All the kids in the neighborhood went to get their haircut at Andy's barbershop. He was a great role model to the community and the neighborhood kids and watched them grow from young kids to adulthood. During the school year, he would buy books and book bags for the kids. On Halloween, he would make sure to have plenty of candy for all the kids to have. He also invited the NYPD into his barbershop to have community meetings and discussions about neighborhood policing. He was also a volunteer worker for the 9/11 attack on the World Trade Center.

Section 69. Winifred A.R. Bama Way

Introduced by Council Member Gibson

November 11, 1955 – March 2, 2021

Winifred Bama was a popular athlete who ran for Sierra Leone in the early 1970's. She was a role model for girls in sports in Sierra Leone. She ran 400 meters, 800 meters, and 1500 meters which is known as (Middle Distance). She had the national records in middle distance and won a lot of Gold medals. She also won the Bronze medal in the 1972 Summer Olympics located in Munich, West Germany. She represented Sierra Leone in the Ecowas West African Games and Commonwealth Games located in Europe. During her years of running for Sierra Leone, she ran alongside national athletes like the late Apolo Suma Keta (who was her former coach), Josi Bucknor, George Blanche, Joyci John, and Rev. Dr. Eugenia Osho-William. She worked for Sierra Leone Ministry Tourism and Cultural Affairs and the secondary school. She was the first member of the late Overseer and Senior Pastor Reverend Druscilla Warrington who opened Christian Community Deliverance Church in June 1974. She provided poor women and their children food, clothing, and shelter in Ivory Coast, Senegal, and all of West Africa. She came to the United States as a missionary of the United Gospel Crusade in Philadelphia in the 1980's. She then decided to settle down in the States in 1990 to continue her mission. She was great friends with George Manneh Oppong Weah who was the 25th President of Liberia. She saved his two daughters Tita and Godwina, and adopted them during the Liberian Civil war in 1989 until 1991. In 1992, she started working at St. Barnabas Hospital as a CNA in the nursing home and later continued on to the Pediatric Nursery caring for newborn babies. While working in St. Barnabas during the Christmas Holidays she would buy lots of toys and give to the sickly children and spend time with them and creating memorable moments. In 2007, she retired from St. Barnabas Hospital and decided to focus on her foreign mission and community outreach. Through

Christian Community Deliverance Church foreign mission she opened Churches in Sierra Leone, Ghana, and Liberia. She was a very active member in the church that she attended Fulton Avenue Church of God where she led the outreach group in conducting coat drive, toy drive, canned drive, and gathering of clothes for the Salvation Army. She was an active member of the community board and served the City Council. Was a CERT (Community emergency response team), and a community partner at 42nd Precinct. She later on became an active member at New Covenant Dominion Cathedral where she continued her foreign mission and was also ordained Missionary Evangelist by ArchBishop Joseph A. Alexander.

Section 70. Bishop Roy Bryant Sr. DD Way

Introduced by Council Member Gibson

July 18, 1923 – December 23, 2020

Bishop Roy Bryant, Sr., D.D. joined the ministry in 1957 and started a church in his home which later expanded to five churches, two located on Morris Avenue of the Bronx. Under his leadership, The Bible Church of Christ helped to revitalize an impoverished community that had been long plagued by drugs and violence. The Bible Church of Christ Theological Institute was established to further spiritual knowledge, provide continuing education, adult literacy as well as a GED program. In addition to educational programs, a food pantry, clothing distribution and after-school programs for children were also instituted to further assist the needs of families within the community. On the first Sunday of January 1960, he received the Baptism of the Holy Ghost. Thereafter, Bishop Roy Bryant, Sr. began to preach Christ, bringing the power of his own experience; the healing power of the Holy Ghost, to the people in countless hospitals, throughout the community, and in God's timing, around the world. By 1966, Pastor Bryant was ordained a Bishop. He was the Founder, Pastor and Bishop of The Bible Church of Christ, Inc. Subsequently he has churches in the United States and abroad: Bronx, New York; Mt. Vernon, New York; Schenectady, New York; and Dagsboro, Delaware, as well as in Africa and Haiti. The Allan Memorial Institute, a Christian School in Liberia, West Africa was established in honor of Bishop and Mother Sissieretta Bryant's son Allan. The school has approximately 450 students from Kindergarten to 9th grade. Recently incorporated into The Bible Church of Christ ministry are seven churches in Myanmar (Burma), located in Southeast Asia, Overseer, Dr. K. Thang. He authored three revealing books about Demonology. Bishop Roy Bryant, Sr., also taught Demonology classes at The Bible Church of Christ Theological Institute.

Section 71. Hon. Aurelia Greene Way

Introduced by Council Member Gibson

Died May 8, 2021

Aurelia Greene was first elected to the New York State Assembly in April 1982. She served in this capacity for 27 years, using her urban planning skills to negotiate and sponsor legislation for affordable housing and healthcare, quality education, senior and youth services and economic development. She regularly sponsored educational and informational seminars to aid her constituents on issues of current concern. She has taught at Antioch College, lectured at numerous universities and colleges in the New York City area. As Assemblywoman, she introduced numerous bills, which later became state law to improve the quality of life for the residents of New York State. In 1994, she was awarded a gold helmet by the New York State Head Injury Association for her Bicycle Helmet legislation. She also authored the Motor Vehicle Leasing Act, which was hailed as a landmark decision, the first of its kind. She also sponsored the 1996 Interstate Bank Branching and ATM Safety Act. She introduced legislation prohibiting predatory lending practices in relation to high-cost home loans, which became law in October 2002. This law protected consumers against abuses in the sub-prime lending market. Before leaving the Assembly, she was elevated to the position of Speaker Pro Tempore by Speaker Sheldon Silver. She presided over the Assembly sessions in the absence of the Speaker. While serving in the Legislature, she became the first woman to chair the Banking Committee and the first African American to serve as Speaker Pro Tempore. She also chaired the Assembly's Bronx delegation having become the longest serving member of the body from Bronx County. Upon joining the Assembly, she was a founding member of the New York State Association of Black and Puerto Rican Legislators, Inc. and The Women's Caucus. She left the Assembly in May 2009 to serve as the Bronx Deputy Borough President until she retired in 2017, with over 50 years of public service. Prior to leaving service as the Deputy Borough President, she was given the key to the

Borough by Borough President Ruben Diaz, Jr. During her lifetime, she mentored many former students, interns and served as a role model for others to follow in her footsteps.

Section 72. Rosella Gregg Way

Introduced by Council Member Gibson

Rosella Gregg was born in Greenwood, South Carolina and raised partially in Washington D.C. before settling in Harlem, New York. In 1963, she moved to the Prospect Avenue in the Bronx, where she met Aurelia and Jerome Greene. In her thirties, she sought to help her fellow community members. Under the tutelage of Aurelia Green and the late Rev. Wendell Foster, she became passionate about Black civic engagement. Often times, she was called upon by political leaders to encourage the public to vote. However, it was her wish to also be a supporting hand to struggling families. She took on the role of liaison between community members and city agencies. She advocated for individual rights and community programming in her community.

Section 73. Mother Cordelia Gilford Way

Introduced by Council Member Gibson

November 19, 1933 - February 11, 2021

Once Ms. Gilford moved to 1328 Bristow Street with her three beautiful children, she became a pillar in her community. Known for her devoted religious status, Ms. Gilford was an active member of the 1st Sinai Baptist church, transforming into the Soul Tabernacle Church. She was one of its founding members. She was an outstanding elementary teacher for over 30 years, 25 of which were spent at CS 134. She worked for the board of elections for 35 years, where she built friendships with school staff. She was also co-founder and board member of the Fort Apache youth center, a staple in the community for young boys and girls. Mother Gilford was proud that the program offered after-school services, jobs, and opportunities in the community. As a member of Bronx Community Board Three, she promoted safety in the community and gathered resources and helpful information for distribution. She also hosted and attended many toy drives and back-to-school events for the community.

Section 74. Thomas ‘Tommy’ A. Solfio Way

Introduced by Council Member Gjonaj

March 24, 1927 – December 22, 2001

Thomas ‘Tommy’ A. Solfio served in the United States Navy and later became very dedicated to the Throggs Neck community. He was one of the founders of the Throggs Neck Little League, helped build the field house for the players and also managed the Throggs Neck Little League team. He also helped Throggs Neck Historian Bill Twomey with his bi-weekly Throggs Neck Memories newspaper column which was then turned into a 300-page book. He again helped Bill Twomey with other books based on the Bronx called, *A Pictorial Survey of Throggs Neck*, *The Bronx – 1983*, *The Bronx in Bits & Pieces* and a photo book called, *Throggs Neck – Pelham Bay*. He was a member of the Throggs Neck Homeowners, St. Francis De Chantal Sea Cadets and the Preston High School Association.

Section 75. Mario D’Agostino Way

Introduced by Council Member Gjonaj

Died June 14, 2020

Mario D’Agostino was a true leader in his community. He was the founder of Muscle Maker Grill and The Miles Coffee Bar on E. Tremont Ave and Miles Ave. He transformed an entire block on East Tremont into a true destination. The Miles Coffee Bar, a unique coffee shop that brought so many people together and gave them a chance to see his vision. When he opened the Miles Coffee bar his mission was to bringing a new esthetic to the neighborhood and to offer well thought out product from locally roasted coffee to top quality food. The design was fresh and conducive to a gathering place, inclusive for all. He was a member of the community board for a short period of time before being diagnosed but it was something that was so very important to him, if he had more time with us I know he eventually would have wanted to get involved in local politics to champion

change for his beloved borough. He changed people's lives by helping friends and employees further their careers, to get them to realize their full potential. He was a positive male role model to so many of his employees, helping mentor them to believe in themselves and to always work hard. Many credit being able to buy real estate in the Bronx, building up their credit, landing their dream job, changing their unhealthy lifestyle and simply enjoying life to the fullest from him.

Section 76. Conti's Pastry Shoppe Boulevard

Introduced by Council Member Gjonaj

Augustino Conti arrived in New York from Parma, Italy with only his knowledge of baking cookies and cakes. He found work in a bakery, and in 1921, he opened his own bakery in the Italian-American neighborhood of Van Nest in the Bronx. The first bakery was on Victor Street and Morris Park Avenue. Since 1928, Conti's Pastry Shoppe has been at 786 Morris Park Avenue. With its present owners Sal and Senada Paljevic and Christina DiRusso; Conti's is still known for its legendary Boston Cream pie. After 100 years, Conti's Pastry Shoppe is a staple of the Van Nest community. It has given back to many charitable organizations such as schools and collected for toy drives at Christmas time. Additionally, it has received honors such as the New York State Empire Award for business, awards from the Edible Bronx, Wedding Wire Couples' Choice and Bride's Choice Awards. This co-naming would honor Conti's for their 100 years of service and partnership with the Morris Park and Van Nest community.

Section 77. Joe Chiodi Way

Introduced by Council Member Gjonaj

April 21, 1964 – February 23, 2020

Joe Chiodi was a staple of the Pelham Parkway community. He consistently sacrificed everyone else before himself. From his humble beginnings in a small town outside of Naples, Italy, he immigrated to America as a young boy and with his hard work, was able to start his own restaurant. It's difficult to put into words how many lives he touched with over the forty years he owned and operated John & Joe's Pizzeria. He treated every child that came into his store like family, often times giving them their very first job. He was more than a man behind the counter serving slices of pizza. He cared for blind members of his community, he gave free slices to children who couldn't pay, and many times, he gave a long stern talk to children that lost their path. He sponsored the local little league teams, offered his spare generator to families who had children in need of medical equipment, and in times of natural disaster, was often the only shop on the block that was still open and serving the community however he could. These were the acts of kindness many people were lucky to witness, but his most profound acts of kindness were often hidden and subtle, in ways that many people didn't realize were his doing. He rented an apartment for a single mother in need that struggled to pay rent. There was many a day when a line was forming because he allowed a child to get behind the counter to help make pizza.

Section 78. Michael Prince Way

Introduced by Council Member Gjonaj

Died April 19, 2020

Michael Prince was a small neighborhood business owner who was dedicated to his community. He supplied countless area youths with their first jobs and also made it a point to hire local residents, especially those going rough patches. He found work for needy individuals with the intent to help them retain pride while earning a needed dollar. When neighbors needed something he was there to help, never expecting anything in return. He performed various services for neighborhood residents including senior citizens. Xerox copies, sending faxes, and repairing home printers and other equipment were often done without charge. He supported numerous charitable causes, youth sports, school events and community organizations including the local Spencer Estate Civic Association.

Section 79. Ibrahim al-Hamdi Way

Introduced by Council Member Gjonaj

September 30, 1943 – October 11, 1977

Ibrahim al-Hamdi became President of North Yemen when he seized power through a military coup against the government of Qadi al-Iryani on June 13, 1974. While in office, he embarked on ambitious economic development plans to help bring North Yemen closer to 20th century modernity. He cemented the central government's control over the country, planned on ending tribal loyalty, and Yemen's medieval social classes by proclaiming all Yemenis as equal. He also improved relations with [Saudi Arabia](#). He made massive strides in modernization, building up a modern healthcare and education system and significantly reducing poverty through the implementation of Socialist policies. He allocated 31 percent of North Yemen's annual budget to education. Believing that education was the cornerstone to development and progress, al-Hamdi implemented a free breakfast program for pupils in remote rural areas to increase access to basic schooling. He made [a number of executive decisions](#) during his rule to increase the role of government and promote citizenship and equality. His efforts to eradicate tribal loyalty (including in the military) and establish the rule of law in a country devastated by years of civil conflict were ground-breaking in the Arab world during the 1970s. He [abolished](#) the Ministry of Tribal Affairs (a body he believed was an obstacle to the country's economic and social advancement) and established the Ministry of Local Administration. He also restructured the North Yemen army and raised the salaries of military and civilian personnel. During his rule, North Yemen witnessed remarkable [economic growth](#), with the country's GDP rising from 21.5 percent in 1974 to 56.1 percent in 1977. Its per capita income rose by 300 percent in the same period. Al-Hamdi was also planning to establish more democratic institutions in the country by founding what he called "popular conventions." The purpose of these conventions was to "prepare the groundwork for eventual elections" in North Yemen. He was assassinated in 1977.

Section 80. Joseph Oddo Way

Introduced by Council Member Gjonaj

August 19, 1950 – March 31, 2015

Joseph Oddo was president of the Pelham Bay Taxpayers Association, an active member of the Waterbury LaSalle Community Association and was the Bronx Chronicle's first managing editor. He was a member of the East Bronx Traffic Coalition and he began start-up discussions about having a food pantry at St. Theresa Church for the poor. He was presented with an award from the 45th Precinct Community Council. He was also very involved in the situation at 1870 Pelham Parkway South, a former hospital property, trying to find suitable ideas for uses of the building which included a plan for veterans housing. He was responsible for getting a new street light approved at the corner of Crosby and Coddington Avenues where numerous vehicular accidents occurred so make the intersection safer. He received an award from the 45th Precinct Community Council for all of his hard work and dedication to the community.

Section 81. Gjergj Kastrioti Skenderbeu Way

Introduced by Council Member Gjonaj

1405 – 1468

George Castrioti Scanderbeg was an Albanian Nobleman and military commander who led the rebellion against the Ottoman Empire. In 1443 Scanderbeg seized and defended the Fortress of Croya against both Sultan Murad II and Sultan Mehmed II for roughly a quarter of a century. He became the chief military commander of the League of Lezhe in 1444 and served a captain general under King Alfonso V who was the first single ruler of a united Albania. He had followers that were also Savs, Vlachs, and Greeks in addition to the Albanians. Scanderbeg's rebellion became national, bringing people of different regions together for a central cause and his military abilities became a major obstacle for the attempted expansion of the Ottomans. For 25 years his army, consisting of 10,000 men, was able to continually battle the better equipped Ottomans. He was named chief commander to Pope Pius II in 1463 and fought the Ottomans until his death in 1468. There are many monuments dedicated to his memory in the Albanian cities of Tirana in Skanderbeg Square, in and outside of the Skanderbeg Museum and in Peshkopi among other places. He was looked upon by many as an admired example of the Christian resistance against the Muslim religion.

Section 82. PePe Cardona Way

Introduced by Council Member Gjonaj

Pepe Cardona was the lead singer and band leader of ALIVE N KICKIN who burst onto the music scene in the 70's with a smash hit called "Tighter, Tighter" selling over 2 million copies leading to national TV appearances on Dick Clark's American Bandstand and The Mike Douglas Show, out of many others. The band spanned over 50 years and garnished a loyal following while playing concerts, including the annual City Island Concert Series, weddings, parties and clubs in the NY Tri-State Area. He was very supportive of his community raising money for causes along the way until his recent death from cancer. He was a source of pride for City Island and the Bronx and entertained the country and community with his music. In the fall of 1970, he received a Gold Record onstage at Madison Square Garden. He was truly an icon in his community.

Section 83. Carmine Palladino Way

Introduced by Council Member Gjonaj

May 25, 1958 – June 1, 2021

Carmine Palladino was an outstanding member of the Throggs Neck community who impacted his community in many ways. He supported many community events to include tree lightings, community dances, food pantries, and, most recently, many COVID-19 related outreach efforts. He volunteered in support of the American Open Hands Food Giveaways. Carmine raised awareness for, supported, and donated over 1,500 meals to the medical heroes at Montefiore Hospital during the COVID-19 Pandemic. His willingness to give was exemplified by his 10-year tenure as a board member for the Kids for Kids foundation, where he and his team donated over \$11 million to children's hospitals, including St. Jude Children's Research Hospital, St. Mary's Hospital for Children and Maimonides Children Hospital throughout the City. Additionally, he hosted an event at the Bronx Zoo annually in support of children with cancer, which brings over 1,000 guests. Furthermore, he impacted the lives of the DiNapoli family, who reside in the Throggs Neck area, when their son was diagnosed with cancer. Through Kids for Kids, he was able to award the family with a \$10,000 grant to provide both financial and emotional support in their terrible time of need.

Section 84. Dominick Schiano Way

Introduced by Council Member Gjonaj

Died December 28, 2020

Dominick Schiano served on Community Board 11 for nine years until he retired in November 2020. He was a lifelong Bronxite who was raised on E. 205th Street. He worked on Wall Street at Goldman Sachs for over 40 years. He coached his son's baseball team and watched his kids become successful adults. In addition to serving on the community board, he started the Bronx neighborhood patrol, where he and residents would patrol Bronx Park East and the surrounding streets. He was able to get a patrol car from donations. He had street fairs on Bronx Park East to support the neighborhood Patrol. He continued his service to the community by serving on community board 11 for 9 years He attained the title First Chair and second chair upon retiring in November, 2020. He served on several committees Parks, Land Development, and renewing liquor licenses where he worked closely with the 49th Precinct. Dominick was a long time board member of 2244 Bronx Park East Owners Corp. where he always made the wrongs right and if you needed anything he was there with a lending hand. Dominick was the one, when the COVID-19 pandemic began, to distribute protective face masks to all of his neighbors by knocking on their doors which he single handedly gave out. He was also involved with the Bronx Zoo and Boy Scout Troop 170. He served as an usher at St. Clare of Assisi Church.

Section 85. Fan Noli Way

Introduced by Council Member Gjonaj

January 6, 1882 – March 13, 1965

Theofan Stilian Noli, known as Fan Noli, was an Albanian writer, scholar, diplomat, politician, historian, orator, and founder of the Orthodox Church of Albanian, who served as Prime Minister. Fan Noli is venerated by Albanians as a champion of literature, history, theology, diplomacy, journalism, music, and national unity.

He played an important role in the consolidation of Albanian as the national language of Albania with numerous translations of world literature masterpieces. He also wrote extensively in English: as a scholar and author of a series of publications, religious texts, and translations. He produced a translation of the New Testament in English, *The New Testament of our Lord and Savior Jesus Christ* from the approved Greek text of the Church of Constantinople and the Church of Greece, published in 1961. Noli earned degrees at Harvard (1912), the New England Conservatory of Music (1938), and finally his Ph.D. from Boston University (1945). In 1912, under the leadership of Fan Noli, the Pan-Albanian Federation of America, known as Vatra (The Hearth) was created. Based in Boston, Vatra at the height of its influence had 72 branches throughout the United States. The federation has historically protected the rights of the Albanians in the United States, as well lobbying with the United States Congress about the rights of the Albanians throughout the world. Today, Vatra Federation continues to be a vibrant home to its many branches across the nation, New York, Michigan, Florida, Massachusetts, and Canada. Both, Vatra and its newspaper “Dielli” serve as community staple and are based in the Bronx, which is the largest Albanian Community in United States. Fan Noli was the Chief-editor of the newspaper “Dielli” (The Sun) – which began as a publication of the Boston Albanian society “Besa-Besen” from February 1909, until July 1911. He was ordained a priest at Saint Nicholas Cathedral in New York City in 1908, establishing thereby the Albanian Church and elevating the Albanian language to ecclesiastic use. He briefly resided in Albania after the 1912 declaration of independence. After World War I, Noli led the diplomatic efforts for the reunification of Albania and received the support of U.S. President Woodrow Wilson. Later he pursued a diplomatic-political career in Albania, successfully leading the Albanian bid for membership in the League of Nations. Noli’s eloquence in pleading Albania’s cause won him many enthusiastic supporters among the great statesmen of the postwar era, notably President Woodrow Wilson. Largely due to Noli’s impassioned pleas, Wilson fought vigorously for the right of Albania and other small nations to determine their own futures. The London Daily Mail, noting Noli’s great skills in diplomacy, hailed as the ablest of Balkan statesmen and suggested that his colleagues in neighboring countries could learn much from him *A memorandum was sent to U. S. President Wilson and Secretary of State Lansing a few days before a delegation of Albanian-Americans, led by Fan Noli left for France to take part in the Paris Peace Conference of 1919. Copies of the memorandum were sent to the foreign ministries of the Allied Powers and their ambassadors in Washington. The aim of the text and of the delegation was to ensure the continued recognition of Albania as a sovereign state. Many of the idealized views expressed in this memorandum, can still be heard among Albanians today.* In 1932, Metropolitan Theophan Noli was granted permanent resident status and he returned permanently to the U.S. He had spent eight years in Germany while he waited for this visa. After his return to the U.S.A., he withdrew from political life, and he returned to his duties as the head of the Albanian Orthodox Church in North America. Paralleling his life of service in the Orthodox Church, Noli remained active in politics. An unsurpassed multitalented figure of influence, Fan Noli has been a subject of volumes of publications and research. A Harvard alum and later dual citizen who spent most of his life in the United States, Fan Noli shined in many walks of life: literature, journalism, publications, translations, theology, religious leadership, diplomacy, politics, music and helped shape the foundations of the Albanian nation. Master of 14 languages, a distinguished Shakespearean scholar and translator as well as an accomplished historian. Blessed by the American freedom of expression, which Noli admired, he was a leader in the Albanian-American community for many decades.

Section 86. Melvin “Mel” Memorial Way

Introduced by Council Member Grodenchik

Melvin Dolby served with the NYPD beginning in 1973. He was assigned to the 76th Precinct in Brooklyn where he served for two years. In 1976, he transferred to the 73rd Precinct in Brooklyn before he was transferred to the Elite Highway/Motorcycle Unit. He received numerous awards over the years from the NYPD for his service. On February 28, 2002, after 28 years of service to the City of New York, Police Officer Melvin Dolby retired. In 1995, Mel moved into Hilltop Village Co-operative #1 in Hollis. In 2010, he was elected to the Board of Directors of the Co-op and the board subsequently elected him as president where he created Friday Night Movie Night and showed movies and provided popcorn from his personal funds; he created a potluck lunch at the end of May every year so that shareholder could get to know one another better, and he was the initiator of the Hilltop Village Family Fun Day every summer where Foothill Avenue was closed off and the community enjoyed rides, food and games for all the residents of all the four Hilltops. In addition, he was an officer of the

Presidents Co-op Council (QPCC), a think tank of Board presidents seeking to improve co-op governance and quality of life for those living in co-ops. He died from COVID-19. First responder during the 9/11 attacks.

Section 87. Reverend Laura G. Lowery Way

Introduced by Council Member Grodenchik

October 31, 1955 – May 1, 2021

Laura Lowery received a Bachelor's degree in Sociology from Bard College and later received a Master's degree in social work from New York University. She began her career in social work at the New York City Hospital Association. She also worked at the New York State Department of Mental Health. Several years later, she served as a co-pastor with her husband at the Love Oasis Christian Center in Hempstead, NY. They later moved the ministry to Queens Village, NY. Pastor Lowery spearheaded many community service projects locally and internationally. Those projects included breast cancer screenings, the collection and shipment of medical supplies to Haiti and the Bahamas. She worked with the 105th Precinct on their National Night Out events. Her ministry worked with local elected officials on food drives, clothing drives and holiday toy drives. She helped establish hospital and nursing home visits. She intervened in incidences of domestic violence and created a program for teenage girls in crisis. She worked with youth and oversaw basketball and arts and crafts programs. In 2020, she spearheaded the We Care Food Distribution Program, which is a community-based food program that feeds hundreds of families in Queens, Nassau and Suffolk. She had a tremendous domestic and international following from her radio ministry.

Section 88. Union Course Racetrack

Introduced by Council Member Holden

Union Course Racetrack opened on October 15, 1821, in Woodhaven Queens. It was the first dirt racetrack in the United States and was the site of one of the earliest and most famous races between Northern and Southern bred horses. It also served as an army encampment for several years during the Civil War. The track has been closed for nearly 150 years, however, remnants of the track remain on Clemente Court on 82nd Street.

Section 89. Maureen Walthers Way

Introduced by Council Member Holden

Died August 30, 2020

Maureen Walthers was the owner and publisher of the Ridgewood Times and Times Newsweek. She was a housewife in the 1970's and wrote a letter to the editor of the Ridgewood Times over the rampant use of drugs at a playground a block away. The letter impressed the paper's then-publisher and she was offered a job as a writer. That began a five-decade association with the weekly newspaper covering the Greater Ridgewood area (Ridgewood, Glendale, Maspeth and Middle Village), and after becoming its owner, Walthers would oversee its expansion to other areas of Queens. She was on the front lines covering the civic scene in Ridgewood and neighboring Bushwick, Brooklyn, during the 1970s. She would ride along with police officers and firefighters as they responded to emergencies in both communities. She chronicled the rampant urban decay in Bushwick an award-winning seven-part series, "The Agony of Bushwick," published in the Ridgewood Times in the summer and fall of 1977. The series brought further public awareness of the community's woes, and action from the city to reverse the decline. She was one of the founding members of the Greater Ridgewood Historical Society and took an active role in helping to preserve and landmark the Onderdonk House, a colonial farmhouse on Flushing Avenue. She was also an active member of Queens Community Board 5 for many years, and served for a time as the chair of its Public Safety Committee. She was also involved with the Greater Ridgewood Restoration Corporation, which promotes the preservation of the neighborhood's housing stock. In 1981, she became the Ridgewood Times' first female editor, as well as executive vice president and co-owner. She became owner of the paper and expanded it over the next three decades beyond the Greater Ridgewood area. She launched the Times Newsweekly in 1989, a version of the Ridgewood Times distributed in northwestern and southwestern Queens communities, extending out as far north as Astoria and as far south Howard Beach. The Times Newsweekly sponsored Cop of the Month awards at eight precincts covering western Queens and Bushwick.

The Ridgewood Times and Times Newsweekly continue on the tradition of local reporting for the Greater Ridgewood area, in association with QNS.com and the Queens Courier and TimesLedger newspapers.

Section 90. Joseph Magnus Way

Introduced by Council Member Holden

Joseph Magnus was the co-founder of the Middle Village Volunteer Ambulance Corps. When he was 13 years old living in Czechoslovakia during World War II, his life was very difficult. In 1944, the Russians had beaten the Germans back to the small Czech town of Roztoky where Magnus and his mother lived. They were forced to flee with other townspeople into the surrounding woods where they dug themselves bunkers and huddled down, trying to evade capture and death. One night, the Germans invaded and herded people, including the Magnuses, onto trains and locked them inside. Some of the older men had avoided being captured, killed the guards and then freed everyone. Joe and his mother immediately found themselves hiding in the woods again. They dodged many a bullet while scrounging for potatoes at nearby farms that had been abandoned. "One night we were running from a German soldier on a horse and I tripped and fell into a puddle," Magnus recalled. "Thank God the horse just jumped right over me and kept going." Joe also remembers a shell exploding five feet from where he had been sitting with some other boys. This left him with a deep gash on his leg. "I was bleeding terribly, and one of my friends took his shirt and tied it on (the wound). If not for that, I might be dead," Magnus said. A few months later, he was shot through his arm, the bullet barely missing the bone. Unfortunately, calling a doctor was out of the question. All of the doctors had been called to serve the Allied troops on the front lines. Emergencies had to be taken care of by people with little to no training in medicine. After living through the nightmare that was World War II in Czechoslovakia, Joe wanted to use his keen survival skills to help others. In 1952, he immigrated to America. In 1973, he was working on computer mainframes for a government agency full time, but spent his free time learning first aid and soliciting donations so the original group of 12 Middle Village Volunteer Ambulance Corps (MVVAC) volunteers could buy an ambulance. Within a short time, they had a \$500 vehicle and were ready to assist those in need. Today, MVVAC has dozens of volunteers and its service area is home to more than 70,000 people. The corps' services are free of charge and they do not take insurance. Shortly after the first strike on the World Trade Center on September 11, 2001, he and members of MVVAC dropped what they were doing and rushed downtown to help save people. For the heroism displayed by MVVAC on that day, they received \$5,000 from Emigrant Savings Bank.

Section 91. Phil "Scooter" Rizzuto Corner

Introduced by Council Member Holden

September 25, 1917 – August 13, 2007

Phil Rizzuto was an American Major League Baseball shortstop for the New York Yankees for 13 years and was inducted to the National Baseball Hall of Fame in 1994. He was well known for being the best bunter of his era, helping the Yankees win seven World Series and becoming the American League MVP in 1950. After he retired in 1956, he worked for the organization as the commentator for their live broadcasts where he coined his popular catchphrase "Holy Cow." He served in the United States Navy from 1943 until 1945.

Section 92. Sarah Whiting Way

Introduced by Council Member Koo

Sarah Washington Whiting, aka Sarah M. Whiting, was a long term resident of Flushing, Queens, and community leader. She was an active member of the Flushing Chapter of the NAACP, the Holly Civic Association, the 109th Community Council, the PS24Q Mother's Club, her local church, and served on Queens Community Board 7 for 20 years. Most importantly, she established a youth program, which she ran for 20 years, and served hundreds of youth in the community. She was honored by former Queens Borough President Claire Shulman and former Council Member Julia Harrison with an Unsung Heroine Award.

Section 93. Ganesh Temple Street

Introduced by Council Member Koo

The Hindu Temple Society of North America, aka the Ganesh Temple, has served the Flushing, Queens community for over 40 years. The temple is among the earliest – if not the first - Hindu Temples in North America. Built in the traditional architectural style of a South Indian Hindu Temple, the Temple nourishes and preserves Hindu culture, is a major community resource, and represents an important conduit of communication, understanding and mutual respect between Indian and American cultures. The Hindu Temple Society of North American has over 20,000 devotees on its mailing list, but serves the much broader community. The Ganesh Temple runs a senior center and a community center that provides religious and cultural activities, along with mental and physical wellness classes. Due to the size of the community center, they also host various community events, both religious and non-religious in nature, and constantly offers the space to community groups in need.

Section 94. Rabbi Dr. Asher Murciano Way

Introduced by Council Member Koslowitz

December 31, 1924 – May 8, 2020

Rabbi Dr. Asher Murciano was the Rabbi for the Sephardic Jewish Center for 67 years making him the country's longest serving Sephardic rabbi of the same congregation. Additionally, he was a noted rabbinical scholar. He was sent to Menkes, Morocco, to the home of the Chief Rabbi, where he studied and sang with the famous Sephardic singer, Joe Amar. Ordained by Rabbi Baruch Toledano, he achieved the highest degree of Yore Yore Yadin Yadin, an ordination that permits a rabbi to make rabbinical decisions on Jewish law. In 1948, arrangements were made by the Mirrer Yeshiva in Brooklyn, to bring the top eighteen students from Morocco to study at the world-renowned graduate school for Talmudic scholars. Shortly after arriving, he officiated at both Sephardic and Syrian synagogues in Brooklyn. While attending the Mirrer Yeshiva and Yeshiva University (YU) on weekdays, he commuted to Philadelphia to officiate at Mikve Israel, the Spanish and Portuguese Synagogue, as Assistant Rabbi and Hazan for three years. In 1953, he became the rabbi of the Sephardic Jewish Center of the Bronx. He earned his Ph.D. at NYU. He taught at York College and YU. He became a respected member of the Rabbinical Council of America and the New York Board of Rabbis. He was Chaplin to the Sephardic Jewish Brotherhood of America and the Sephardic Home for the Aged. For thirty-five years, he was a chaplain at Jacobi Hospital. He was beloved by all who knew him for his distinct religious services, Tora reading, Haftarat, scholarship, divre Tora. His services and compassion touched so many people, young and old, from all the Sephardic communities in the greater New York area.

Section 95. Ivan Mrakovcic Way

Introduced by Council Member Koslowitz

January 2, 1963 – February 27, 2020

Ivan Mrakovcic was a historian, environmentalist and preservationist whose contributions enhanced the Richmond Hills neighborhood. His civic involvement earned him many leadership positions and stewardships and resulted in the establishment of the Historic District in North Richmond Hill on the New York State and National Historic registers in March 2019. He was the founder and president of the Richmond Hill Historical Society, served as treasurer of the Forest Park Trust and was a member of Queens Community Board 9 for 15 years, of which he served as chairperson from 2002 until 2007. He was a founding board member of the Friends of QueensWay park advocacy group. He was also a Greenway Committee Member.

Section 96. rue Barry Lewis Way

Introduced by Council Member Koslowitz

July 4, 1945 – January 12, 2021

Barry Lewis was best known as the quintessential New York City historical and architectural walking tour guide. He co-hosted with David Hartman the TV special, "A Walk Down 42nd Street," which aired on the New York PBS station WNET in 1998. The special bloomed into a series that was shown on PBS stations throughout the country. He had a deep expertise in European and American architectural history from the 18th to 20th

centuries. Information, stories, and passion for his subject matter flowed out of him as he walked the streets of New York. In addition to lecturing at institutions like the New York Historical Society, he taught Modern Architecture & Design I & II at the New York School of Interior Design for 25 years. His courses were wildly popular, and he won NYSID's William Breger Faculty Achievement Award for extraordinary teaching in 2001. He was also recognized by the Landmarks Preservation Society and the American Institute of Architects.

Section 97. Detective Brian Simonsen Way

Introduced by Council Member Koslowitz

Died February 12, 2019

Detective Brian Simonsen was a 19-year veteran of the NYPD. He was killed in the line of duty responding to an armed robbery.

Section 98. Police Officer FRANK G. MACRI WAY

Introduced by Council Member Koslowitz

Died September 3, 2007

Frank Macri served with the New York City Police Department for over 12 years and was assigned to Police Service Area 2. On 9/11, he survived the collapse of World Trade Center tower two and was later assigned to Ground Zero and the Fresh Kills landfill, where he inhaled toxic chemicals. He died of 9/11 related illness.

Section 99. Salvatore “Buddy” Scotto Way

Introduced by Council Member Lander

1928-September 11, 2020

Salvatore “Buddy” Scotto was a U.S. Army Korean War Veteran and was known as the unofficial “Mayor of Carroll Gardens”. He was the second generation owner and funeral director of Scotto Funeral Home in Carroll Gardens, which also served as a meeting place for many community organizations for many years. He was a founder and activist in several civic organizations like the Carroll Gardens Association, Gowanus Canal Community Development Corporation, Independent Neighborhood Democrats, and the Gowanus Canal Community Advisory Group. He was also a board member in several community groups like Eileen Dugan Senior Center, Sacred Hearts-St. Stephen’s Parish, and St. Mary Star of the Sea Church on Court Street, and worked with and was recognized by all levels of government from City Council to Congress. He prioritized his community and is accredited with popularizing the name of “Carroll Gardens” as well as starting the political careers of many individuals like Joan Millman and the Hon. Michael Pesce.

Section 100. Andreas Stylianou Way

Introduced by Council Member Lander

Andreas Stylianou owned New Millennium Motors, which is a staple in the Gowanus and Park Slope Community. He opened this mainstay in the community in 1999, and dedicated his life to being a prominent member of the business community in Brooklyn and his greater community in Staten Island, where he has a school scholarship named for him. He was a mentor to his workers, a kind and gracious community member, and a dedicated father. The Andreas Stylianou Memorial Scholarship Award was set up for graduating high school students in his memory. He was a member of the PanCyprian Association Aphrodite, which is also the organization that created the scholarship in his name. He supported several Greek-Cypriot cultural groups around the City and his business was a participant of the Disabled & Handicapped Sales Workshop, which helps to employ people with disabilities.

Section 101. Joseph Ferris Way

Introduced by Council Member Lander

October 10, 1934- June 20, 2020

Joseph A. Ferris was a five term New York State Assembly Member from Brooklyn, fighting against redlining policies and chairing the Science and Technology Committee, where he advocated for projects utilizing reusable energy. He also co-founded the Slope Independent Democrats which would become the Central Brooklyn Independent Democrats, a very important civic organization today. After his time in the Assembly, he stayed through the Park Slope Civic Council, the Kensington Community Council, both which he also co-founded, and the Magnolia Tree Institute. All remain important community organizations to this day. Afterwards, he remained active in the community, testifying at community board hearings, working as a substitute teacher, and advocating for local issues ranging from manufacturing jobs to City Council term limits. Additionally, he worked to preserve important cultural touchstones, namely the Old Stone House in Washington Park, and helped found the Brooklyn Irish-American Day Parade.

Section 102. Nicholas Heyward Sr. Place

Introduced by Council Member Levin

Died December 31, 2018

Nicholas Heyward Sr. was the father of Nicholas Heyward Jr., his son who was fatally shot by a New York City Housing Authority police officer in the nearby housing complex where he lived with his mother, father Nicholas Heyward Sr. and younger brother. On September 27, 1994, Heyward and his friends were playing a game of cops and robbers in the stairwell of the Gowanus Houses, using plastic toy guns with bright orange-colored handles and tips. Heyward Jr. was shot in the stomach by a Housing Police Officer and died a short time later at St. Vincent's Hospital in Manhattan. There is a park named after him (2001). Nicholas Heyward Sr. became an activist against police brutality and consoled many people who lost their loved ones who were killed by police officers. He fought for toy stores to stop carrying authentic-looking toy guns and spoke in schools, churches and other places regarding gun violence. As a result of his actions and his son's tragedy, Toys R Us and Kmart announced they would not sell any toy guns that could be modified to look like real guns. He started an annual march against police brutality as one of the first members of the October 22 Coalition, a group that has documented and protested police killings nationally. He testified before members of Congress at Medgar Evers College on gun violence in 1997, and also established the Nicholas Naquan Heyward Jr. Memorial Foundation to assist youths in Brooklyn and also spent years lobbying for changes in police procedures. He also helped establish Parents Against Police Brutality.

Section 103. Elisa Torres Way

Introduced by Council Member Levin

Died May 2020

Elisa Torres is the founder of the Roberto Clemente ball-field park and Little League, in addition to many more community programs. She was a determined community leader and a compassionate woman who dedicated her life to her family and public service. She was an iconic figure at Roberto Clemente Plaza/Kent Village in Williamsburg. As a consummate mental health professional during some of Williamsburg's most challenging years, she saved hundreds of lives. She helped families and individuals cope with depression, bipolar disorders, and other health issues. When New York State proposed closing the Kingsboro Psychiatric Center in the community where her patients were a priority, she helped lead the campaign to keep the Williamsburg center open, keeping jobs in the local neighborhood. She drew great inspiration in serving as a mentor and role model to young people. She founded a youth marching band that participated in local public events. As a Family Worker at Public School 17, Ms. Torres founded the first majorette group in Williamsburg, the Unidat y Progreso Baton Twirlers (translated as United for Progress Baton Twirlers) later renamed Blossoms. She personally solicited fabric donations from neighborhood merchants and hand-tailored the group's uniforms to ensure equal participation regardless of ethnicity and socio-economic status. The majorettes achieved acclaim through participation in the Puerto Rican Day and other local parades, and they invited to perform in many surrounding community events. Ms. Torres received donations and gifts of instruments for a youth marching band and later

a youth baseball team. The group's intention was to establish several important goals including pride for and appreciation of cultural heritage which Elisa believed preserved traditions and family values and fostered self-esteem. Ms. Torres gained valuable professional insight as a Mental Health Therapy Assistant and later as a Psychiatric Social Worker and Mental Hygiene Therapist in the mental health field for Kingsboro Psychiatric Center, where she was Employee of the Year in 1981. Her experiences in the home, at work, and in the community led Ms. Torres to broader interests in all areas of social concern. She pursued a degree in Human Services from Boricua College and Kingsboro Community College and through her research and studies, she became an expert in the process of government policymaking and the methodology needed to deliver quality services. This enabled her to better promote the concept of social justice which drove her purpose. In the late 70's, Ms. Torres moved to Roberto Clemente Plaza where together with an equally committed group of concerned parents, she formed a committee to focus on Hispanic leadership and youth activities ensuring exposure to and inclusion of other ethnicities as well. In 1981, Ms. Torres, was instrumental in organizing the Roberto Clemente Festival which was broadcasted on radio and televised in Puerto Rico. The Festival served as an opportunity for community residents to share the cultural heritage of Puerto Rico. In 1984 and under her leadership, Roberto Clemente Cultural Committee, Inc. was established and incorporated a youth baseball and recreation park to serve children ages 6-12. To accomplish this Ms. Torres worked diligently to transform an abandoned lot into a first-class ball field worthy of its namesake, the legendary Roberto Clemente. In 1992, after 20 years of perseverance and hard work, plans for the Roberto Clemente Baseball Field were approved and Ms. Torres worked closely with the Parks department to secure permits and registered the little league with Williamsport Pennsylvania and received the charter. In addition to the baseball field, other programs such as Head Start, after school programs, the Blossoms Majorettes and Marching Drums, Three King's Day, Heritage Month, Rosario de la Cruz, and Puerto Rico Discovery Day were founded. Ms. Torres would move on to coordinate participation in the Somos El Futuro Conference in Albany, New York for community residents and local businesses. Funding for these programs was obtained through the assistance and sponsorship of Assemblyman Joseph R. Lentil and community businesses. Ms. Torres was a member of a number of community organizations including Brooklyn Unidos, Seneca Democratic Club, Brooklyn Day Parade Inc., 90th Pct. Council, former Secretary of Pioneros de Puertorriquenos, Vice-President of Club Hijos de Humacao Inc., 3rd Vice-President of Woodhull Auxiliary Board, founding member of Musica Against Drugs and founding Secretary of La Fiesta Folklorica Puertorriquena. In recognition of her remarkable accomplishments and contributions, in 1994 she received the State of New York Legislative Resolution from the Assembly. In 1999, she received a proclamation from the Council of the City of New York among other community awards.

Section 104. District Attorney Kenneth P. Thompson Way

Introduced by Council Member Levin and Cumbo

March 14, 1966 – October 9, 2016

Kenneth P. Thompson was the first African-American District Attorney of Kings County, New York, from 2014 until 2016. He was born and raised in New York City and went to New York City public schools, attended John Jay College of Criminal Justice, and graduated from the New York University School of Law in 1992, where he earned the Arthur T. Vanderbilt Medal for contributions to the law school community. His impact on Brooklyn, New York, and the nation's criminal justice legal is significant. In 1995, became an Assistant U.S. Attorney in the United States Attorney's Office in Brooklyn, where he worked with Loretta Lynch on the federal prosecution team in the 1997 trial of former officer Justin Volpe, who was accused of assaulting Abner Louima inside a bathroom at the 70th Precinct in Brooklyn. Thompson delivered the opening prosecution arguments in the police brutality trial, which resulted in Volpe changing his plea to 'guilty.' In September 2013, he won the election to become Brooklyn District Attorney. His legacy is remembered for racial justice advocacy, the decision to no longer prosecute low level marijuana cases, a crackdown on gun violence, and an internal review board that exonerated at least 20 wrongfully convicted defendants.

Section 105. Rita's Way

Introduced by Council Member Levin

Rita Saunders's selflessness began at a young age when she petitioned for guardianship of her six siblings after her mother passed away from breast cancer when she was 16. She lived in Gowanus Houses her whole life, which she spent contributing to the community and supporting her neighbors, including volunteering at her former elementary school, PS 32, being an active volunteer leader with Gowanus Tenants Association, and feeding the homeless and people in need out of her own kitchen. She dedicated her life to helping her community and was a fixture and source of positivity and inspiration to all who knew her.

Section 106. Genevieve (Jenny) Eason Way

Introduced by Council Member Levine

She was a longtime tenant and activist at tenant at 626 Riverside Drive.

Section 107. David Dinkins Drive

Introduced by Council Member Levine

July 10, 1927 – November 23, 2020

David Dinkins was an American politician, who served as the first [African American mayor](#) of [New York City](#) from 1990 until 1993. After graduating from [high school](#) in 1945, he attempted to enlist in the [United States Marine Corps](#) but was told that the “Negro quota” had already been met. He eventually was drafted and served with the United States [Marines](#). He attended [Howard University](#) on the [G.I. Bill \(of Rights\)](#), studying mathematics. In 1953 he entered Brooklyn Law School and was introduced to politics when he married Joyce Burrows, the daughter of a New York state assemblyman. He joined a law firm and became increasingly involved with the [Democratic Party](#). He was elected to a term in the state assembly in 1965, and later served as President of Elections for New York City, as City Clerk, and as [Manhattan](#) Borough President before his successful bid for Mayor in 1989. He later became a professor at [Columbia University](#). In 2013, he released the memoir *A Mayor's Life: Governing New York's Gorgeous Mosaic*.

Section 108. Rev. Dr. J. G. McCann Way

Introduced by Council Member Levine

Rev. Dr. J. G. McCann served as Pastor of St. Luke Baptist Church in Harlem for over 25 years. He served as Chaplain for the NYC Transit Authority and the MTA Police and held leadership positions in the United Missionary Baptist Association, the Baptist Ministers' Conference of Greater New York and Vicinity and the Baptist Ministers' Evening Conference of Greater New York and Vicinity. He authored over 20 books on all facets of Christian living, was active in the Hampton Ministers' Conference of Virginia, was a member of the Beta Psi Sigma Chapter of Phi Beta Sigma Fraternity, Inc. He was also a professor at Drew University. On September 28, 2019 in a proclamation from the City of New York, Senator Brian Benjamin honored Dr. McCann posthumously by naming September 28th “Rev. Dr. J. G. McCann, Sr., Day” in Harlem.

Section 109. Marie Andrée Bichotte Way

Introduced by Council Member Louis

November 17, 1938 - March 19, 2021

Marie Andrée Bichotte was a devoted mother and grandmother. She was born in Croix-des-Bouquets, Haiti. She worked as a tailor who quickly gained fame for her beautiful wedding and funeral attires, as well as for the tablecloths and curtains she would sew for the well-known convent on Lalue Street in Port-au-Prince. Later, she opened her own boutique where she sold all types of goods. On April 27, 1970, she immigrated to the United States and worked at a textile factory as a seamstress. In 1982, she began working at the Loews Summit Hotel (now The Metropolitan Hotel) as a room attendant until her retirement in 2003. She was a Hotel Trade Council union member for over 25 years and served as a delegate for 15 of those years, representing and defending fellow workers and fighting for better working conditions. She owned and operated many side businesses, selling dresses, jewelry and makeup while working full-time. Her house was well-known for welcoming anyone who

needed a roof. Her house was a sanctuary for those fleeing the harsh conditions in the beloved but troubled Haiti homeland, as well as for those seeking respite from the harsh realities of the immigrant life. It was also a sanctuary for those needing respite from the stress of immigrant life. She was generous with her time, money, and advice. In the early 2000's, she founded "La Nouvelle Naissance," a prayer group with members across the United States. The group, with Andrée as president, uplifted Haitian people around the world, and gave timely solace to those in need. She was an avid traveler who looked forward to new discoveries as she visited Caribbean islands, European, and South American countries.

Section 110. Frank Scollo Way

Introduced by Council Member Maisel

Died March 30, 2020

Frank Scollo was a prominent Brooklynite, originally from Argentina. He was raised in Bensonhurst, married and established a community-based business in Mill Island. In 1997, he opened up his first Pizza Damore in Bensonhurst, Brooklyn. In 2006, he expanded by opening up a second Pizza Damore on Mill Avenue in Mill Island. Not only did his family owned business hire from within the community, he also contributed greatly in terms of community service. He was involved with many organizations, where he would gladly donate food and hosted community events. He donated food, the use of his restaurant and hosted many community events. Frank would never say no, he understood community service and was happy to contribute. He joined the local church and had served many organizations including Knights of Columbus, Toys for Tots (annual Maimonides Medical Center), Santa for Kids, Tommy Meo Scholarship Fund, local leagues, Police Precinct Council, Fire Department and Veteran groups. The aftermath of Superstorm Sandy left so many in the community without electricity, water, food. He left his flooding problem at home and ran into the restaurant to begin cleaning and cooking for those in need. Even weeks after the storm, he continued to send food to storm torn areas in Rockaway, Queens.

Section 111. The Brooklyn/Bedford Park 9/11 Memorial

Introduced by Council Member Maisel

This co-naming will commemorate a handball park where a memorial in memory of the victims of 9/11 was constructed by the local community.

Section 112. Patrick Solomita Way

Introduced by Council Member Maisel

November 26, 1932 – February 6, 2019

Patrick Solomita was born in Brooklyn and served in the United States Army from 1953-1955 during the Korean War. Upon returning home, he continued to serve the community as a member of the New York City Police Department. He served in rankings of Detective, Sergeant and spent his final five years on the force as Lieutenant Commanding Officer of the ICCU InterCity Correspondence Unit. He officially retired from the New York City Police Department in 1981. During those years on the force, he also devoted his free time to being an active volunteer as Coach/Manager/Vice President to the St. Bernard Youth Organization from 1969 -1980. In 1980, he co-founded Bergen Beach Youth Organization to allow for growth in the sports programs for the community. Ultimately this organization became a full-service community agency which provides a variety of programs.

Section 113. John A. Cortese Way

Introduced by Council member Maisel

June 19, 1924 - April 19, 2020

John A. Cortese was a fixture in the Marine Park neighborhood for over 80 years. His business, "The Golden Gate Market" opened in 1939 and continuously operated until March, 2020. He resided on Flatbush Avenue, followed by East 45th Street. His life exemplified service to his beloved Brooklyn community. He spent his early years in Park Slope and Prospect Heights, but in 1939 when his parents opened "The Golden Gate Fancy Fruits and Vegetables Market" at 2080 Flatbush Avenue, Flatlands became his home. He served in WWII in the United

States Army, as a corporal in the 551st Field Artillery. He landed on Omaha Beach in mid-June, 1944. He served in England, France, Germany and Belgium. Whenever anyone acknowledged, honored or thanked dad for his service, he would always say: "Honor the guys that never made it home, they are the true heroes." He was an active parishioner of Saint Thomas Aquinas, where he was a member of the Holy Name Society and an usher at the 11 o'clock mass for over 50 years. He is best known as the owner of "The Golden Gate Market" on Flatbush Avenue. He was a treasure trove of recipes, songs, and of WWII and neighborhood history. He understood "food insecurity" before the term was ever used, and always sent those in need home with overflowing bags. He worked five days a week until March 7, 2020, when he agreed to close until the corona virus pandemic passed. He has been featured in books, newspapers, magazines, television and social media. He spoke at Veteran's events and participated in the WW II Honor Flight to Washington D.C. He has received citations from individuals and organizations. At the age of 95, he was honored at a Brooklyn Nets game, at the Barclay Center, that brought thousands to a standing ovation. He was honored posthumously as a 2020 New York State Veteran's Hall of Fame inductee by Senator Andrew Gounardes.

Section 114. Dr. Louis A. Grecco Way

Introduced by Council Member Matteo

Dr. Louis A. Grecco was a highly revered obstetrician and gynecologist for over 30 years. He was an environmental activist who spearheaded studies to determine if the Fresh Kills and Brookfield landfills caused birth defects and whether air pollution played a role in Staten Island's high respiratory disease rate. He assisted in investigations by the Federal Agency for Toxic Substances and Disease Registry and as a member of the scientific advisory panel overseeing the city Health Department's concluded Staten Island Cancer Incidence Study. As a physician, he testified before several government bodies to heighten awareness of links between pollution and illness and raised concern that the carbon monoxide released from landfills could have a detrimental effect on the fetuses in pregnant women. He received recognition and awards from President George H. W. Bush, President Bill Clinton for over 30 years of service to his profession and to the community of Staten Island. He was chairman of the Richmond County Medical Society's Public Health Committee and received the Physician Recognition Award from the Academy of Medicine of Richmond. Awarded the Theodore Roosevelt Conservation Award from President George H.W. Bush

Section 115. Louis C. Antonelli Way

Introduced by Council Member Matteo

1934 – 2020

Louis C. Antonelli volunteered at PS.48 where he assisted with various fundraisers, including the Cancer Foundation at Staten Island Hospital North and various local political campaigns. He was a Hospitality Minister at Holy Rosary Church for about 25 years. He also executed many charitable works to always help people in need. He belonged to the Fraternal Order of Police (FOP) along with his son and wife. They donated tons of gift baskets and raffle table goods. He invited many friends to events hosted by the FOP and South Beach Civic Association. He was recognized by the President of the Fraternal of Police for his dedication. In addition, he won meritorious awards as a board member of the South Beach Civic Association, which he served over 20 years. He received honorary awards from Senator Diane J. Salvino.

Section 116. BILL MCCREARY WAY

Introduced by Council Member Miller

August 8, 1933 – April 4, 2021

Bill McCreary was an Emmy Award-winning journalist and a former vice-president of Fox Television station WNYW-TV (Channel 5 in New York). As news director at radio station WLIB, he produced several documentaries on the civil rights movement and interviewed some of its most prominent figures. He was one of the first African American journalists in New York. A graduate of Seward Park High School and Baruch College in Manhattan, he served in the United States Army from 1953 until 1955. His first broadcasting jobs were in radio, as an announcer at WWRL in Queens, and a general-assignment reporter and news director at WLIB in Manhattan. He began reporting for WNEW on March 13, 1967, the first day of the station's nightly newscast.

He won a local Emmy for “Black News” and shared an Emmy for anchoring with John Roland on the 10 O’Clock News. He was hired in 1967 when the station, Channel 5, was owned by Metromedia and known as WNEW, and he remained a familiar on-air presence until he retired in 2000. As a co-anchor, Mr. McCreary helped build the station’s 10 O’Clock News into a ratings powerhouse. He became the managing editor and anchor of the weekly program “Black News” in 1970 and of “The McCreary Report” in 1987, when he was also named a vice president of Fox 5 News.

Section 117. Archie Spigner Way

Introduced by Council Member Miller

August 27, 1928 – October 29, 2020

Archie Spigner was known as the Godfather of Politics in Southeast Queens. He was a long time New York City Council Member and District Leader who began his career as a young bus driver and union activist. He mentored numerous African American leaders and was skilled at directing jobs and construction projects to his district. He was a member of the Negro American Labor Council where he organized the Queens Branch. As a Council Member, he chaired the Committees on Housing and Buildings, Economic Development and the Legislative Office of the Budget Review. May 6, 2005 was proclaimed Archie Spigner Day in Queens by Borough President Helen Marshall.

Section 118. Theresa Irene Merritt Way

Introduced by Council Member Miller

September 24, 1922 – June 12, 1998

Theresa Merritt Hines was an American stage, film, and television actress and singer with a half-century long career. “On Broadway in 1984 she originated the title role in August Wilson's "Ma Rainey's Black Bottom," earning a Tony nomination. As a teen-ager, she sang in church and community choirs and appeared on a radio show aimed at black audiences, "Parisian Tailor's Colored Kiddie Hour." When she was 21, Ms. Merritt was chosen by Billy Rose, the Broadway producer, to join the cast of his 1943 musical, "Carmen Jones." She played Frascetta. Later, she toured as a backup singer for Harry Belafonte and Jackie Wilson and sang at Carnegie Hall in 1985 as part of the Kool Jazz Festival and Salute to Cole Porter. Her other New York stage roles included a gospel singer in "Trumpets of the Lord" in 1969; the understanding Southern maid in "F. Jasmine Addams," a 1971 musical based on Carson McCullers's "Member of the Wedding"; the wicked witch in "The Wiz," and John Lithgow's black Polish landlady in "Division Street," a 1980 farce by Steve Tesich. Ms. Merritt acted in several films, including "They Might Be Giants" (1972), "The Goodbye Girl" (1977), "All That Jazz" (1979), "The Great Santini" (1979), "The Best Little Whorehouse in Texas" (1982) and "The Serpent and the Rainbow" (1988).”

119. Robert Oliver, Jr. Way

Introduced by Council Member Miller

Robert “Tack” Oliver, Jr. served in the U.S. Army for six years and worked in transportation during World War II and the Korean War. He served as the Financial Officer of the St. Albans Civic Association as well as the 195th Street Association. He held treasury and secretarial roles for other organizations such as bowling leagues (e.g. Long Island Total Pins and Elderstatesmen); the Parent Leadership Institute, Inc.; and Benjamin Moore American Legion Post of 1946. Before his passing, he served as the residing Chaplain for the Veteran of Foreign Wars Post of 1896. In 1959, he joined the New Covenant Church of Christ Baptist Church and became a life-long charter member and served as Treasurer and became President of the Usher Board.

120. Barbara Jackson Way

Introduced by Council Member Moya

July 30, 1942 – December 31, 2020

Barbara Jean Jackson is a well-known and recognized Community Leader and presently the Democratic District Leader of the 35th Assembly District, Part “B”. Upon becoming a Democratic District Leader, Barbara along with many other members of the Community chartered an Official Democratic Association for the 35th

Assembly District, Part "B", The Democratic Association of the 21st Century. As District Leader Barbara is the Executive Member of the Association along with all of the Elected Officials serving the District and a Member of the Democratic Organization of Queens County. Barbara is also the Secretary of the Democratic Organization of Queens County. Barbara is a member of the Bishop Committee, Junior Warden and Episcopal Church Women (ECW) at St. James Episcopal Church, Broadway and Corona Avenue, Queens. Barbara began her Community service years before moving to Queens. She served as PTA President at the High School of Printing for five years. She moved to Lefrak City, Queens in 1976 became a member of the Lefrak City Tenants' Association (LCTA), a member of the Board of Directors and served in that capacity for approximately 10 years. She remained a member, a friend and a supporter of LCTA both monetarily and with her time. Barbara was one of the charter members of the Lefrak City Youth and Adult Activities Association (LCYAAA) a 501 ©3 Organization. She helped craft the Constitution and Bylaws and the application for its non-profit status. Barbara was a friend and supporter of the Organization. Barbara served on the Community Advisory Board (CAB) of the New York City Department of Youth and Community Development (DYCD). She was the Region 17 liaison (NAB 3/East Elmhurst, NAB 4/Corona, NAB 7/Flushing). Barbara was a member of the Community Advisory Board of Elmhurst Hospital Center. A member of the Legislative and Membership Committees. Barbara was awarded the Marjorie Matthews Community Advocate Award from the New York City Health and Hospital Corporation for outstanding leadership and work on behalf of Elmhurst Hospital Center and the Community. Barbara was also awarded the Harry T. Stewart Award (the highest Branch Award) from the Corona-East Elmhurst Branch NAACP. Then Congressman Joseph Crowley presented Barbara with an award in recognition of her Outstanding Leadership and Passionate Advocacy on behalf of her community. NYS Assemblyman Jeffrion Aubry presented Barbara with an award for her years of dedication and service to the communities of Queens. NYS Senator State Senator Jose Peralta presented Barbara with an Outstanding Leadership Award. Barbara was a Lifetime Member of NAACP, a member of Key Women of America Inc., Concourse Village Branch, (second vice president), a member of the Corona-East Elmhurst Kiwanis Club, and attended monthly meetings of the 110th Pct. Community Council and served as the Community Liaison to Community Boards 3Q and 4Q for former U. S. Representative Joseph Crowley. Barbara retired from the International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, Its Territories and Canada after serving as the Executive Assistant to the General Secretary-Treasurer for almost three decades.

Section 121. Ortner Vernon Murray

Introduced by Council Member Moya

August 7, 1938 – April 6, 2020

Ortner Vernon Murray, more affectionately known as "Von" was born in Manzanilla, Trinidad. After marrying Jocelyn Versprey the young couple started a life together leaving Trinidad for the United States to pursue the "American Dream" like so many others. Originally moving to Brooklyn, he found the neighborhood of Corona and decided to make it his family's home. Shortly after, he opened a shoe repair business with his brother where he taught himself to make/repair women's shoes and bags. The early 1970's were especially difficult, however, he felt it was his duty as a business owner and a member of Corona to invest in his community by becoming a voice and a role model. Known as "Uncle Von" or "Mr Von" by many who called upon him, he was a spirited local entrepreneur who built a business one brick at a time. Those that knew him well named him "Mayor" of Northern Blvd. He was responsible for the formation of the Northern Blvd Merchants Association and was an excellent strategist and negotiator when it came to protecting the rights of fellow business owners. He negotiated deals with various Queens Borough Presidents' for the betterment of the Northern Blvd strip by having street meters removed and improvements made to the roadway and sidewalks. In the 1980s, Von was a huge advocate for the neighborhood children and elderly who required additional services from the City of New York. He served as chairman of the board of ELMCOR, VON's Inc. became the first Black owned business in the United States to secure a NIKE account as a distributor and the inspiration of who Von was and grew to be as a community leader was shown as he was recognized by the Queens Borough President's Office on two separate occasions by receiving Letters of Proclamation. Mr. Von operated his business with great pride and passion for over 40 years in the same location of Corona. His blood sweat and tears went not only into the

business but to the people and community. Even though he retired in 2010 and sold the business and buildings, he was seen as a fixture and leader of Corona/East Elmhurst.

Section 122. Rodney Johnson Way

Introduced by Council Member Moya

February 15, 1960 - April 4, 2020

Rodney Johnson worked for twenty years, in the Barber industry in his very own neighborhood. He was self-taught and mastered his barbering skills, to the point he managed a local shop called IV PLAI. Rodney's aspiration on entrepreneurship arrived in the 1990 when he opened his own barbershop named, "The Shop", located on Astoria Boulevard. Rodney's shop became a safe haven for young men, he mentored, and up and coming barbers. Rodney eventually sold his shop; he continued to cut hair for the clients privately, they would not let him go easily. Rodney would also made home visits to the Senior Citizens Homes for haircuts. His clients even followed him over to his home church where he would cut hair at the Antioch Baptist Church Barbershop. Rodney, known for cutting generations of hair in the community- sons, fathers and grandfathers have all sat in Rodney's chair. The Corona/East Elmhurst Civic Association honored Rodney in 2012 with the Community Service Award from the New York City Council, a citation for Faithful Service Award from the Corona/East Elmhurst Civic Association and so many other acknowledgements for his services. Rodney's passion was the preservation of Family Day, which symbolizes a community affair. Family Day is a day when members of the community gather for games, food and fellowship. He also served on the Family Day Committee and Elmcor Youth & Adult Activities, Inc. Board.

Section 123. James Edward Heath Way

Introduced by Council Member Moya

October 25, 1926 – January 19, 2020

James Edward Heath was born in Philadelphia, to Percy Heath Sr. and Arlethia Heath. He attended Walter George Smith School in South Philadelphia and graduated from Williston Industrial School in Wilmington North Carolina in 1943. His father, an auto mechanic who played the clarinet, performing on the weekends. His mother sang in a church choir. His sister Elizabeth played piano; his older brother Percy, Jr. played violin and bass; and his younger brother Albert "Tootie" Heath played the drums. As a teenager, Heath took music lessons and played the alto saxophone in the high school marching band. He also played in a jazz band called the Melody Barons and toured with the Calvin Todd Band in 1945, before joining a dance band in Omaha, Nebraska led by Nat Towles. Small in stature (standing 5'3"), he was unable to serve during World War II, because he was under the weight limit. In 1946, he formed his own band, which was a fixture on the Philadelphia jazz scene until 1949. Heath's earliest big band (1947-1948) in Philadelphia included John Coltrane, Benny Golson, Ray Bryant, Specs Wright, Cal Massey, Johnny Coles, and Nelson Boyd. Charlie Parker and Max Roach sat in on occasion. In 1959, Heath briefly joined Miles Davis's group, replacing John Coltrane, and also worked with Kenny Dorham and Gil Evans. Heath recorded extensively as leader and sideman. During the 1960s, he frequently worked with Milt Jackson and Art Farmer. The biological father of R&B songwriter/musician James "Mtume" Forman, Heath met his eventual wife, Mona Brown, whom he married in 1960; they had two children, Roslyn and Jeffrey. In the early 1960s, encouraged by friends Clark Terry and the Adderley brothers the Heaths purchased an apartment in the Dorie Miller Cooperative Housing in Corona, Queens NY, where the Adderleys and Terry also lived. In 1987, he became a professor of music at the Aaron Copland School Of Music at Queens College. There, he premiered his first symphonic work, Three Ears with Maurice Peress. In 2010, his autobiography was published by Temple University Press, I Walked With Giants, and it was voted "Best Book of The Year" by the Jazz Journalist Association. He recorded three big band records, Little Man Big Band produced by Bill Cosby, Turn Up The Heath and Togetherness live at the Blue Note. Heath received a Life Achievement Award from the Jazz Foundation of America and the 2003 American Jazz Master Award from the National Endowment for the Arts. He was nominated for three Grammy Awards and has received three honorary doctorate degrees. He was also the first jazz musician to receive an honorary doctorate in music from the Juilliard School in New York.

Section 124. Michael Perna Way

Introduced by Council Member Moya
September 16, 1940 - April 19, 2020

Michael Perna's family migrated to Corona, Queens starting with his Grand Father who was also named Michael Perna in the 1920's. Grandpa Perna was a concrete/mason worker who taught Michael from a very young age. As his grandfather's protégé, he learned how to work with his hand and how to give back to the community at the same time. Community members of meager means knew they could count on him to fix and repair anything and he was always willing to be that reliable source that brought relief to so many. Michael's mother brought him to church regularly, as she was president of the Saint Ann's Rosary Society. This opened the doors for him to address the crucial needs in the church as well. Some of his extensive involvement and dedicated work included helping to build and provide regular maintenance at the local church, Our Lady of Mount Carmel, organizing volunteers to plan and prepare community events such as the Annual Mount Carmel Feast, he maintained his grandfather's garden on 111th and 52nd to help the families in the community that were in need and during the Vietnam war he advocated for the many military troops from Corona by collecting monthly donations from community member in order to prepare care packages that he shipped to those stationed abroad. He was an inspiring and a beacon of hope to people near and far.

Section 125. Mary Moody Way

Introduced by Council Member Moya
September 16, 1924 - June 22, 2021

Mary Lena Waller Moody was commitment to her community in Corona for most of her life. She was a volunteer for four years with the Board of Education and later became the president of the Parent Teacher Association of P.S. 92 in Corona, Queens. This served as a career ladder in the education field for Waller Moody because in 1962, she was offered a job as a school aide at P.S. 92 and later became the school's paraprofessional. In 1975, she was offered a supervisory position for the paraprofessionals within the district, which included the hiring and dismissal of employees. She also managed the payroll and was accountable for 25 schools in School District 30. She retired from the New York City Board of Education in 1995. She always had an entrepreneurial spirit and deep commitment to her community. She owned a resort and children's camp which she called Moodie's Lodge in Moodus, Connecticut, which served communities of all ethnicities to spend quality time with their families while they enjoyed the great outdoors during the summer months. She served as a Girl Scout Leader for five years at the First Baptist Church in Corona, was an election inspector in the neighborhood, supervised the Saturday educational program for children in Corona at Grace Episcopal Church, owned and operated Big City Realty, which help provide residence for low income families in Corona, and provided daycare services for working mothers in Corona. She was involved in other community efforts including supporting the Flushing Meadow Soap Box Derby and collecting toys for disabled children at Goldwater Hospital. She received many citations, rewards, and proclamations in her lifetime, but two highlighting experiences of her life were being crowned Miss Fine Brown Frame of Harlem, and receiving the City Proclamation of "Mrs. Mary Moody Day" at City Hall in October 2019.

Section 126. Marguerite Henderson Way

Introduced by Council Member Moya
August 7, 1958 – July 19, 2021

Marguerite Henderson was very dedicated to her family, seniors and the East Elmhurst community. She attended P.S. 127 in East Elmhurst and went to I.S. 145, Newtown High School, and graduated from LaGuardia Community College. She was a member of Mt. Olivet church where she was an active choir member. She joined the First Baptist Church and became an active member of the church's trustee ministry. She was also involved in the East Elmhurst community board. She was dedicated to the families and seniors in East Elmhurst, ensuring they had food and resources as part of the First Baptist Church food pantry ministry. From organizing and executing back-to-school giveaways and toy and coat drives during the holidays, to serving thousands of families on a weekly basis before and during the height of the pandemic, she was truly dedicated to her community. She also assisted many families financially, helping with bills, rent, food and shopping for their children. She spent hours talking to teenagers and counseling the neighborhood youth who were at risk of heading in the wrong

direction. She was very protective of her family, specifically her children and grandchildren. Everyone on 96th Street and the East Elmhurst/Corona community knew Marguerite and was often affectionately called all sorts of nicknames by her loved ones and friends: Margret, Ursel, Big Marg, Gangsta Boo, Boo Thang, Baby Cakes, Ma, “Reet,” Babe, Mama Marguerite, sweet sweet Marguerite, Gramma and the East Elmhurst General. She was steadfast in her commitment and thanks to her dedication, many families had food on the table, coats for the winter, school supplies for their children, and most of all her love showing them that Marguerite had their back, especially throughout one of the worst pandemics of recent times.

Section 127. Ann Petry Place

Introduced by Council Member Perkins

October 12, 1908 – April 28, 1997

Ann Petry was a ground-breaking African-American novelist, journalist, and biographer whose works offer a unique perspective on black life in mid-century America. She began her career as a journalist, writing for the *Amsterdam News* from 1938 until 1941 and the *Peoples' Voice* of Harlem from 1941 until 1944, and then studied creative writing at Columbia University. Her first novel, *The Street* became a best-seller and was critically acclaimed for its portrayal of a working-class black woman, Lutie Johnson, who dreams of getting out of Harlem but is inevitably thwarted by the pressures of poverty and racism. It was one of the first novels by an African-American woman to receive widespread acclaim. *Country Place* depicts the disillusionment and corruption among a group of white people in a small town in Connecticut. Her third novel, *The Narrows* is the story of Link Williams, a Dartmouth-educated African American who tends bar in the black section of Monmouth, Connecticut, and of his tragic love affair with a rich white woman. Although often criticized for its melodramatic plot, it has been lauded for its supple style and its sympathetic characterizations. Petry's short stories were collected in *Miss Muriel and Other Stories*. She also published several historical biographies for children, including *Harriet Tubman*, *Conductor on the Underground Railroad* and *Tituba of Salem Village*.

Section 128. Althea Gibson Street

Introduced by Council Member Perkins

August 25, 1927 – September 28, 2003

Althea Gibson was an American tennis player who dominated women's competition in the late 1950s. She was the first African American player to win the French, Wimbledon and U.S. Open singles championships. She grew up in New York City, where she began playing tennis at an early age under the auspices of the New York Police Athletic League. In 1942, she won her first tournament, which was sponsored by the American Tennis Association (ATA), an organization founded by African American players. In 1947, she captured the ATA's women's singles championship, which she would hold for 10 consecutive years. While attending Florida Agricultural and Mechanical University (B.S., 1953) in Tallahassee, she continued to play in tournaments around the country and in 1950 became the first African American tennis player to enter the national grass-court championship tournament at Forest Hills in Queens. The next year she entered the Wimbledon tournament, again as the first African American player ever invited. In 1956, she won a number of tournaments in Asia and Europe, including the French and Italian singles titles and the women's doubles title at Wimbledon. In 1957–58 she won the Wimbledon women's singles and doubles titles and took the U.S. women's singles championship at Forest Hills. She also won the U.S. mixed doubles and the Australian women's doubles in 1957. That year, she was voted Female Athlete of the Year by the Associated Press, becoming the first African American to receive the honor; she also won the award the following year. She turned professional following her 1958 Forest Hills win. However, there being few tournaments and prizes for women at that time, she took up professional golf in 1964 and was the first African-American member of the Ladies Professional Golf Association. From 1973 to 1992, she was active in sports administration, mainly for the state of New Jersey. In 1971, she was elected to the International Tennis Hall of Fame.

Section 129. Judge Sheila Abdus Salaam Way

Introduced by Council Member Perkins

March 14, 1952 – April 12, 2017

Judge Sheila Abdus Salaam was born in Washington, D.C. in 1952 and educated in its public schools. She graduated from Barnard College in 1974, and received her J.D. from Columbia Law School in 1977. Upon graduation, she began her legal career as a staff attorney at East Brooklyn Legal Services, Corporation A, served as an Assistant Attorney General in the New York State Department of Law, Civil Rights and Real Estate Financing Bureaus and served as General Counsel for the New York City Office of Labor Services. She began her judicial career in 1992, having been elected in 1991 to the Civil Court of the City of New York. In 1993, she was elected to the Supreme Court, New York County, and was re-elected in 2007. She was appointed an Associate Justice of the Appellate Division, First Department in March 2009 by Governor David A. Paterson. Her appointment to the Court of Appeals by Governor Andrew M. Cuomo was confirmed by the State Senate on May 6, 2013 making her the first African American woman appointed to the position.

Section 130. Bishop James P. Roberts, Sr. Way

Introduced by Council Member Perkins

Bishop Roberts, Sr. immigrated to the United States and settled in Harlem, New York, where he worked as an elevator operator in a commercial building. He became a member of the Holy Cross Cathedral Orthodox Church and at night pursued a degree in theological studies. He later became a postulant in the Endich Theological Seminary under the tutelage of his Eminence Georg Alexander McGuire. Upon completion of his theological training, he was admitted to the Holy Orders as a Bishop. Bishop Roberts was drawn to organizations that advocated for black self-determination and racial equality and joined the Jamaican-born Marcus Garvey's Universal Negro Improvement Association (UNIA). The first branch of the UNIA in the U.S. was founded in New York in 1917, with the aims of repatriation, promoting racial pride, and the need to develop more independent African states. Bishop Roberts was committed to the spiritual well-being of his Harlem community, which included Caribbean immigrants and African- American migrants from the southern states. Inspired to establish a community-based church, St. Thomas Liberal Catholic Church was established on December 21, 1926 in the village of Harlem. Under the leadership of Bishop James P. Roberts, Sr., the church grew quickly and had to be relocated several times to accommodate its growth. Ultimately, a permanent structure was purchased at 147 West 144th Street in Harlem. Bishop Roberts was truly a spiritual pioneer in Harlem. Today, his son James P. Roberts Jr., serves as the church's bishop. In 1934, Bishop Roberts established The Antigua Progressive Society to provide charitable assistance to his beloved Harlem community and the island of Antigua. The objective was to "foster friendship, promote and cultivate social, economic, and intellectual intercourse among its members, along with supporters to render aid in time of need, sickness, or death." The Society was incorporated in 1935 in New York State with an overarching mission to be "a beacon of light to all." The Antigua Progressive Society later merged with another organization and renamed themselves the Antigua and Barbuda Progressive Society (ABPS). In 1964, the ABPS purchased a building located at 12 West 122nd Street in the village of Harlem which became its headquarters. That building is fondly referred to as the "Antigua and Barbuda House." ABPS continues to operate from this building eighty-five years after its founding in one of Harlem's Historical districts at 122nd Street and Lenox Avenue. Today, the Antigua and Barbuda Progressive Society, Inc. is a 501(c) (3) organization exclusively supporting charitable, religious and educational purposes. In 2012, the society donated the first 50 years of its records to the Manuscripts, Archives, and Rare Books Division at the Schomburg Center for Research in Black Culture. The following year, a public exhibit at the Schomburg Center titled "A Lighthouse in New York," showcased the records and accomplishments of ABPS. The ABPS continues the legacy of Bishop James P, Roberts, Sr., by actively engaging in the Harlem community. Among the activities, ABPS has adopted the Drew Family Day Care Center in Harlem where our annual "Holiday Toy Drive" brings joy to the children and the families of the center. ABPS also supported the Shades of Truth Theater. We have partnered with the local churches such as: Ephesus Seventh-Day Adventist Church, Greater Calvary Baptist Church and the Beulah Wesleyan Methodist Church. We also support women's homeless shelter, organize local book drives for children to promote literacy, serve Thanksgiving Dinner, as well as provide "take out" dinners at our headquarters. In our homeland of Antigua & Barbuda, we host an annual blood drive at Mount Saint John Medical Centre in Antigua. The APBS has a strong connection with the local Harlem community and actively

helps to foster transnational connections with communities back in Antigua. More importantly, the society has been able to successfully engage younger members and encourage their participation within the society, which has ultimately led to the growth of its membership.

Section 131. Rev. Allen James Way

Introduced by Council Member Perkins

Died November 2020

Reverend James Allen has profoundly impacted the lives of countless residents in East Harlem and beyond. After a decade long battle with addiction, Reverend Allen founded the Addicts Rehabilitation Center (ARC), one of the oldest, largest, and most successful intensive residential drug-free programs in New York. ARC serves the chronically homeless, the mentally impaired, people living with HIV/AIDS, veterans, and those with other special needs. In his tenure, he built six new buildings and renovated four buildings that produced over 900 units of affordable housing. He also started the ARC Gospel Choir to help encourage former addicts to stay clean. His hard work not only inspired health and clean living, but also paved the way for other community-based organizations to continue his efforts in assisting those in need.

Section 132. Bishop C.M. “Sweet Daddy” Grace Lane

Introduced by Council Member Perkins

Died in 1960

Born Marcelino Manoel da Graca on the island of Brava in Cape Verde, he immigrated to the United States via Massachusetts at the age of 19 and assumed the name Charles Manuel Grace. In Massachusetts, he was ordained a minister by Charles Harrison Mason, founder and presiding bishop of the Church of God in Christ and he then established his first congregation. In 1919, he subsequently established the United House of Prayer for All People. After years of expanding the network of churches under the United House of Prayer for All People, he formally established a church in Harlem in 1933 located at 336 West 126th Street. As the number of congregants grew, in 1938, the church relocated to its current location at 271 West 124th Street. Under his leadership, programming at the United House of Prayer for All People encouraged strong families, education, youth services, music, and adult literacy through programs sponsored by the church. The Bishop was patriotic and had each of his churches painted red, white, and blue. The Bishop contributed \$10,000 to the U.S. Government during World War II, as he was impressed by the gallantry of the “Harlem Hellfighters.” Bishop C.M. “Sweet Daddy” Grace addressed social problems in Harlem; he ran a soup kitchen to help the local hungry; he insisted upon local community-based labor on his construction projects to address local unemployment; he also allowed for a retail store on West 125th Street to serve as an incubator space rented by local entrepreneurs. Bishop C.M. “Sweet Daddy” Grace also led public seminars to teach local Harlem residents how to access new programs including Social Security, Workers Compensation, and Unemployment Compensation for educational purposes. By the time of his passing in 1960, Bishop C.M. “Sweet Daddy” Grace had launched over 100 churches across the United States and had an established presence globally.

Section 133. Audre Lorde Way

Introduced by Council Member Powers

1934 – 1992

Audre Lorde described herself as “black, lesbian, mother, warrior, poet”—which only begins to describe her work, her writing, and the many aspects of her lifelong battle for social justice. She was also a preeminent advocate for civil rights, LGBTQ rights, women’s rights, and disability rights. She exerted tremendous influence on generations of activists while cementing her own reputation as a prose and poetry author of great originality and distinction. Celebrated for defending the marginalized and oppressed, she famously urged her students and activists to fight for justice by reminding them: “Your silence does not protect you.” “I am deliberate,” she wrote inspiringly, “and afraid of nothing.” Born in New York, she graduated from Hunter College High School (while attending poetry workshops sponsored by the Harlem Writers Guild) and received her BA from Hunter College in 1959. During her student days, she published her poetry professionally for the first time in *Seventeen Magazine*. Following graduate study at Columbia, she served as a poet-in-residence at Tougaloo College in

Mississippi, where she focused on feminist theory, race studies, and LGBTQ rights. Later, after teaching stints at CUNY's Lehman College and John Jay College, she became Distinguished Thomas Hunter professor at Hunter College in 1981—returning to her alma mater to inspire a new generation of Hunter students to raise their voices against injustice. Meanwhile, this activist-author who refused to be categorized wrote several collections of her acclaimed poems in the 1960s and 70s. Her 1984 book of essays and speeches, *Sister Outsider*, not only cemented her reputation as a major cultural and political voice, but also defined her future crusades for equality. In 1988, she won the National Book Award for her essays *Burst of Light*. Earlier in the decade, she co-founded Kitchen Table Press, dedicated to publishing the work of black feminist authors. Governor Mario M. Cuomo named her the 1991 Poet Laureate of New York State. She has inspired much critical praise and several biographical films—and her reputation has soared since her death.

Section 134. Saint Tikhon Way

Introduced by Council Member Powers

January 31, 1865 – April 7, 1925

During his tenure as Archbishop of North America, Saint Tikhon moved the Headquarters of the Russian Orthodox Christian Church of America from San Francisco to 15 East 97th Street, where the St. Nicholas Cathedral remains today. His office and personal residence as Archbishop was also moved to this location. The cathedral was built at the beginning of the twentieth century and was blessed by Saint Tikhon in 1902. His mission for the Cathedral was to invite people from all walks of life to pray and witness its beauty. He held services in Spanish and English to meet the growing needs of the local Upper East Side community and encouraged the creation of women's groups in all parishes under his supervision. Quite ahead of his time, he conducted a fruitful dialogue with other Churches - Orthodox, Catholic, Episcopal, and even other non-Christian faiths. This mission of inclusion and community is cherished and continues today; Saint Nicholas Cathedral's doors are open to all who wish to visit and find peace. He was canonized a saint on November 1, 1981.

Section 135. Wynn Handman Way

Introduced by Council Member Powers

May 19, 1922 – Apr. 11, 2020

Wynn Handman taught acting classes from 1955-2008 on W.56th Street, first in a carriage house at 158 W. 56th, then in the historic Carnegie Hall Studios, Studio 808, and trained actors such as Michael Douglas, Christopher George, Richard Gere, Frank Langella and John Leguizamo. He was also artistic director of the American Place Theatre, where he directed numerous plays. He was recipient of many awards, including the 1999 Off Broadway Theater Award (Obie Award) for Sustained Achievement in 1999.

Section 136. Ludie Brown Way

Introduced by Council Member Riley

Ms. Ludie Brown was a community activist for over 50 years. Ms. Brown passed last year during the pandemic. Ms. Brown was a community activist who served her community in various ways. Ms. Brown was the President of the Kingsland Avenue Block Association since its inception in 1990. Ms. Brown was a dutiful member of the 47th Precinct Community Council as well a member of her Community Board. She received certificates of merit and honorable mentions from the NAACP and Laconia Community Council for her community work. She provided the foundations and systems that many of our local elected officials and community residents depend on to get things done and done the right way.

Section 137. Vonte S. Murray Way

Introduced by Council Member Riley

August 4, 1970 – April 4, 2021

Vonte Murray was a gem to his family, friends, and certainly to the Rosa Parks Campus. If he had to be described in one word, it would be servant. He dedicated his life to the service of others. Vonte Murray was a founding staff member at Cornerstone Academy for Social Action Middle School from 2011 until his last day

on this earth. During his time at Cornerstone Academy, he served in many different capacities including, but certainly not limited to, Community Associate, School Aide, Dean of Students, STARS Programmer, Transportation Liaison, and much much more. He was also Assistant Director of NY Edge After-School Program at Cornerstone Academy for Social Action Elementary School. He often supported our Saturday Programs and student electives. What began as a Saturday morning Yugio game club for several students, including alumni, turned into a mentorship and safe haven where he was able to guide and support several of our young people while using his warmth and great sense of humor to teach life lessons. Whether he was in the cafeteria, the auditorium or out in the schoolyard, he was a role model for the CASA community. He made an impact on the lives of many as he was the true definition of someone that lived a selfless life looking after the needs of others. He wore several hats. However, it is not his many job titles that made him special. It was his heart. It was his kindness and generosity towards others. His wisdom and heartfelt advice cannot be replaced. He was a man who gave. He gave much to his work. He generously gave his knowledge, expertise, skills. He gave energy, commitment and inspiration to staff, parents, and students of the Cornerstone Academy community. He was instrumental in the development, structure, and culture of the Cornerstone Academy for Social Action Community. He worked with integrity, passion, and commitment to the community he served.

Section 138. Onaje Allan Gumbs Way

Introduced by Council Member Riley

September 3, 1949 – April 6, 2020

Onaje Gumbs is a world renowned Jazz player from Co-Op city whose family still resides in co-op city where they continue to give back to the community. The life of Onaje Allan Gumbs was one of superb jazz piano playing, accompaniment, composition, arranging and band leading. A lesser-known side of him was his spirituality, philosophy and practice, introduced to him by the renowned jazz bassist, Buster Williams. Onaje believed that, for the world to work as one, we need to look within ourselves, agree to let the poison out, and breathe in clean air. This way, we may transform ourselves and the world - to peace, love, harmony, fellowship, community and togetherness.

Section 139. Patricia Wiley Way

Introduced by Council Member Riley

Patricia Wiley was a community advocate and worked effortlessly to make a change in District 12. She was the founder of the Harper Avenue Block Association and a lover of all things God, children, and community. Affectionately known as “Patsy” and “Ms. Pat”, was born in Harlem Hospital, NY. She attended NYC public schools, some college and later earned a certificate in ladies tailoring from Fashion Institute of Technology. She grew up attending Caldwell Temple AME Zion Church under the pastoral leadership of the Late Rev. Dr. Carnes McKinney, where she was Sunday School financial secretary, worked with Vacation Bible School under Mrs. Cook and attended Christian education classes. She was also a member of Minisink Blue Bells under the leadership of Ernestine Seaborne. She fellowshipped with Grace Baptist Church on Dyre Avenue in the Bronx, NY under the pastoral leadership of the Late Rev. Acker. She became a delegate for the American Baptist Churches annual meeting, Vacation Bible School director, American Baptist Churches Youth Convocation Planning Team for 25 years, financial secretary for the church and church clerk. Under the pastoral leadership of the late Rev. Dr. Robert L. Johnson, ministries within the church include, Fasting & Prayer, Pastor’s Aid, Senior Group and Samaritan’s Purse Christmas shoe-box. She also served also Community Liaison for The Clergy Coalition of the 47th Precinct. She worked tirelessly in her community and was one of the founders of the Harper Avenue Block Association. A few of her public recognitions include awards for her outstanding work in the community include the NAACP, Clergy Coalition of the 47th Precinct, Grace Baptist Church, Bronx, NY and Caldwell Temple AME Zion Church.

Section 140. Avenues for Justice Way

Introduced by Council Member Rivera

Avenues for Justice formerly known as the Andrew Glover Youth Program has served the Lower East Side for over 40 years having been founded in the 1970's. The organization was originally named in honor of police

officer Andrew Glover of the 9th precinct who was killed in the line of duty near the Community Center at 100 Avenue B. Angel Rodriguez, who co-founded the organization and remains its Executive Director is a lifelong resident of the Lower East Side. Avenues for Justice is one of the first Alternative to Incarceration Programs in the country. Alternative to Incarceration programs serve to assist young people in getting second chances in life. It offers a safe space for young people and families at its community center on Avenue B, as well as provide activities such as work readiness, tutoring, and arts for the young people.

Section 141. Donald Suggs Jr. Way

Introduced by Council Member Rivera

Died October 2012

Donald Suggs Jr., whose activism and artistic work forever changed the community in the East Village. As a longtime reside of 525 East 6th Street until his death in 2012, he is widely known for his contributions to black LGBTQ rights and transforming the landscape of American HIV messaging campaigns. Before joining Grassroots Leadership, he was a senior editor at The Village Voice, and the former associate director of the Gay & Lesbian Alliance Against Defamation, or GLAAD. He also organized a campaign against homophobia in the music industry that was the basis for the British Broadcasting Company film by Issac Julien, "A Darker Shade of Black." In 2001, he founded People Using Media to do Prevention, or the PUMP project, which taught young people from neighborhoods decimated by HIV how to do video production, then co-produced HIV prevention films with them. As a freelance writer, he wrote for publications ranging from The Advocate to The New York Times. He also had served as board chair for Manhattan Neighborhood Network.

Section 142. Terrence McNally Way

Introduced by Council Member Rivera

November 3, 1938 - March 24, 2020

Terrence McNally was a playwright, screenwriter and librettist who won several Tony Awards throughout his 60 plus year career, including Best Play for "Love! Valour! Compassion!" and "Master Class" and a 2019 Tony Award for Lifetime Achievement. He also has received an Emmy Award, two Guggenheim Fellowships, a Rockefeller Grant, two Lucille Lortel Awards, two Obie Awards and three Hull-Warriner Awards. He also served as vice-president of the Council of the Dramatists Guild from 1981 to 2001. He was credited with having brought depictions of gay life to mainstream Broadway and Off Broadway performances.

Section 143. Rafael "Bullumba" Landestoy Way

Introduced by Council Member Rodriguez

August 16, 1925 – July 17, 2018

Pedro Rafael Landestoy Duluc was born in La Romana and he studied at the National Conservatory of Music of Santo Domingo. His first piece of music for piano was composed when he was 20 years-old. His music has been interpreted by many musicians of international recognition. Among them, are Rafael Scarfullery, Francisco Roldán and María de Fátima Geraldés. He wrote over 100 songs in the pop genre, gaining international recognition as a composer in the 1950's after escaping the dictatorship of Trujillo and traveling to Mexico and Venezuela. His music has been performed and recorded by many great Latin American singers, including Celia Cruz, Toña la Negra, Alberto Beltrán, and Vicentico Valdés. At the end of the 1950's, he moved to New York, where he performed as a pianist in various musical groups, including the Lecuona Cuban Boys, directed by the great Ernesto Lecuona. He went to Puerto Rico in 1962 to join the monastery of San Antonio Abad and returned to New York in 1977.

Section 144. Isaiah Ché Moronta Way

Introduced by Council Member Rodriguez

July 27, 2006 – March 13, 2020

Isaiah Ché Moronta was born in Washington Heights. He was raised in the Inwood section of Manhattan where he attended PS/MS.278 for both elementary school and middle school. While attending PS/MS.278 he was a member of the chess team and participated in talent shows. His favorite subject was mathematics and he was extremely athletic. His favorite sport was basketball. He played in tournaments throughout his neighborhood in Dyckman Park and Inwood Park. He enjoyed most of his time in our local park with friends playing basketball, fishing and long hikes. He was known and loved by the neighborhood and local business owners for always being polite and helpful. His peers admired him for being a leader and always defending them against bullies. Isaiah was brave and always stood up for what was right. On the afternoon of March 13th, 2020, Isaiah lost his life while displaying the same courage and honor he was known for in an attempt to rescue his friend and classmate Manny Flores from drowning in the Hudson River in Inwood Park. This tragedy was witnessed by four of their peers. Isaiah and Manny both lost their lives at the age of thirteen and were found 5 and 7 weeks later. Both bodies surfaced in the Harlem section of the Hudson River 2 weeks apart.

Section 145. Edith Prentiss Way

Introduced by Council Member Rodriguez

Died March 2021

Edith Prentiss was a leading voice in the fight to ensure equality and accessibility for people with disabilities in the city and across the country. She served as president of both the 504 Democratic Club and the Disabled in Action of Metropolitan New York City organization. She also held a longtime seat on Community Board 12. She was incredibly effective with her fierce disability advocacy, helping to get elevators installed at subway stations across the city, including at Dyckman Street, helping to provide free bus rides for seniors when subway elevators needed repairs, and testifying in the name of stronger legislation around disability rights on countless occasions. She played a major role in increasing the number of accessible taxis in the City through her work as chair of the Taxis for All Campaign. She held leadership positions with Community Board 12 (Manhattan), Manhattan Borough President Disability Task Force, Permanent Citizens Advisory Committee to the MTA and New York City Transit Riders Council, MTA New York City Transit Advisory Committee for Transit Accessibility, Long Island Rail Road ADA Task Force, NYC Office of Emergency Management Special Needs Task Force, and Washington Heights and Inwood Council on Aging. In 2014, Concepts of Independence honored her with the Sandra Schnur Advocacy Award, named for the former Concepts of Independence president and 2019 NYSILC Hall of Fame inductee, for her work on behalf of New York's disability community.

Section 146. Coogan's Way

Introduced by Council Member Rodriguez

Coogan's was a beloved institution since 1985, located on Broadway and 169th Street by New York-Presbyterian Hospital. The bar closed due to the COVID-19 pandemic. The joint was known as a community favorite, a place that transcended lines of race and class in the diverse, largely Dominican neighborhood and managed to bring together all types, from doctors and nurses at nearby Columbia Presbyterian Hospital, to cops, firefighters and politicians. It also became one of the premier bars for runners in New York City.

Section 147. Gregorio Luperon High School Way

Introduced by Council Member Rodriguez

Founded in 1994 to serve Spanish-speaking students who are new to this country, Gregorio Luperon High School is a safe and welcoming school where students feel inspired to learn. A new program in robotics and aviation, launched in 2018, expands the school's offerings in science, technology, engineering and math (STEM). Gregorio Luperon H.S. was the first school Statewide to welcome thousands of students from Latin America in 1994. Currently, 1 out of each 8 Latino students are from Dominican Republic. The school is named after the great Dominican General Gregorio Luperon, who stands as an important figure in the history of the

Dominican Republic and who represents a beloved figure for hundreds of thousands of Dominicans living in NYC. The Gregorio Luperon H.S. has served and touched a large group of Dominicans who reside in Washington Heights. Gregorio Luperón H.S. for Science and Mathematics aims to provide a comprehensive education that prioritizes inquiry among a student body of English Language Learners (ELLs). This learning occurs in a Transitional Bilingual, Dual Language and Free-standing ENL Educational setting, which acknowledges and celebrates students' language, culture and prior experiences, while simultaneously teaching them English in preparation for post-secondary education.

Section 148. Hugo Cabrera Way

Introduced by Council Member Rodriguez

October 23, 1953 – 23 March 2021

Hugo Cabrera was born in Santo Domingo on October 23, 1953 and emigrated with his mother to New York City where he lived in Harlem until he was 18 years old, attending the Brandeis High School where he was named in several All-Star teams that deserved him a scholarship at East Texas State. He is considered the most complete Dominican basketball player of all time and one of the best Latin Americans players. He died on March 23, 2021 in New York City as a result of pancreatic cancer. He was 67 years old. Cabrera is survived by his children Ayanna, Ricky, and Javier. Cabrera was tremendous at Texas State. Many extraordinary memories and games are kept in Texas High Schools. His little-mentioned college-level accomplishments include: 2009 Hall of Fame, 1970s College Team Member; He played 122 consecutive games, a record in force until 2009, Member of the All Conferences Team in 1974-1975-76. At the Lone Star Conference, Cabrera was part of the National Association of Intercollegiate Athletics All-America Team three times. In his college career he scored 1,458 points and grabbed 842 rebounds. Other achievements of Hugo Cabrera include most rebounds in a playoff game. Elected team MVP in 1974 -75. He has to his credit being the first player drafted by the NBA at Texas State. Before entering the national level where Hugo Cabrera greatly acted, he participated in many international tournaments, including: in 1970 with San Lázaro against Morovis in Puerto Rico, in 1972 with San Lázaro against Armstrong College in Santo Domingo. Hugo debuted in the local tournament in 1976 with an average production of 22.5 and 10.4 rebounds per game and his highest season was recorded the following year when he earned the Most Valuable Player title after registering an average of 31.1 points and 12.8 rebounds. In 1976, defending San Lázaro in front of the University of Detroit in Santo Domingo, he played with San Lázaro against East Texas State University in the District, going in 1976 to the Caribbean Series with San Lázaro in Venezuela (Sub Champion). He reinforced San Carlos against Guaynabo at the Palacio de los Deportes and in Puerto Rico by winning both Series. Again he faced the Mets of Guaynabo but with San Lázaro in the Palacio de los Deportes. He was strong on the court leading San Lázaro to the Championship being the main figure. Year 1977, wearing the Club San Lázaro shirt, Cabrera scored 61 points against Eugenio Perdomo on June 29, 1977, breaking his own mark of 57 set against San Carlos on July 24, 1976. San Lázaro achieved a record that still remains with 14-1 where Hugo Cabrera was elected the MVP of the Tournament. In 1978, Cabrera received an invitation to take part in training for the New York Knicks, after watching videos of his performances against the Houston Rockets team. He ended up playing with the Wilkes-Barre and Allentown teams in the Continental Basketball Association (CBA) where he averaged 33.6 points per game.

Section 149. Víctor Víctor Way

Introduced by Council Member Rodriguez

December 11, 1948 – July 16, 2020

Victor José Victor Rojas was born in Santiago de los Caballeros. His professional life began in 1972, with the authorship of La Casita (The Little House), which he sang with Wilfrido Vargas. This piece became such a great success that it inspired the budding author to launch his career as a performer and composer, work that kept him busy for the rest of his life. In the 1970s, his dissatisfaction with domestic politics and economic policies in DR, added to increasing international turmoil, inspired him to write songs with social and political content as his aesthetic compass. Mr. Víctor also took part in the movement opposed to the Dominican dictator Rafael Trujillo, and he began to write protest songs. As a young man he traveled the country as part of youth groups protesting the government while receiving an education in local rhythms. Between 1973 and 1978, he founded and led the group Nueva Fortuna, with which he traveled all over the country. In 1978, he created the group

Flamboyán, through which he projected his music as a sample of rhythmic intermixing. For five years he shared the stage with the most important figures of the Latin American song and performed in Puerto Rico, Venezuela, Cuba, the United States and Italy. Victor Victor studied the musical roots of merengue and bachata, recreated the genre and enriched it. Successes such as “Mesita de noche”, “Ando buscando un amor” y “Así es mi amor” were made with simplicity and beautiful metaphors and have been performed by leading Dominican and foreign vocalists. In 1990, he released his fourth album, entitled “Un chin de veneno”, which was an international success. It successfully fuses Caribbean rhythms in a new style. Victor Victor has to his credit the long-running albums entitled “Álbum rojo”, “Flamboyán”, “Con sus flores y sus vainas”, “Cotidiano”, “Artistas por la paz”, “Inspiraciones”, “Tu corazón” y “Alma de Barrio”. In 2007, he recorded the social-themed album “Verde y negro” as a tribute to the freedom fighters of the Dominican Republic. Victor died of COVID-19 at a hospital in Santo Domingo at age 71. The artist was awarded the Awards: Premios A Lo Nuestro, Aplauso 92, Ronda, ACE, Aplauso 98, ASCAP and ONDA. Victor Victor remains a beloved and influential artist for hundreds of thousands of Dominicans in New York City.

Section 150. Johnny Ventura Way

Introduced by Council Member Rodriguez

Died July 28, 2021

Johnny Ventura modernized merengue during the early 1960s. He was a dancer, bandleader, arranger, and composer who released more than 100 albums. He was a six-time Latin Grammy winner who influenced virtually every merengue singer who followed him. Fascinated by the energy and dance moves in early rock & roll music -- especially Elvis Presley's -- Ventura grafted them onto merengue on early albums such as 1965's *El Boogaloo Esta en Algo* and 1966's *Figurando*. By 1970, he was a best-selling artist across Latin America who performed sold-out concerts in the U.S. and Europe. He embraced salsa during the early '70s and registered hits with *Salsa y Algo Más* (1971), *Salsa Pa Tu Lechón* (1972), and 1973's *Salsa*, but he never abandoned merengue. During the first half of the '80s he scored hits with *El Sueño* (1982) and the merengue suite collection *El Hombre y Su Musica* in 1985. He dissolved his band in 1992 to pursue a career in politics but in 2002 he resumed touring and recording. He continued to release charting albums such as 2006's *103 Boulevard*, 2013's *El Viejo 'Ta en la Calle*, and 2016's *Tronco Viejo*. Johnny Ventura was born Juan de Dios Ventura Soriano in the city of La Vega in the Dominican Republic. At 16 he enrolled at Ercina Chevalier Commercial Institute to earn a secretary's degree and find a job that would fund his university studies. That changed when he accepted a friend's challenge and entered a talent contest on the radio program *La Voz de la Alegria*. He won. He also competed on the TV show *La TV Busca Una Estrella* (Star Search) and won. His prize was a scholarship to study music and voice. After graduation he changed his name to Johnny Ventura and auditioned for and won the job as lead singer in Rondón Votau's orchestra. In 1961 he joined percussionist Donald Wild's group before moving on to Combo Caribe de Luis Pérez in January of 1962. Ventura scored his first hit for the bandleader with "La Agarradera," a song full of double entendres that would have been impossible to release just a year before when military dictator Rafael Trujillo ruled the country with an iron fist. The flipside of the single was "Care con el Cuabero," a Ventura composition. Interestingly, Ventura left Pérez's employ to join Papa Molina's *La Super Orquesta San José*. They didn't record at all, but they were easily the most popular dance band in Santo Domingo at the time. The tenure with Molina made Ventura a certified star in the city, and others saw his potential. Cuban promoter Angel Guinea prodded him into forming his own group, *Johnny Ventura y Su Combo Show*, and helped him inject a bit of Las Vegas floor-show glitz and glamour into his presentation. Ventura was obsessed with the energy of American rock & roll performers such as Elvis Presley, Little Richard, and Chuck Berry. He loved the slick dance moves Elvis brought to his performances and grafted that genre's kinetic force and the innovative movements to the *Combo Show*, a band that launched the careers of Dominican stars such as Luisito Marti, Fausto Rey, and Anthony Rios. Ventura cut 1964's *El Lloron* under his own name for New York's tiny independent Remo Records. He then signed a deal with Phonogram in early 1965 for *Johnny Ventura y Su Combo Show*. They released three successful albums for the label, including *La Coquetona* and *La Resbalosa* (both 1965), and *Siempre Pa' Lante* (1966). Though a star at home, Ventura was restless for new experiences. He and his *Combo Show* traveled to New York City in 1966 and began playing dancehalls and concerts. His energy and the band's stellar musicianship wowed audiences and word spread quickly. They cut and released *Figurando* later that year. Its revved-up boogaloo reading of Mexican folk song "La Bamba" and lush merengue version of "Strangers in the Night" drove the album straight to a gold certification. By the time he released *El*

Turun, Tun, Tun in early 1967, he was melding merengue with guaguancó, descarga, and early salsa. The record buying public -- thanks to Latin radio in the Caribbean and the U.S. -- bought it in droves. Ventura toured across the U.S, Mexico, the Caribbean, and South America. He dug into boogaloo and soul on 1968's now classic *El Mamito* and offered a further evolved brand of merengue on *El Papelito Bronco*. In 1969, he delivered *Siempre en Orbita*, melding merengue, salsa, and guaguancó; it ran straight up to the top of the Latin charts. 1971's *Ah! Yo No Sé...* No was an instant hit (it reprised that status when it was reissued for the first time in 1976 and re-entered the charts). Its title-track single won airplay all over North, Central, and South America, and the album was certified platinum. Its appeal lies in Ventura's perfect integration of contemporary merengue with salsa, guajira, and Caribbean-styled cumbia. For the remainder of the decade, Johnny Ventura y Su Combo Show couldn't miss the charts if they tried. They released no less than 20 albums that decade. Among them were some of his greats such as 1973's *Luisito Marti con Johnny Ventura y Su Combo*, *El Pingüino*, and *Salsa y Algo Más*, 1974's *La Protesta de Los Feos*, 1975's live *En Accion*, *Salsa*, and *El Hijo del Pueblo*. In 1977, due to constant recording and touring, conflicts arose within the band. Ventura wrangled three more charting albums from them that year -- *2 Ases al Tiro* featuring Rolando Laserie, *Excitante*, and the compilation *Johnny Ventura y Su Combo Show* -- then left temporarily to create a new orchestra, *Los Caballos de Johnny Ventura*. When his longtime friend José Francisco Peña Gomez, died of cancer in the middle of a mayoral campaign, Ventura replaced him in the mayoral race at the suggestion of the party. He won and served as Santo Domingo's mayor from 1998 to 2002 during a particularly difficult time in its economic history. While he still performed on occasion, his only releases were compilations. He returned to recording with 2003's *Sin Desperdicio*. It took home the Latin Grammy for best merengue album. He followed with *103 Boulevard* and *¡Oye Qué Rico Mami...Salsa!* The albums placed at four and six respectively on the Tropical Albums chart and Ventura was awarded a lifetime achievement award from the Latin Grammy Foundation. In 2010 he issued the hit holiday set *Volvio La Navidad* and followed with 2013's sparkling merengue/salsa set *El Viejo 'Ta en la Calle* and *Frente a Frente*, the latter a collaborative album with Milly Quezadathat peaked at 15. Ventura's final studio album was 2016's *Tronco Viejo*, which featured the great singer in duets with Romeo Santos, Silvio Rodriguez, Edesio Alejandro, and the Buena Vista Social Club's Omara Portuondo. It reached number 14 on the Tropical albums chart. In 2020, Ventura ran for mayor of Santo Domingo again but lost.

Section 151. Quisqueya Plaza

Introduced by Council Member Rodriguez

This plaza's name will honor the large Dominican American community of the surrounding Washington Heights and Inwood neighborhoods. Quisqueya, meaning "cradle of life," is one of two aboriginal names for the island called *La Isla Española* (Hispaniola) by Christopher Columbus (1451-1506). Although, in the 1950s, there were relatively few Dominicans in New York, between the mid-1960s and the mid-1990s, more immigrants came to the City from the Dominican Republic than from any other country. Today, three-quarters of all of America's Dominicans live in the New York region, and Washington Heights is the largest Dominican community in the City.

Section 152. Rev. Maggie Howard Way

Introduced by Council Member Rose

1963 – 2020

Dr. Maggie Howard was born and raised in New York City and lived in the nearby Stapleton Houses. She received her associate degree in finance from the College of Staten Island, a bachelor's degree in Theology from Boulden Seminary in Delaware, and also took doctoral studies. Howard was ordained in 1991 and was designated lead pastor of Stapleton A.M.E, the oldest African American church in Staten Island, in 2000. She was known as a pillar of the community providing counseling and mentoring services, working with organizations such as FEMA's Project Hope for Hurricane Sandy victims. She worked to better the neighborhood as a mediator in the Cease Fire Program, an NYPD initiative to prevent gang-related violence, Peer Recovery Coach, and a Citizens Police Academy graduate. She spread her inspirational message of education and social justice to Stapleton and around the world through her missionary work until she died in 2020.

Section 153. Social Activist Joseph N. Gumbs Way

Introduced by Council Member Rose

Joseph Gumbs dedicated his life to the church, equal rights and his community. He served in the United States Air Force and was a member of the Sandy Ground Historical Society, the Staten Island Branch of the NAACP, the Romare Bearden Foundation, the Staten Island Branch of the New York Urban League, the Mariners Harbor VFW Post 5521, Richmond District 369th Veterans Association, the Peace Action of Staten Island and the St. Martin Association of Staten Island Social Club. He received awards from the NAACP, Democratic Committee of Richmond County, the Universal Temple of the Arts and the Staten Island African American Political Association for outstanding service. He was also very active with the Stapleton United African Methodist Episcopal Church, the First Central Baptist Church, the Fellowship Baptist Church, the Bethel Community Church, Brighton Heights Reformed Church and the Senior Usher Ministry of St. Philips Baptist Church. He was a founding board member of Project Hospitality and was an advocate for veteran's rights for over 35 years. He was awarded the Eleanor and Paul Proske Memorial Award for distinguished service to the poor.

Section 154. Bartolomeo Giove Way

Introduced by Council Member Rose

August 19, 1954 – October 2019

Bartolomeo Giove was born in Italy and later came to America where he and his two brothers worked as landscapers during the day and at a pizzeria at night. A few years later, he along with his brothers opened the first Brother's Pizza creating job opportunities for the Port Richmond community and also contributing to various charity events, schools and fundraisers. Some organizations they contributed to include Project Hospitality, the Detective Salvatore J. Cafiso Foundation and Hurricane Sandy relief organizations. In 2010, the pizzeria celebrated its 35th Anniversary with a three-day long celebration of discounted slices of pizza to the community.

Section 155. Principal Marie A. Munoz Way

Introduced by Council Member Rose

Died August 18, 2020

Marie Munoz began her career as an educator over 30 years ago with the NYC Department of Education. She served in a variety of roles that included teacher, coach and staff developer prior to transitioning to administration as an Assistant Principal in public schools in Brooklyn (P.S. 133, P.S. 20, P.S. 67). She graduated cum laude from Medgar Evers, CUNY with a B.S. in Elementary Education; and, the College of Staten Island, CUNY with an M.S. in Elementary Education. She also held an M.S. in Education and a Professional Diploma in Administration and Supervision from the Fordham University Graduate School of Education. She culminated her 32-year long career with the NYC Department of Education as Principal of P.S. 20 in Staten Island, after having served as leader there since 2005. While Principal at P.S. 20, she made it her mission to support students and families in the surrounding Port Richmond community. She was beloved by members of the P.S. 20 community, where she established a school culture that honored students' cultures and excellence. She loved to organize school events where the community could come together, build and share resources. She received recognition that included a Certificate of Appreciation from Wagner College (2010) for participating in their "Learn by Doing" program where students at Wagner joined P.S. 20 to build awareness of community needs; a Certificate of Recognition from the Staten Island Black Heritage Family Day (2013), Certificate of Recognition from New York State Senator of the 24th Senate District, Andrew J. Lanza (2014), Certificates of Appreciation of Distinguished Supervisory Service from the Council of School Supervisors and Administrators of the City of New York (CSA), CSA Latino Caucus Award (2015) and countless recognition awards from the Parent Teachers Association.

Section 156. James "Jim" Smith Way

Introduced by Council Member Rose

Died in 2020

James Smith was a dedicated community advocate and former grand knight of the Knights of Columbus. He served in the United States Coast Guard and later founded the Pride Center of Staten Island. He served as president of the Vietnam Memorial committee and was instrumental in the subsequent construction of the memorial at The Armory in West Brighton. He was partly responsible for Gen. William C. Westmoreland's, who commanded U.S. troops in Vietnam from 1964 to 1968, attendance on Staten Island in 1988, when he was keynote speaker during the opening ceremony. He was a member of the Ancient Order of Hibernians and founded the Miss Hibernian Pageant in 1979. He also was co-founder of the Miss Staten Island Pageant along with Dominic Coppotelli, Barbara Glode Sperry, Miss New York 1963, and longtime sponsors Edith Susskind and Tony LaMorte. A firm supporter of the ideals adhered to by the Miss America Organization, he eventually assumed the role of local executive director. He would go on to judge a number of pageants throughout the country including the Ms. Senior America Pageant for the last five years.

Section 157. Pearl Harbor Cpl. Vincent Kechner Way

Introduced by Council Member Rose

Cpl. Vincent Kechner died on December 7, 1941 while giving medical aid to soldiers during the attack on Pearl Harbor.

Section 158. Eric Garner Way

Introduced by Council Member Rose

Died July 17, 2014

Eric Garner died as a result of an NYPD officer who put him in a chokehold, a maneuver against NYPD rules, for illegally selling cigarettes. The incident sparked outrage across the country when video of the incident was released with Eric Garner pinned to the ground repeatedly stating that he could not breathe and eventually losing consciousness. He died shortly after he was rushed to the hospital. As a result of his death, there were many protests and demonstrations in New York City leading to the officer being fired for the illegal chokehold. In June 2020, the Eric Garner Anti-Chokehold Act was passed making it so that a police officer who injures or kills somebody through the use of a chokehold or similar restraint can be charged with a class C felony punishable by up to 15 years in prison.

Section 159. Little Liberia Way

Introduced by Council Member Rose

This co-naming will commemorate the Liberian community and recognize the contributions Liberians and decedents of Liberia have made and continue to make.

Section 160. Firefighter Sean D. Kenny Way

Introduced by Council Member Rose

August 25, 1953 – May 5, 2021

Sean D. Kenny served with Engine Company 155 and was a part of the search and rescue effort at Ground Zero. He died of 9/11 related illness.

Section 161. Joseph Triffoglio Way

Introduced by Council Member Rose

Died in 1968

Joseph Triffoglio was very involved in his community. He was a licensed barber, funeral director and a partner in a construction company. He assisted many immigrants in the area to get housing and jobs. He and his

wife opened there home to assist people with a place to live while they were seeking employment in the area. He helped immigrants obtain mortgages, medical benefits and even taught English to help people from other countries advance. He was also a major contributor to the Feast of San Donato every year heading the committee that was responsible for preparations for the celebration.

Section 162. Nick Troianiello Way

Introduced by Council Member Rose

April 4, 1926 – March 26, 2021

Nick Troianiello was the last surviving veteran of the Marine Corps League's Sergeant Angel Mendez Detachment 246. He was a member of the New York State Guard for a year before he served his country in the United States Marine Corps during WWII in Iwo Jima. He was part of Operation Detachment, which had the goal of capturing the entire island to provide a staging area for attacks on the Japanese main islands. He was awarded the Purple Heart and the Conspicuous Service Award. When he returned home, he served on the FDNY for 40 years, was an active member of the USMC League, 3rd Marine Division Association, the Retired Firefighters Association and the Devil Dogs. He visited local veterans' hospitals and raised funds for various organizations, including Toys for Tots, was named Fireman of the Year and Marine of the Year.

Section 163. Detective James V. Nemorin Way

Introduced by Council Member Rose

Died March 10, 2003

Detective James V. Nemorin was killed in the line of duty during an undercover gun buy operation.

Section 164. Detective Rodney J. Andrews Way

Introduced by Council Member Rose

Died March 10, 2003

Detective Rodney J. Andrews was killed in the line of duty during an undercover gun buy operation.

Section 165. Vincent Gattullo Way

Introduced by Council Member Rose

Died September 2017

Vincent Gattullo was a dedicated educator and community leader with broad influence on Goodhue Center, Zoological Society, American Parkinson Disease, other local and national institutions. He worked multiple jobs at a young age while still attending school. He served in the United States Army. One of his proudest and earliest accomplishments was improving the Goodhue Center, The Children's Aid Society complex. He helped raise \$4 million to renovate the Goodhue Mansion, turning an unusable space into an administrative and recreation center, but most importantly building the new children's foster homes and a gymnasium that helped countless generations. He was an educator for 23 years with the New York City Department of Education. He earned several degrees and proudly became a New York City public school teacher, and eventually a principal. He helped create the Sex Education program for the entire New York City school system. He later became a professor at Wagner College, College of Staten Island and St. John's University. For 15 years as a trustee, five years as president and 25 years as the director of the Staten Island Zoological Society, he raised \$65 million to create a place for the whole community to enjoy, but more importantly improving the first educational zoo in America bringing it back the "biggest little Zoo" back from the brink of closing. Over his 30 years of involvement with the American Parkinson Disease Association Inc., he raised \$63 million that funded much-needed research and information and referral centers throughout the United States. He formed an additional foundation in the Netherlands, Netherlands Parkinson's Foundation Inc. that funded research to find a cure for the debilitating disease worldwide.

Section 166. Educator Lawrence E. Ambrosino Way

Introduced by Council Member Rose

May 20, 1948 – August 2020

Lawrence E. Ambrosino was an educator who was very involved in his community. He was a champion of his friend Rocco Laurie, a police officer who was killed in the line of duty in 1972. He established the Rocco Laurie Scholarship Fund that has awarded more than \$200,000 students helping them further their education, and he also established the annual Patrolman Rocco Laurie Scholarship Basketball Game. He also lobbied successfully to rename Intermediate School 72 in New Springville named for Officer Laurie as well. He was an educator for over five decades and served as an assistant principal of Intermediate School 72 and later served as principal of PS 57, becoming the youngest principal in New York City at the age of 32. He was named superintendent of schools for Shrewsbury, New Jersey for 10 years and was appointed by Borough President James Molinaro to a Department of Education middle advisory committee designed to create structural and instructional solutions to problems facing middle school students. He served as Executive Director of SINY, a non-profit organization dedicated to lifting the borough's image by promoting its cultural assets, served as division director of the Staten Island March of Dimes, served on the boards of the American Red Cross and Community Television, president of the Staten Island Council of Boy Scouts, coach for the Catholic Youth Organization and the Police Athletic League and a member of the CYO executive board. His honors included the 1995 Patrick Daly Award from then-Borough President Guy V. Molinari, the International Rotary Paul Harris Fellow designation, Good Scout and Silver Beaver awards from the Boy Scouts of America, the Richard Silverstein Award from the Staten Island Mental Health Society, and lifetime achievement and distinguished alumni awards from the CYO.

Section 167. Shimon Peres Place

Introduced by Council Member Rosenthal

August 2, 1923 – September 28, 2016

Shimon Peres was an Israeli politician who served as the ninth President of Israel from 2007 to 2014 and as the eighth Prime Minister of Israel from 1984 to 1986 and from 1995 to 1996. He was a member of twelve cabinets and represented five political parties in a political career spanning 70 years. Peres was elected to the Knesset in November 1959 and except for a three-month-long hiatus in early 2006, was in office continuously until he was elected President in 2007. At the time of his retirement in 2014, he was the world's oldest head of state and was considered the last link to Israel's founding generation. Early in his career, at the age of 20, Peres was elected secretary of the Labor Youth Movement. In 1947 his career as a kibbutz farmer in Galilee ended when he was invited by Levi Eshkol, a future Prime Minister and then in charge of obtaining arms for the Jewish underground, to serve as an aide. With the proclamation of Israel's independence the following year, Mr. Peres emerged as an aide in the Defense Ministry. After Israel's independence, Mr. Peres was sent to the United States as head of an Israeli defense mission. He used his three years there to take courses at New York University and Harvard. In 1952, he returned to Israel as Deputy Director General of the Defense Ministry and the next year was promoted to Director General, the top post, at the age of 29. Later in his career, Peres succeeded Yitzhak Rabin as Acting Prime Minister briefly during 1977, before becoming Prime Minister from 1984 to 1986. As Foreign Minister, under Prime Minister Rabin, he engineered the 1994 Israel-Jordan peace treaty, and won the 1994 Nobel Peace Prize together with Rabin and Yasser Arafat for the Oslo Accords peace talks with the Palestinian leadership. In 1996, he founded the Peres Center for Peace, which has the aim of promoting lasting peace and advancement in the Middle East by fostering tolerance, economic and technological development, cooperation and well-being. He died after suffering a stroke near Tel Aviv.

Section 168. Jacques d'Amboise Place

Introduced by Council Member Rosenthal

July 28, 1934 - May 2, 2021

Jacques d'Amboise founded National Dance Institute (NDI) in 1976. Recognized as one of the finest classical dancers of our time, he performed with the New York City Ballet for decades. He led the field of arts education with NDI's acclaimed program that teaches the magic and discipline of dance to thousands of children

each year. He was celebrated for his contributions in arts education for which he earned numerous awards and honors including The Governor's Award for outstanding contributions to the arts and culture of New York State, The Paul Robeson Award for excellence in the field of the humanities, he first annual Producer's Circle Award for public service, 1990 MacArthur Fellowship: The Capezio Award, The Award for Distinguished Service to the Arts from the American Academy of Arts and Letters, The Museum of the City of New York's "\$24 Award," The National Caring Award, The Caring Institute, The Kennedy Center Honors, The NCEA St. Elizabeth Ann Seton Award, The National Medal of Arts, The *Dance Magazine* Award, The Town Hall Friend of the Arts Award, The Heinz Award, A People First honoree, *People* magazine, The Arison Award, the James Keller Youth Award, The Mayor's Award for Arts & Culture, Induction into The American Academy of Arts & Sciences, The Children's Champion Award, *Child* magazine, The Vasterling Award for Artistic Vision and Excellence in Dance, The Fred and Adele Astaire Award, Lifetime Achievement Award, *Dance Teacher* magazine, The Nancy Hank Fellowship, Duke University, The Nelson A. Rockefeller Award for Creativity and Dance in Focus Award from the Dance Films Association. He was also recognized with an Honorary Doctorates from the Julliard School, Duke University, Boston College, University of the South, Franklin Pierce College, St. Joseph College, Montclair State University, Monmouth University, Bates College, Saint Peter's College, the College of New Rochelle, and Bank Street College of Education.

Section 169. Freddy Perez Way

Introduced by Council Member Salamanca

May 31, 1946 – December 5, 1989

Freddy Perez Sr. was born in Santurce, Puerto Rico. He moved to New York City to the Bronx in 1970. He established a Livery Taxi Base called Peace Car Service where in a matter of months grew to about 400 vehicles making it the biggest car service servicing the poor areas of the Bronx. In the Bronx yellow cabs refused to pick up Hispanic and black patrons and Freddy's Base filled that void. In the 1980's, he organized the livery car industry to demand better police protection for the drivers, as well as requesting Taxi and Limousine Enforcement reforms. The reforms were necessary because the TLC only targeted Hispanic and black livery drivers with unnecessary tickets, summons and fines. In 1983, he began what was to become the biggest SALSA Festival and Carnival in the Bronx. (El Festival de Los Taxistas) The Non medallion Taxi Festival. Held during the Labor Day weekend, it attracted tens of thousands of spectators from around the City. Some of the most legendary salsa singers performed on an empty lot on Third Avenue and East 156th Street in the Bronx. El Gran Combo De Puerto Rico, Hector Lavoe, Andy Montanez, Tommy Olivencia were among some of the legends that performed on this blocks empty lot. He famously coined the name that describes the Bronx, "El Condado De La Salsa" "The Salsa Borough." He lost his life to a gunman who murdered him on December 5, 1989. Thousands attended his wake including Bronx elected officials.

Section 170. George Rodriguez Way

Introduced by Council Member Salamanca

Died September 5, 2019

George Rodriguez served in the United States Air Force and was a veteran of the Korean War. He returned to New York to defend his community, fighting against discrimination and for social justice. This cause led him to help establish the Bronx Legal Services, where he served as Chairman of the Board of Directors. As President of the Puerto Rican Community Development Project (PRCDP), Chairman of the New York City Model Cities Program-Innovative Programs for Low-Income Housing, President of "La Cruzada Civica del Voto," and Grand Marshal and past President of the Puerto Rican Day Parade, he worked tirelessly in the community. He spent his career in public service creating scholarship programs for the youth, building affordable housing in communities and working in collaboration with others paving the way for today's political influence of the Puerto Rican/Latino community. Some of his other accomplishments include serving as Chairman of Community Board 1 and former Chairman of Community Board 2, Chairman of the Lincoln Medical and Mental Health Center's Community Advisory Board, Chairman of the New York City Health and Hospital Corporation's Council of Community Advisory Boards, and a member of the Board of Directors of the Hunt's Point Multi-Service Center.

Section 171. Ray Santos Way

Introduced by Council Member Salamanca

December 28, 1928 – October 17, 2019

Ray Santos, “El Maestro” of the mambo sound, performed, composed, and arranged for the premiere Latin music orchestras. Tito Puente, Tito Rodriguez, Mario Bauza, and Machito are only a few of the legendary ensembles with whom he was associated with. He was widely recognized for composing and arranging music for Grammy Award-winning projects by musical giants like Tito Puente, Eddie Palmeri and Paquito D’Rivera. In 1992, he received critical acclaim for his arrangements for *The Mambo Kings* movie soundtrack, including the Oscar-nominated song, “Beautiful Maria of My Soul.” In the same year, he collaborated with Linda Ronstadt on *Frenesi*, a production that earned the Grammy Award for Best Tropical Latin Album of the Year. He was a music educator at the City College of New York for nearly 25 years. He was frequently invited to lecture at colleges and universities throughout the United States, including Dartmouth College, Lehman College, and The New England Conservatory of Music. In addition, he held the position of artist-in-residence at SUNY Purchase College School of the Arts, Conservatory of Music. He was a native New Yorker of Puerto Rican descent and graduate of The Juilliard School, and was one of the leading authorities on Afro-Caribbean music and was frequently interviewed on radio, television and film. In 1998, he was invited to be a special guest conductor for the Jazz at Lincoln Center Orchestra at the landmark concert “Con Alma/Jazz with a Latin Tinge.” Among his numerous awards are the “Chico O’Farrill Lifetime Achievement Award” and the “Bobby Capo Lifetime Achievement Award”. In 2003, he was inducted into the International Latin Music Hall of Fame and received the “Latin Grammy Trustees Award” in 2011.

Section 172. Commissioner Louis E. Rios Way

Introduced by Council Member Salamanca

July 25, 1927 – February 28, 2008

Louis E. Rios served in the United States Army and was honorably discharged in May 1946. He was appointed as Commissioner of the New York State Athletic Commission where he was awarded Commissioner of the Year by the World Boxing Council and was named Commissioner Emeritus by the members of the New York State Athletic Commission. He was a founder of the Sixto Escobar Sports Club, served as a member of the Rotary Club of the Bronx, a member of the Hunts Point Lion Club, the Bronx County Society for the Prevention of Cruelty to Children, the World Boxing Council, the National Association for Drug Abuse Prevention, the Hispanic Baseball League, the Police Chief’s Association, chairman of the Sports Committee for the National Puerto Rican Day Parade, Grand Marshall of the Bronx Puerto Rican Day Parade and member of the Board of the Boy Scouts Bronx Council.

Section 173. Danilo Lachapel Way

Introduced by Council Member Salamanca

Reverend Danilo Lachapel was the founder of the Give Them To Eat Ministry and former Associate Pastor at the Bronx Spanish Evangelical Church. He was a true servant of the people, feeding thousands of homeless and impoverished people through his soup kitchen, founded in 1994. Give Them To Eat partnered with City Harvest and the food bank to serve as a hub for food distribution to Bronx pantries, mobilizing hundreds of volunteers monthly, affectionately known as “La Familia.” He would educate his neighbors on world events and movements through guest speakers, documentaries, film screenings, mobilizations and actions; while sharing articles and opinion pieces daily. He dedicated his life to his vision of liberation theology through solidarity between the poor of this country and revolutionary movements across the world, from Cuba and Venezuela to Palestine and Haiti. One such example was the 2004 Misa Popular a los y las Caídas, the Peoples’ Mass for Fallen Heroes of Latin America, a multilingual ceremony that incorporated chants, art, economics, hip hop, a letter from a guerilla rebel in Colombia, theater, and tributes from youth and elder community members. He led hundreds of people on anti-violence marches through the community, and did not shy away from political initiatives with local elected officials that would benefit his community’s poor. He was a tireless advocate for immigrant rights, offering ESL classes and integrating newcomers with neighborhood programming that

included culinary, music, computer, youth radio, mentorship, sports and urban agriculture classes. His ministries set precedent for the sanctuary churches that have recently emerged to protect immigrants from persecution.

Section 174. The Point Community Development Corporation Way

Introduced by Council Member Salamanca

The Point opened its doors in 1994, a time when Hunts Point was facing declining investment and tarnished morale. Responding to a community in crisis, the organization began working with local residents to strengthen this South Bronx neighborhood. Since its inception, the organization has bolstered community members' endeavors through arts, environmental and business oriented services and contributed to the area's resurgence in arts and culture. Amongst scholars, academics and think tanks, The Point has garnered a reputation as a successful organization transforming an area with community involvement. Amongst Hunts Point residents, it has become a celebrated destination, known especially as a wonderful place for children to learn and grow. The Point Community Development Corporation is dedicated to youth development and the cultural and economic revitalization of the Hunts Point section of the South Bronx. Celebrating over 20 years of service, it offers a multi-faceted approach to asset-based community development. Its programming falls within three main headings all aimed at the comprehensive revitalization of the Hunts Point community: Youth Development, Arts and Culture, and Community Development. Year after year, it offers after-school and summer programming for countless youth in grades 1-12. Through justice-based arts and service learning activities, its youth programs aim to support the academic, pre-professional and positive social development of young people and engage them as leaders in sustainable community development. Specific youth programs include the comprehensive After School Program (ASP) for youth, teen community leadership group A.C.T.I.O.N. (Activists Coming To Inform Our Neighborhood), the peer education Mind's Empowered Project aimed at reducing HIV/STI and teen pregnancy, and arts-in-education programs, including the International Center of Photography (ICP) at THE POINT.

Section 175. Nos Quedamos Way

Introduced by Council Member Salamanca

WE STAY/Nos Quedamos (NQ) is a South Bronx-based CDC committed to our collective self-determination. Our sustainable development work creates the conditions that maintain our health and culture. Our work engages, empowers, and transforms marginalized communities to remain and thrive. NQ began its work in 1992, when NYC proposed a Melrose renewal plan, which designated 35 blocks to be developed for middle-income New Yorkers. This site, however, was already home to roughly 6,000 low-income Melrose residents. Outraged by the injustice of their proposed displacement, the local community banded together to create the We Stay/Nos Quedamos Committee in 1993. This Committee drafted and passed an alternative proposal, the Melrose Commons Urban Renewal Plan, resulting in the development of affordable housing for over 4,000 families and seniors and nearly one million square feet of commercial real estate space. NQ was the first nonprofit to successfully utilize the City's 197a process to create a plan for our own community that preserved all that was valuable to long-time residents. As innovators of the "Melrose Urban Renewal Plan," NQ has had an unprecedented impact on the positive growth of a region that was once seen as 'disposable,' and helped to create a vibrant and diverse community that has become a one-of-a-kind case study of how community power can be transformative. Each year, dozens of urban planners, scholars and community organizations come to NQ to learn about the historical community-led victory that was undertaken. NQ has since served as a leader in community-driven development and provides critical support for Melrose residents, assisting with a variety of economic, social, and environmental issues. NQ's recent successes include engaging, organizing, and educating tenants around larger issues of affordable housing by helping them form tenant leadership teams; collaborating with artists, arts and culture organizations, and related stakeholders to preserve and amplify the cultural DNA of the South Bronx by creating a comprehensive map of cultural assets in Melrose and Morissania; and working with Melrose community gardens to support the preservation of open space and community resilience. NQ has been successful in its mission not only through physical development but by preserving the culture and identity of those who remain in the South Bronx.

Section 176. Russell M. Alston Way

Introduced by Council Member Salamanca
December 10, 1973 – March 14, 2021

Russell Alston was very involved with the church and his community. He was a resident and staffer at NYCHA Section 3 and took great pride in making his development a better place, advancing upgrades during the 1990s to improve the quality of life. He worked for NYCHA where he served the residents as a caretaker for several years until he was forced into early retirement due to an injury. He served as vice president of the Jackson Houses Resident Association for two terms. During his time at the Jackson Houses Resident Association, he also served as the chairperson of the Family Day Committee, a position he held for 20 years. He also created a food pantry at the development.

Section 177. Rev. T. Wendell Foster Way

Introduced by Council Member Salamanca
February 14, 1924 – September 3, 2019

The late Rev. Foster was a trailblazer well known for his community advocacy. He was empowered to run for the City Council by the indifference of the political leaders before him. After numerous attempts, he led a successful campaign empowered by the African-American community's support. In 1978, he became the first African-American from the Bronx to hold any political office. This historic achievement marked the start of diversity among Bronx political and government representation. As the former Council Member of District 16, he responded to the "Burning of the Bronx," by creating low-income homeownership opportunities in Highbridge and expanding parks and open space throughout his district. He served as Council Member for 24 years before passing the reign onto his daughter, Helen Diane Foster. His retirement from the City Council allowed him to dedicate his time fully to the congregation of Christ Church UCC. As their Pastor, he offered powerful sermons that encouraged worshippers to become more engaged in their spiritual and civic duties. He would serve in this role for 40 years before he became Pastor Emeritus.

Section 178. P.O. Jorge Luis Gonzalez Way

Introduced by Council Member Salamanca
January 3, 1964 – May 11, 2020

Police Officer Jorge Luis Gonzalez served in the NYPD since 1995. He was assigned to the 40th Precinct where he performed Patrol and was subsequently part of the Burglary Apprehension Team. He was awarded 11 Medals for Meritorious Police Duty and one for Excellent Police Duty. He had a total of 236 arrests. He died of 9/11 related illness after assisting in the search and recovery efforts at Ground Zero.

Section 179. Luis Angel "Supa" Torres Way

Introduced by Council Member Salamanca
Died in 2015

Luis Angel Torres worked at and became the manager of the Prospect theater in the Bronx, a theater that showed movies in Spanish and hosted famous musicians. In his role as manager, helped many people get jobs and access to resources. He left that job in 1978 to become a full-time superintendent at 1051 Elder Avenue in the Bronx, a building located on the same block as his older brother, Gabriel Torres. Shortly after becoming the "Supa," due to another superintendent suffering an injury in a fire, he then became the superintendent of a second building at 1071 Elder Avenue. He was then named the Supa of two challenging buildings in the Soundview section of the Bronx. In the 1970s and 80s, Watson Avenue was known as a drug haven and violence plagued community. The "crack" epidemic hit it very hard and the "blocks" that made up Watson had to become a family to provide a safety net. He believed that he could save the youth and raise the standards of the community even when everyone wanted to give up. In 1979, he opened a social club called the "Green House," to give the people a place to relax. He would offer food, drinks, and entertainment to escape the negative world around them. He started block parties that grew over the years to celebrate the people in the community. He would build a stage out of old doors he collected, and the youth took on leadership roles with organizing the events. These block parties were the foundation for many of the major events in the Bronx. The children were exposed to horses, fun

games, music, and lots of great food. He converted a basement into a video game hall and pool room to keep the youth off the streets. When interest in that waned, he started softball teams called the "Superstars" and gave the community access to organized sports at a time where schools were cutting these programs. These teams became a league, where instead of people shooting and killing each other, they competed on the baseball diamond. During the summer while all parents worked menial jobs to make ends meet, he opened his home, his backyard and his heart to everyone. Luis Angel Torres and his wife, Elizabeth, fed thousands of people, and provided a safe place for the youth. The door to his apartment was always open and often you could find community children playing in their living room, while people could have a free cup of coffee. He would stuff his vans and take youth to Great Adventure with money out of his own pocket. He provided furniture for new tenants who could not get their own. He gave many tenants respite when they could not pay the rent. He started a Block Association and met regularly with community leaders to figure out ways to bring peace to the streets. The Police and Fire Departments looked to him whenever they needed support with issues in the community. He taught the youth to respect the police, and the police to respect our community. He always invited the police to be part of his events so that the youth could see them in a positive way. The children in the community would maintain the buildings and worked to improve the conditions of the neighborhood under his leadership. Many of the youth, now adults, credit him with saving their lives and providing them with a foundation to be able to start and support their own families. Some of the youths are now superintendents of their own buildings, construction, and maintenance workers from the skills they learned from him.

Section 180. Grace Maldonado Way

Introduced by Council Member Salamanca

Grace Maldonado was very active in her community. She is remembered most immediately for the service she provided as the Tenant's Association president for the NYCHA development at South Bronx Area (Site 402) as well as at Union Avenue-East 166TH Street, two positions from which she advocated for the rights of Bronxites living in public housing as well as provided for them by planning events such as "Family Days." At Site 402, she built and maintained a community garden that is so immensely popular within the Bronx community that it has won numerous awards in NYCHA's Garden and Greening program and been featured in NYC-based news publications. In many ways, Grace used this garden as the vehicle through which she could perform charitable acts for the community; she grew fruits and vegetables in it that she distributed for free to individuals in need, she used it as a site to host programs for children where they could learn gardening skills and connect with nature, and she cultivated it as a symbol of natural beauty that eased the mental health of those in the neighborhood. It was through acts such as these that Grace Maldonado earned herself the nickname of "Mama Grace": a caretaker of the community that, despite her own battle with cancer, met every Bronxite with indiscriminate compassion, charity, and love. She will be deeply missed throughout the borough.

Section 181. Carmen Belén Bermúdez Way

Introduced by Council Member Salamanca

Carmen Belen Bermudez was born in San Juan, Puerto Rico, in 1918, and raised and educated in the Santurce community. She was excellent student and star athlete in track and field. In 1946, Carmen moved to New York City where she made her home in Harlem. She took a job as a tailor. In the fall of 1954, Carmen and her family moved to 2048 Bathgate Avenue in the Bronx. Being one of the few Hispanic homeowners in the Bathgate and East Tremont section the Bronx, she realized there were people in need of assistance, predominately the Puerto Rican community who were growing in numbers and did not have access to adequate housing, health care, education and childcare. The activism developed Carmen into a forceful civic, political and community leaders. Recognizing the drastic need for uplifting in the community, Carmen along with other progressive leaders in the neighborhood sought to bring change to the community. On a warm summer night in her living room, they came with the idea of a forward-thinking organization that would seek to bring everyone in the community to a level playing field, especially for the people of color. As a result, the Neighborhood Association for Puerto Rican Affairs, Inc. (NAPRA). Carmen became the Executive Director of the Upper Bronx chapter of NAPRA in East Tremont. Soon after, the Upper Bronx NAPRA was awarded a grant for a day care center, known as the Bathgate Day Care Center. In 1979, the Upper Bronx NAPRA was awarded a grant for 'The Foster Grandparents,' a

national program that is designed for low-income senior centers to volunteer quality time and provide love and assistance to community children with special needs. Carmen's strength, character, strong moral convictions and leadership of Upper Bronx NAPRA earned her the utmost respect as a role model among her peers, political leaders and government officials. During her lifetime, she touched and inspired so many people. Carmen passed in away in 2007 at the age of 89. To this day, Carmen is still regarded as a pioneer and pillar to the Tremont and Bathgate community.

Section 182. Mrs. Esther 'Marie' Davis Way

Introduced by Council Member Salamanca

Died September 2017

Marie Davis was a parent, teacher and activist leader in the Hunts Point community for nearly four decades. Mrs. Davis moved to 750 Faile Street in 1977, and raised her eight children there. Soon after moving to the area, Mrs. Davis began working at P.S. 48 where she touched the lives of thousands of students through her steadfast belief that every child, no matter their race, economic background or zip code, receive the best education and support possible. Mrs. Davis' unwavering advocacy on behalf of the children she taught went hand-in-hand with her beliefs that her students should also have access to clean, healthy air. Recognizing the high asthma rates among her students, Mrs. Davis collaborated with The Point Community Development Corporation, a local non-profit that focused on the revitalization of the Hunts Point community through youth development and environmental justice. Working with The Point, Mrs. Davis became a part of the 'Wrecking Crew,' a group of parent activists concerned about the air quality in the South Bronx. Through this role, Mrs. Davis worked with local community officials to push for better air standards by having heavy industrial vehicles utilize roads that did not bypass schools, playgrounds, or residential blocks. 'Miss Marie,' as she was affectionately called by her students, came down with an illness in September 2017 and passed away shortly thereafter. Her presence is missed on a daily basis by all those who encountered her vivacious personality.

Section 183. General Colin L. Powell Way

Introduced by Council Member Salamanca

Colin Luther Powell was born on April 5, 1937, and reared in the ethnically mixed Hunts Point section of the South Bronx. His parents, Luther Powell, a shipping-room foreman in Manhattan's garment district, and Maud Ariel McKoy, a seamstress, were immigrants from Jamaica. Mr. Powell was a pathbreaker, serving as the country's first Black national security adviser, chairman of the Joint Chiefs of Staff and secretary of state. The young Mr. Powell graduated from Morris High School in the Bronx, before attending City College of New York. An early turning point in Mr. Powell's life came when he enrolled in the college's Reserve Officer Training Corps program, drawn by the camaraderie it fostered, the discipline it imposed and its well-defined goals. Cadet Powell joined the Pershing Rifles, a drill team started by Gen. John J. Pershing, a top American commander in World War I. After graduating from City College in June 1958, he was commissioned as a second lieutenant in the Army, serving two decorated combat tours in Vietnam. Mr. Powell rose quickly through the ranks — including gaining a battalion command in Korea in 1973 and a brigade command in the elite 101st Airborne Division in 1976. He was tapped as a "water walker" by his peers, a term military men reserve for the most talented officers. In 1979, Mr. Powell, then 42, was promoted to one-star general, becoming the youngest general officer in the Army at the time. After serving as Defense Secretary Caspar Weinberger's senior military assistant, Mr. Powell, in the spring of 1986, went off to command V Corps, skipping division command altogether in leading 75,000 soldiers in West Germany in the waning years of the Cold War. Just five months later, President Reagan summoned him back to Washington to be national security adviser, a post in which he played a pivotal role in helping to usher in a new era of cooperation with Mr. Gorbachev. Mr. Powell left the White House in 1989 to return to lead the Army's Forces Command; the promotion made him only the fourth Black four-star general in Army history. He saw himself not only as a model for Black soldiers but also as a challenge to white bigotry. In October 1989, Mr. Powell succeeded Adm. William J. Crowe as chairman of the Joint Chiefs of Staff, leapfrogging over 14 more senior four-star officers. Mr. Powell retired from the Joint Chiefs in 1993. He returned to government in December 2000, when he was the first person appointed to the cabinet of President-elect George W. Bush. He left office in January 2005, returning to life as a private citizen. Mr. Powell passed away from complications caused by COVID-19 on Oct. 18, 2021, at the age of 84.

Section 184. Charlotte L. Taylor Way

Introduced by Council Member Treyger
August 24, 1950 – November 22, 2020

Charlotte L. Taylor was born and raised in New York City. She lived in Coney Island and was a teacher at the head start school in Prospect Park and later transferred to Madeleine Jones Head Start until her retirement. She was a member of the Coney Island Gospel Assembly for 10 years where she was a lead singer on the choir and a Sunday school teacher. She also served as choir director for the youth choir, served in the pantry ministry, as well as the prison ministry. She was a member of the Coney Island Cathedral for 28 years and served on the Praise and Worship team, Mass Choir, Culinary Committee, Drama Ministry, Missionary Board, Outreach Ministry, President of the First Ladies Fellowship, Sunday School Teacher and Superintendent of the Sunday School Department. She was also the coordinator for Children's Life Zone and Vacation Bible School where she supported the youth and community in all their annual events. She served on the Board of Directors for Urban Neighborhood Services under Assembly Member Mathylde Frontus, the Anti-Violence Collaborative, the Coney Island Sunday School Parade Committee, the Senior Divas and would assist with the YMCA Family Day. Although retired, she would read stories to the P.S. 188 kindergarteners and also taught students of Junior High School 303 to do arts and crafts. She was honored on the Arts Wall in the Coney Island Amusement Park for her involvement in the community.

Section 185. Clare Droesch Way

Introduced by Council Member Ulrich

Clare was a lifelong Rockaway resident and legendary basketball player and coach who sadly passed away from breast cancer in 2018. The Christ the King women's basketball assistant coach and former Boston College star was just 36 years old. Even after her diagnosis, she continued to coach basketball at Scholars' Academy and Christ the King High School as she underwent treatment. During her time at Christ the King in the late 1990s, Droesch was arguably the best high school player in the state, as she helped lead the Royals to an absurd 106 wins compared to a mere 10 losses. Christ the King also won three state federation championships in her time at the Middle Village school, which ended with an All-American selection in 2001. Droesch then went on to star at Boston College, where she helped lead the Golden Eagles to four straight NCAA Tournament appearances, including two trips to the Sweet Sixteen. She was an inspiration to countless young girls and was a beloved figure whole community.

Section 186. Lew M. Simon Way

Introduced by Council Member Ulrich

Lew Simon was a lifelong Rockaway resident and Democratic District Leader for the 23rd Assembly District since 1994. He died on November 6, 2021 of cancer. Lew was an outspoken advocate for better public transportation, expanded library services and the elimination of the Cross Bay Bridge toll for local residents of Broad Channel and the Rockaway peninsula. He led the fight to keep St. John's Episcopal Hospital open and was a fixture at local community board and precinct council meetings. He also served as the President of the Good Government Regular Democratic Club, regularly bringing Democratic candidates to the peninsula, to introduce themselves to the community at various meetings and events. He was honored by NYC Mayors Giuliani, Bloomberg and de Blasio for his record of community service.

Section 187. Scott E. Jordan Way

Introduced by Council Member Ulrich

Ozone Park resident and South Queens community leader Scott Jordan died in May 2020. A longtime neighborhood activist and Community Board #9 Member, Scott worked for the NYC's Mayor's Office of Housing Recovery Operations (HRO) and was instrumental with helping local residents rebuild their homes following Superstorm Sandy through the Build It Back Program. He was a pillar of the local community and was active with his local parish, Nativity of the Blessed Virgin Mary Church in Ozone Park. He received papal honors by His Holiness Pope Benedict XVI and entered the Equestrian Order of the Holy Sepulchre of Jerusalem – Eastern Lieutenancy.

Section 188. Paul Russo Way

Introduced by Council Member Ulrich

Paul Russo passed away in 2018 after a long and courageous battle with colorectal cancer. He was only 33 years old. Paul was a lifelong resident of Ozone Park and is fondly remembered as a young man of deep faith who dedicated much of his life to helping others. Paul attended local public and parochial schools and was involved with local sports little leagues associations. He was also a member of the Frassati Fellowship of NYC, a catholic group of young people dedicated to prayer and charity work. He participated in volunteer led efforts to build homes for the homeless in the United States as well as Central and South America. Paul's zeal for helping the poor was an inspiration to many others in the community. He was truly a selfless, caring and kind individual. Paul is survived by his mother Anthe, and father George Russo, owner of the Villa Russo in Richmond Hill. He also left behind 4 other siblings and many, many friends.

Section 189. Claire Shulman Way

Introduced by Council Member Vallone

Claire Shulman was the Queens Borough President from 1986 to 2002 and was the first woman to hold the position. Claire Shulman born in Brooklyn on February 23, 1926. She graduated from Adelphi University and was a registered nurse before holding elected office. She first became involved in community life when she joined the Bayside Mother's Club in 1955. She was active in Queens community affairs and was appointed to a community board in 1966, eventually going on to become its chairwomen. She subsequently became Queens borough president Donald Manes' director of community boards in 1972 and his deputy in 1980. She took office initially as acting Borough President on February 11, 1986, after Manes resigned. She was elected Borough President by a unanimous vote of the nine New York City Council members from Queens on March 12. She was then elected by popular vote to the remaining three years of Manes' term later that year and to four-year terms again in 1989, 1993, and 1997. She was unable to run for re-election in 2001 because of term limits, and was succeeded by Helen Marshall on January 3, 2002. As a registered nurse, she had entered government through the largely nonpartisan world of community boards — the groups of residents and business people that advise New York City officials on issues like land use and municipal services. A Borough President's most influential role in those years was as a member of the Board of Estimate, which — until it was abolished in a municipal reorganization in 1989 — was one of the city's two top policymaking bodies, along with the City Council. The board, comprising the mayor, the council president, the city comptroller and the five borough presidents, shared with the Council the authority to approve the city's budget, and it had the final say over matters like zoning and land use. She was noted for her passionate advocacy on issues including economic development, airport disputes, and the environment. For instance, she secured funding for the construction of Queens Hospital Center, as well as for 30,000 more school seats for students. She served as a member of the boards of directors of New York Hospital Queens and St. Mary's Healthcare System for Children. Shulman survived breast cancer. She died on August 16, 2020, at her home in Beechurst, Queens. She was 94 and suffered from lung cancer and pancreatic cancer in the time leading up to her death. As Borough President, she had been a champion of Queens cultural institutions, including the Queens Museum of Art, the Museum of the Moving Image and Flushing Town Hall. The hall honored her last year on its 40th anniversary.

Section 190. FERRIGNO PLACE

Introduced by Council Member Vallone

Died November 15, 2013

Marjorie Ferrigno was an educator who founded the Fiorello LaGuardia High School of Music and Art and Performing Arts. She was President of the American Educational Theatre Association which represented all non professional theatre in the United States, Secretary and Executive Committee member of the American National Theatre and Academy, was Chair of the North Shore Branch League taught speech courses at several universities, a founding chairman of the drama department at LaGuardia High School of Music and Performing Arts, past President of the American Educational Theatre Association, chairman of the North Shore Branch of League of Woman Voters and steering committee member of the Economic Development Committee. She was a founding member and President of Broadway-Flushing Homeowners' Association and won a landmark court case to enforce a restrictive covenant, and led to a rezoning of part of Northern Boulevard.

Section 191. Ann Jawin Way

Introduced by Council Member Vallone

1922 – 2019

Ann Juliano Jawin a Douglaston resident and founder of the Center for the Women of New York. Founder of The Center for the Women of New York, she was an educator, author and activist who was part of the Second Wave of women's liberation in the 1970's and a very active member of her community. Ann Juliano Jawin was born in Barnesboro, Pennsylvania on May 29, 1922. Her family moved to Brooklyn, New York when she was a child and she remained a New York resident thereafter. After graduating from Hunter College, she met and married Edward H. Jawin, who passed away in 2008. Ms. Jawin began her career as a high school teacher and became a Guidance Counselor. She was always active in political movements including opposition to the Vietnam War and support for civil rights and the rights of Italian-Americans and women. Ann and Edward Jawin were founding members of the Bay Terrace Civic Association and the Doug-Bay Civic Association. She was very active in local democratic politics. She served as a State Committeewoman and ran for the NYS Senate against Frank Padavan. She joined the National Organization for Women and became Chair of the Task Force for Education and Employment. In 1979 she published *A Woman's Guide to Career Preparation: Scholarships, Grants, and Loans*. In 1987 Ms. Jawin founded the Center for the Women of New York (CWNY), a voluntary, non-profit organization in Queens that is a one-stop, walk-in resource center for women. CWNY focuses on issues impacting women, including domestic violence, sexual harassment, healthcare, employment, crime prevention and victims' services. Over the years, the programs have grown to include a weekly Job Readiness Workshop, career counseling, a help line, a Legal Assistance Clinic, a Money Management Clinic, Support Groups for crisis situations and life issues, instruction in computers and other job training courses. CWNY's new location in Fort Totten, Queens will allow resumption of programs in self-defense, English As a Second Language, General Equivalency Diplomas, and a Walking Club. Ms. Jawin was honored by the New York City Police Department at its 3rd annual women's history month breakfast at the NYC Police Museum on March 14, 2012 and was featured in the Veteran Feminists of America, Inc's Pioneer Histories Project. News of Jawin's death came less than a month after she celebrated the grand opening of a brand-new women's center in Fort Totten. Members of the community expressed condolences for the pioneer who dedicated her life to women's equality and empowerment. Ann was an outspoken activist who, for decades, devotedly dedicated herself to improving the lives of all women throughout the City of New York. "Ann was a tenacious and unstoppable trailblazer who devoted her life to empowering women and never took no for an answer. Just last month, she succeeded in her 16-year legal battle with the City to open CWNY's beautiful new facility in Fort Totten, which is the only building completely dedicated to full equality for women between the New York metropolitan area and Seneca Falls. This new building will ensure that Ann's unparalleled service and dedication to women's rights will be remembered by our community for generations to come," read a statement from the Jefferson Democratic Club.

Section 192. Little Manila Avenue

Introduced by Council Member Van Bramer

For the Filipino community of the greater New York City area, Little Manila is their home away from home: a dynamic portal in which members of the Filipino community maintain their connections to their loved ones both locally and internationally. The beginnings of Woodside's Little Manila date back five decades. After the passage of the 1965 Immigration and Nationality Act, the U.S. became open to skilled workers from around the world. In the 1970s, New York hospitals faced nursing shortages and recruited from the Philippines, bringing many Philippine nurses and their families to Queens. Those who worked at Elmhurst Hospital settled in the surrounding neighborhoods, including Woodside, where the Filipino community has since thrived. By the 1990s, 72% of Philippine immigrants in New York were registered nurses. During the early months of the COVID-19 crisis, the Filipino community was severely impacted—not only were many working in the health care system, but Little Manila was physically situated on the front line of the city's epicenter. Presently, 54% of New York Filipinos live in Queens. In 2009, 13,000 of the 85,000 residents of Woodside are of Philippine descent, thus making up 15% of the neighborhood's population. An estimated 86,000 Filipinos and Filipino Americans reside in NYC, making them the third-largest Asian group in New York today. The street co-naming will bring visibility to the Philippine community's contributions to New York City.

Section 193. Daniel Andrews Way

Introduced by Council Member Van Bramer

Died October 12, 2020

Daniel Andrews spent his career as a civil servant, serving as a staffer for local elected officials, including Queens Borough Presidents Claire Shulman and Helen Marshall. He served the people of Queens for 25 years as the press secretary and public information officer to both Borough Presidents and left a legacy of public service that few have matched. He was devoted to his family and his community. He was a member of the Silurians Press Club, the New York Press Club and the Narrowbacks. He served as the Inner Circle organization's program director for 20 years where he raised funds for various local charities and was an Honorary Battalion Chief of the FDNY. He was a parishioner at Corpus Christi Church where he volunteered at bingo nights, door-to-door fundraiser and many other events at the church. He was a volunteer at the Soul of the Peruvian Andes Charity, which is devoted to providing health care for the poor in the Andean region.

Section 194. Prodigy Way

Introduced by Council Member Van Bramer

November 2, 1974 – June 20, 2017

Albert Johnson, known by the stage name Prodigy, gained fame as a member of hip hop duo Mobb Deep. Meeting Havoc while at the High School of Arts & Design, the two started recording together in Queensbridge. The duo's work reflected the climate of New York City in the late-1980s and early-1990s, and was among those responsible for the revival of the East Coast hip-hop scene. Legal issues: November 6, 2003, Prodigy was arrested in Cohoes, New York, and charged with third degree criminal possession of a weapon and unlawful possession of cannabis. Police reportedly recovered a .25 caliber handgun and cannabis on his person. October 26, 2006, Prodigy was arrested in New York City and charged with criminal possession of a weapon. He was pulled over in a \$120,000 customized bulletproof SUV after making an illegal u-turn around 2:15 AM. After conducting a search of the vehicle, police recovered a .22 caliber handgun in the center console. October 8, 2007, Prodigy was sentenced to serve three-and-a-half years in prison for illegal possession of a firearm. Originally facing a mandatory sentence of 15 years in prison, Prodigy struck a deal with the prosecution, and pleaded guilty in exchange for the shorter prison sentence. March 7, 2011, Prodigy was released from Mid-State Correctional Facility in Marcy, New York after serving three years for criminal possession of a weapon. His sentence was reduced by six months for good behavior and he remained on parole until 2014.

Section 195. Dre's Way

Introduced by Council Member Brooks-Powers

January 2, 2000 – January 1, 2021

Robert Deandre Williams was born in Queens. His education began at home with a caring mother. His formal education began at the Alpha Kappa Alpha Day Care Center. He attended PS 195 in Rosedale where he was a member of the National Honor Society. His grades were outstanding, and he received a perfect score on the ELA. After he graduated, he attended PS/IS 295 where he played basketball. He attended Bayside HS where he played football and won various athletic awards, such as All City Receptions and All City Touchdown Receptions during the 2016-2017 school year. He played in the All-star Game and Boomer Game, which are both prestigious honors. After graduating, he attended ASA College on scholarship and also received a scholarship from the Queens Chapter of Alpha Kappa Alpha Sorority Inc. He attended Nassau Community College. He was a multi-talented well-rounded athlete. At age 4, he played tee-ball with the Rochdale baseball league. Then he received his formal football training while playing with the Rosedale Jets from Age 6-13, where he was MVP for three consecutive years. He also played baseball with the Rosedale Baseball League. Because of his basketball skills in Middle School, he had the opportunity to play with the NYC Vipers. He was looking forward to one day playing for the NBA or NFL. He worked for Foot Locker in Green Acres Mall and was employed by Home Depot. He was a hard working young man who tried to learn all that he could. When he had time off, he would assist his father with the family business. He was a motivator for his peers and was wise for his age and inspired them to achieve their dreams. He always gave his friends a little nudge to do their best and reach their potential. He was shot on New Year's Day.

Section 196. Jose Miranda, Sr. Way

Introduced by Council Member Salamanca

Born in Puerto Rico, Jose Miranda Sr. knew from an early age his dreams would lead him to the United States. Along with his brother, Julio Miranda, the brothers had dreams of owning their own business in hopes of providing a superior service to members of the community who looked like them. Not only was Jose's dream to provide his community, his dream was to provide his children with the 'American Dream.' After moving to the United States, the Jose and his family settled in the South Bronx in the mid-1960s. After realizing how many Bronxites lacked access to affordable cleaning services, Jose and his brother opened Miranda's Dry Cleaners on the corner of Intervale Avenue and 163rd Street. Living in the neighborhood and speaking the language of the community, Jose Miranda quickly became a trusted member of the Longwood community. For so many in the South Bronx, Jose Miranda was a part of their most precious memories; cleaning, tailoring, making alterations for people's clothing for baptisms, communions, weddings, jobs, you name it. A supporter of the local 41st Precinct, Jose offered heavily discounted services to officers who patrolled and kept the community safe. For more than four decades, Jose Miranda was a constant presence at Miranda's. Following his passing in 2007, Jose's son, Jose Miranda, Jr., took over operations of the family business, carrying out the legacy of his father and uncle.

Section 197. Urban Health Plan Boulevard

Introduced by Council Member Salamanca

Urban Health Plan, Inc. (UHP) is a federally qualified community health center licensed as a diagnostic and treatment center under Article 28 of the New York State Public Health Law and Article 31 of the New York State Office of Mental Health and accredited by the Joint Commission. UHP provides affordable primary and specialty health care services to the Hunts Point, Mott Haven and Morrisania communities of the Bronx, Central Harlem and Corona, Queens. Facilities include the original site, nine satellites, a mental health facility, twelve school health programs, three part-time facilities, and six administrative/program sites. UHP began in 1974 as an evolution of a group practice with the mission of providing basic and specialty medical care, comparable to those found in local hospital outpatient clinics, to the community's predominantly Hispanic and poor residents. Originated by Dr. Richard Izquierdo, a life-long resident of the South Bronx and a pediatrician and family practitioner who was concerned by his community's declining health status, and unable to meet the demand for primary medical services in his private practice, he sought to expand his practice into an HMO-type practice that offered care in a consistent, cost effective, and managed manner. As a result of the lack of primary care services in the area, many residents had grown accustomed to waiting in long lines in local hospital emergency rooms for routine medical care or for the treatment of acute medical conditions, which could have been prevented if diagnosed earlier. Dr. Izquierdo opened the San Juan Health Center in 1967. Seven years later, UHP, a private, non-profit corporation licensed by the Department of Health was established to broaden the scope of the work started by the San Juan Health Center. UHP is designated a NYS Preferred Primary Care Provider, Prenatal Care Assistance Provider, an HIV Primary Care Provider, and a WIC provider. Over the years, UHP has formed alliances with several community-based organizations to provide health care services in alternate delivery sites. These sites consist of local schools, an adult day treatment program, a Boys and Girls Club and homeless shelters. The agency is affiliated with Bronx-Lebanon Hospital Center, Lincoln Medical and Mental Health Center, Montefiore Medical Center, Elmhurst Hospital Center, Long Island Jewish Forest Hills and Mount Sinai Health System. UHP has been actively involved with the United States Department of Health and Human Services, Bureau of Primary Health Care Health Care Disparities Collaborative and has received national recognition for its performance improvement work. Its work with the asthmatic population in the South Bronx has greatly contributed to the reduction in pediatric hospitalizations related to asthma as reported by the New York City Department of Health and Mental Hygiene. The Joint Commission highlighted UHP as a "Spotlight on Success" for this work.

Section 198. Pietro Sclafani Way

Introduced by Council Member Lander

Pietro Sclafani opened Bar Toto restaurant, which became a mainstay in the community. He dedicated his life to being a prominent member of the business community in Brooklyn, and throughout the City. He left not only his culinary mark through Brooklyn and established neighborhood watering holes, where neighbors could gather. He worked tirelessly through the Pandemic to provide for his workers and staff, as well as provide much needed comfort to the people in the neighborhood. He was a kind and gracious community member.

Section 199. Kenneth Casilla Way

Introduced by Council Member Levin

Died 2013

Kenneth Casilla was a beloved member of the Boerum Hill community. He was an aspiring rapper who was killed while pursuing his career in Florida. He fed the homeless, gave people places to sleep and also gave out free turkeys during the Holiday's. He was a very talented basketball player. FDR High School won back to back Division Titles while he was on the Varsity Basketball team. His senior year, FDR was ranked third in the PSAL A Division Playoffs and was ranked in the Top Ten for most of the year, among NYC's elite AA PSAL and Catholic school programs. He was considered one of the top point guards in Brooklyn. Kenneth Casilla was a community leader who mentored young people in Wyckoff Gardens area. He organized turkey giveaways and coat drives during the holidays for neighborhood children and mentored multiple kids every year, making sure they had school supplies, MetroCards, and groceries to stay in school. He opened his home to young people in the area without a stable household, some who are still close with his mother today because of the family's generosity. His legacy as a neighborhood basketball coach continues to this day through the Gowanus basketball team, the Nu-Nick Team. The team was created in honor of Kenneth 'Nunu' Casilla and Nicholas Hayward Jr., and the team regularly plays in Nicholas Hayward park. In his memory, his mother regularly attends and organizes events supporting the end of gun violence. She also partnered with a gun violence organization to donate his high school jersey and retire it in the school he attended.

Section 200. The REPEAL of Sections 24 and 48 of Local Law number 24 for the year 2019. This section repeals Sections 24 and 48 of Local Law number 24 for the year 2019.

Section 201. The REPEAL of Section 27 of Local Law number 26 for the year 2020. This section repeals Section 27 of Local Law number 26 for the year 2020.

Section 202. The REPEAL of Local Law number 17 for the year 1993. This section repeals Local Law number 17 for the year 1993.

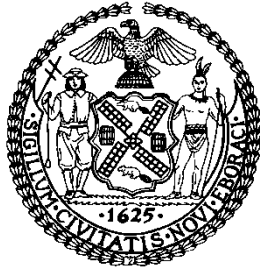
Section 203. The REPEAL of Sections 7, 22, 38, 40, 57, 61, 70, 77 and 80 of Local Law number 14 for the year 2021. This section repeals Sections 7, 22, 38, 40, 57, 61, 70, 77 and 80 of Local Law number 14 for the year 2021.

Section 204. The REPEAL of Section 75 of Local Law number 62 for the year 2003. This section repeals Section 75 of Local Law number 62 for the year 2003.

Section 205. The REPEAL of Section 4 of Local Law number 110 for the year 2017. This section repeals Section 4 of Local Law number 110 for the year 2017.

Section 206. The REPEAL of Section 5 of Local Law number 158 for the year 2019. This section repeals Section 5 of Local Law number 158 for the year 2019.

(The following is the text of the Fiscal Impact Statement for Int. No. 2477:)



THE COUNCIL OF THE CITY OF NEW YORK

FINANCE DIVISION

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

PRECONSIDERED INTRO. NO. 2477

COMMITTEE: Parks and Recreation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the naming of 199 thoroughfares and public spaces.

SPONSORS: By The Speaker (Council Member Johnson) and Council Members Adams, Ampry-Samuel, Ayala, Borelli, Brannan, Brooks-Powers, Cabrera, Chin, Cornegy, Jr., Cumbo, D. Diaz, R. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Miller, Moya, Perkins, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Vallone and Van Bramer.

In relation to the naming of 199 thoroughfares and public places, Frances Perkins Place, Borough of Manhattan, TIN PAN ALLEY, Borough of Manhattan, Sumner Redstone Way, Borough of Manhattan, Mother Maude Ford Way, Borough of Queens, Alex Pauline Road, Borough of Queens, Alex Pauline Road, Borough of Queens, Boxing Row, Borough of Brooklyn, Weyman Carey Way, Borough of Brooklyn, Police Officer Randolph Holder Way, Borough of Manhattan, Cicely Tyson Way, Borough of Manhattan, Detective Robert A. Cardona Way, Borough of Manhattan, Hector "Macho" Camacho Way, Borough of Manhattan, John Johnson Way, Borough of the Bronx, Robert "Black Rob" Ross Way, Borough of Manhattan, Pura Belpre Way, Borough of Manhattan, Israel Martinez Way, Borough of the Bronx, Mexico-Tenochtitlan, Borough of Manhattan, Melissa Kruppa Way, Borough of Staten Island, Sharon Nearby Way, Borough of Staten Island, FDNY FF Jimmy Martinez Way, Borough of Staten Island, Anton Updale Way, Borough of Staten Island, Sergeant Leif E. Eikeseth Way, Borough of Staten Island, Ira D Hudson Way USN Pearl Harbor KIA, Borough of Staten Island, SGT Donald W. Tinney Jr. Street, Borough of Staten Island, Firefighter James J. Marshall Jr. Lane, Borough of Staten Island, Firefighter James J. Marshall Sr. Lane, Jennifer Diane Caputo Way, Borough of Staten Island, Dr. Ahmad Jaber Way, Borough of Brooklyn, Joseph Joyce Way, Borough of Brooklyn, Justin Wallace Way, Borough of Queens, Deborah Hoyle Way, Borough of Queens, Father Andrew Struzzieri Way, Borough of Queens, Clarence "SPUD" Josey Jr. Way, Borough of Queens, Neville Facey Way, Borough of Queens, Cathy LeBlanc Way, Borough of Queens, Benjamin Wright Way, Borough of Queens, Stephen Cooper Way, Borough of Queens, Darryl E. Greene Way, Borough of Queens, Johnny Pacheco Way, Borough of the Bronx, PFC Buford Brown Way, Borough of the Bronx, Reverend Luciano Soto Way, Borough of the Bronx, Dr. Carolyn G. Williams Way, Borough of the Bronx, Thomasina Bushby Way, Borough of the Bronx, Celia Cruz Salsa Legend, Borough of the Bronx, Sylvester Royer Corner, Borough of the Bronx, William 'Bill' Howard Sr. Way, Borough of Brooklyn, Rev. Dr. Robert E. Cornegy, Sr. Way, Borough of Brooklyn, Dr. Sam Pinn Jr. Way, Borough of Brooklyn, Carmelo Sanchez Way, Borough of the Bronx, Roxanne Reid Way, Borough of the Bronx, Beverly Roberts Way, Borough of the Bronx, Juan Antonio Rossy Way, Borough of the Bronx, John McKelvey Sr. Way Villa Rosa Bonheur, Borough of the Bronx, Tenzing Norgay Sherpa Way, Borough of Queens, Joseph

Ricevuto Way, Borough of Queens, Steve Knobel Way, Borough of Queens, Stanley, Kathleen & Robert Rygor Way, Borough of Queens, Monti Castañeda Corner, Borough of Queens, Peter Magnani Way, Borough of Queens, Ebenezer "Ben" Edwards Way, Borough of Brooklyn, Phil Foglia Way, Borough of the Bronx, Joseph Migliucci Way, Borough of the Bronx, Madonia Road, Borough of the Bronx, St. John's Way, Borough of Queens, Little Bangladesh Avenue, Borough of Queens, Eleanor Dowe Blvd, Borough of the Bronx, Curtis Hamilton Way, Borough of the Bronx, Hetty Fox Lane, Borough of the Bronx, Andy "The Barber" Foxe Way, Borough of the Bronx, Winifred A.R. Bama Way, Borough of the Bronx, Bishop Roy Bryant Sr. DD Way, Borough of the Bronx, Hon. Aurelia Greene Way, Borough of the Bronx, Rosella Gregg Way, Borough of the Bronx, Mother Cordelia Gilford Way, Borough of the Bronx, Thomas 'Tommy' A. Solfio Way, Borough of the Bronx, Mario D'Agostino Way, Borough of the Bronx, Conti's Pastry Shoppe Boulevard, Borough of the Bronx, Joe Chiodi Way, Borough of the Bronx, Michael Prince Way, Borough of the Bronx, Ibrahim al-Hamdi Way, Borough of the Bronx, Joseph Oddo Way, Borough of the Bronx, Gjergj Kastrioti Skenderbeu Way, Borough of the Bronx, PePe Cardona Way, Borough of the Bronx, Carmine Palladino Way, Borough of the Bronx, Dominick Schiano Way, Borough of the Bronx, Fan Noli Way, Borough of the Bronx, Melvin "Mel" Doby Memorial Way, Borough of Queens, Reverend Laura G. Lowery Way, Borough of Queens, Union Course Racetrack, Borough of Queens, Maureen Walthers Way, Borough of Queens, Joseph Magnus Way, Borough of Queens, Phil "Scooter" Rizzuto Corner, Borough of Queens, Sarah Whiting Way, Borough of Queens, Ganesh Temple Street, Borough of Queens, Rabbi Dr. Asher Murciano Way, Borough of Queens, Ivan Mrakovcic Way, Borough of Queens, rue Barry Lewis Way, Borough of Queens, Detective Brian Simonsen Way, Borough of Queens, Police Officer FRANK G. MACRI WAY, Borough of Queens, Salvatore "Buddy" Scotto Way, Borough of Brooklyn, Andreas Stylianou Way, Borough of Brooklyn, Joseph Ferris Way, Borough of Brooklyn, Nicholas Heyward Sr. Place, Borough of Brooklyn, Elisa Torres Way, Borough of Brooklyn, District Attorney Kenneth P. Thompson Way, Borough of Brooklyn, Rita's Way, Borough of Brooklyn, Genevieve (Jenny) Eason Way, Borough of Manhattan, David Dinkins Drive, Borough of Manhattan, Rev. Dr. J. G. McCann Way, Borough of Manhattan, Marie Andrée Bichotte Way, Borough of Brooklyn, Frank Scollo Way, Borough of Brooklyn, The Brooklyn/Bedford Park 9/11 Memorial, Borough of Brooklyn, Patrick Solomita Way, Borough of Brooklyn, John A. Cortese Way, Borough of Brooklyn, Dr. Louis A. Grecco Way, Borough of Staten Island, Louis C. Antonelli Way, Borough of Staten Island, BILL MCCREARY WAY, Borough of Queens, Archie Spigner Way, Borough of Queens, Theresa Irene Merritt Way, Borough of Queens, Robert Oliver, Jr. Way, Borough of Queens, Barbara Jackson Way, Borough of Queens, Ortner Vernon Murray, Borough of Queens, Rodney Johnson Way, Borough of Queens, James Edward Heath Way, Borough of Queens, Michael Perna Way, Borough of Queens, Mary Moody Way, Borough of Queens, Marguerite Henderson Way, Borough of Queens, Ann Petry Place, Borough of Manhattan, Althea Gibson Street, Borough of Manhattan, Judge Sheila Abdus Salaam Way, Borough of Manhattan, Bishop James P. Roberts, Sr. Way, Borough of Manhattan, Rev. Allen James Way, Borough of Manhattan, Bishop C.M. "Sweet Daddy" Grace Lane, Borough of Manhattan, Audre Lorde Way, Borough of Manhattan, Saint Tikhon Way, Borough of Manhattan, Wynn Handman Way, Borough of Manhattan, Ludie Brown Way, Borough of the Bronx, Vonte S. Murray Way, Borough of the Bronx, Onaje Allan Gumbs Way, Borough of the Bronx, Patricia Wiley Way, Borough of the Bronx, Avenues for Justice Way, Borough of Manhattan, Donald Suggs Jr. Way, Borough of Manhattan, Terrence McNally Way, Borough of Manhattan, Rafael "Bullumba" Landestoy Way, Borough of Manhattan, Isaiah Ché Moronta Way, Borough of Manhattan, Edith Prentiss Way, Borough of Manhattan, Coogan's Way, Borough of Manhattan, Gregorio Luperon High School Way, Borough of Manhattan, Hugo Cabrera Way, Borough of Manhattan, Víctor Way, Borough of Manhattan, Johnny Ventura Way, Borough of Manhattan, Quisqueya Plaza, Borough of Manhattan, Rev. Maggie Howard Way, Borough of Staten Island, Social Activist Joseph N. Gumbs Way, Borough of Staten Island, Bartolomeo Giove Way, Borough of Staten Island, Principal Marie A. Munoz Way, Borough of Staten Island, James "Jim" Smith Way, Borough of Staten Island, Pearl Harbor Cpl. Vincent Kechner Way, Borough of Staten Island, Eric Garner Way, Borough of Staten Island, Little Liberia Way, Borough of Staten Island, Firefighter Sean D. Kenny Way, Borough of Staten Island, Joseph Triffoglio Way, Borough of Staten Island, Nick Troianiello Way, Borough of Staten Island, Detective James V. Nemorin Way, Borough of Staten Island, Detective Rodney J. Andrews Way, Borough of Staten Island, Vincent Gattullo Way, Borough of Staten Island, Educator Lawrence E. Ambrosino Way, Borough of Staten Island, Shimon Peres Place, Borough of Manhattan, Jacques d'Amboise Place, Borough of Manhattan, Freddy Perez Way, Borough of the Bronx, George Rodriguez Way, Borough of the Bronx, Ray Santos Way, Borough of the Bronx, Commissioner Louis E. Rios Way,

Borough of the Bronx, Danilo Lachapel Way, Borough of the Bronx, The Point Community Development Corporation Way, Borough of the Bronx, Nos Quedamos Way, Borough of the Bronx, Russell M. Alston Way, Borough of the Bronx, Rev. T. Wendell Foster Way, Borough of the Bronx, P.O. Jorge Luis Gonzalez Way, Borough of the Bronx, Luis Angel “Supa” Torres Way, Borough of the Bronx, Grace Maldonado Way, Borough of the Bronx, Carmen Belén Bermúdez Way, Borough of the Bronx, Mrs. Esther ‘Marie’ Davis Way, Borough of the Bronx, General Colin L. Powell Way, Borough of the Bronx, Charlotte L. Taylor Way, Borough of Brooklyn, Clare Droesch Way, Borough of Queens, Lew M. Simon Way, Borough of Queens, Scott E. Jordan Way, Borough of Queens, Paul Russo Way, Borough of Queens, Claire Shulman Way, Borough of Queens, FERRIGNO PLACE, Borough of Queens, Ann Jawin Way, Borough of Queens, Little Manila Avenue, Borough of Queens, Daniel Andrews Way, Borough of Queens, Prodigy Way, Borough of Queens, Dre’s Way, Borough of Queens, Jose Miranda, Sr. Way, Borough of the Bronx, Urban Health Plan Boulevard, Borough of the Bronx, Pietro Sclafani Way, Borough of Brooklyn, Kenneth Casilla Way, Borough of Brooklyn and the repeal of sections 24 and 48 of local law number 24 for the year 2019, section 27 of local law number 26 for the year 2020, Local Law 17 for the year 1993, sections 7, 22, 38, 40, 57, 61, 70, 77, 80 of local law number 14 for the year 2021, section 4 of local law 110 for the year 2017, section 5 of local law 158 for the year 2019 and section 75 of local law number 62 for the year 2003.

SUMMARY OF LEGISLATION: The proposed law would add, through the posting of additional signs, the following new street names:

New Name	Present Name	Limits
Frances Perkins Place	West 46th Street	Between Ninth Avenue and Tenth Avenue
TIN PAN ALLEY	West 28th Street	Between Sixth Avenue and Broadway
Sumner Redstone Way	None	At the intersection of 44th Street and 7th Avenue
Mother Maude Ford Way	None	At the intersection of 157th Street and 110th Avenue
Alex Pauline Road	134th Road	Between Bedell Street and 176th Street
Boxing Row	Sutter Avenue	Between Stone Avenue and Powell Street
Weyman Carey Way	54th Street	Between Church Avenue and Snyder Avenue
Police Officer Randolph Holder Way	None	At the intersection of East 120th Street and the FDR Drive
Cicely Tyson Way	East 101st Street	Between Lexington Avenue and Third Avenue
Detective Robert A. Cardona Way	None	At the intersection of 120th Street and Pleasant Avenue
Hector "Macho" Camacho Way	Lexington Avenue	Between 114th Street and 115th Street
John Johnson Way	None	At the intersection of 142nd Street and Alexander Avenue
Robert “Black Rob” Ross Way	None	At the intersection of 115th Street and 1st Avenue
Pura Belpre Way	None	At the northeast corner of 109th Street and Lexington Avenue
Israel Martinez Way	None	At the southeast corner of 149th Street and Wales Avenue
Mexico-Tenochtitlan	None	At the intersection of 2nd Avenue and 116th Street
Melissa Kruppa Way	None	At the corner of Cleveland Avenue and Durant Avenue

Sharon Nearby Way	None	At the northwest corner of Cleveland Avenue and Durant Avenue
FDNY FF Jimmy Martinez Way	None	At the northeast corner of Beach Road and Hillcrest Street
Anton Updale Way	None	At the intersection of Darlington Avenue and Foster Road
Sergeant Leif E. Eikeseth Way	None	At the intersection of Deserre Avenue and Woodrow Road
Ira D Hudson Way USN Pearl Harbor KIA	None	At the intersection of Bloomingdale Road and Woodrow Road
SGT Donald W. Tinney Jr. Street	None	At the intersection of Main Street and Utah Street
Firefighter James J. Marshall Jr. Lane	None	At the corner of Strawberry Lane at Mayberry Promenade
Firefighter James J. Marshall Sr. Lane	None	At the intersection of Strawberry Lane at Mayberry Promenade
Jennifer Diane Caputo Way	None	At the intersection of Delmar Avenue and Sperry Place
Dr. Ahmad Jaber Way	5th Avenue	Between 72nd Street and Ovington Avenue
Joseph Joyce Way	3rd Avenue	Between 79th Street and 80th Street
Justin Wallace Way	None	At the intersection of Beach 69th Street and Thursby Avenue
Deborah Hoyle Way	None	At the intersection of Beach 57th Street and Beach Channel Drive
Father Andrew Struzzieri Way	None	At the intersection of Brookville Boulevard and 137th Road
Clarence "SPUD" Josey Jr. Way	Hassock Street	Between Beach Channel Drive and Redfern Boulevard
Neville Facey Way	None	At the intersection of 137th Avenue and Farmers Boulevard
Cathy LeBlanc Way	None	At the intersection of 138th Avenue and Brookville Boulevard
Benjamin Wright Way	None	At the intersection of 157th Street and 140th Avenue
Stephen Cooper Way	Beach 46th Street	Between Rockaway Beach Boulevard and Beach Channel Drive
Darryl E. Greene Way	None	At the intersection of Bay 25th Street and Bayswater Avenue
Johnny Pacheco Way	None	At the southeast corner of Jerome Avenue and Kingsbridge Avenue
PFC Buford Brown Way	None	At the intersection of East 179th Street and Morris Avenue
Reverend Luciano Soto Way	None	At the southwest corner of Jerome Avenue and Burnside Avenue
Dr. Carolyn G. Williams Way	None	At the intersection of Hall of Fame Terrace and University Avenue
Thomasina Bushby Way	None	At the intersection of 174th Street and Davidson Avenue
Celia Cruz Salsa Legend	None	At the intersection of 195th Street and Reservoir Avenue
Sylvester Royer Corner	None	At the intersection of Creston Avenue and 193rd Street

William 'Bill' Howard Sr. Way	None	At the intersection of Nostrand Avenue and Dean Street
Rev. Dr. Robert E. Cornegy, Sr. Way	None	At the intersection of Quincy Street and Malcolm X Boulevard
Dr. Sam Pinn Jr. Way	Fulton Street	Between Grand Avenue and Cambridge Place
Carmelo Sanchez Way	Gates Avenue	Between Irving Avenue and Myrtle Avenue
Roxanne Reid Way	None	At the intersection of Castle Hill Avenue and Cincinnatus Avenue
Beverly Roberts Way	None	At the intersection of Parkchester Road and East Avenue
Juan Antonio Rossy Way	None	At the intersection of Watson Avenue and Croes Avenue
John McKelvey Sr. Way Villa Rosa Bonheur	None	At the intersection of Independence Avenue and Palisade Avenue
Tenzing Norgay Sherpa Way	75th Street	Between Broadway and Woodside Avenue
Joseph Ricevuto Way	86th Street	Between 35th Avenue and 37th Avenue
Steve Knobel Way	77th Street	Between 37th Avenue and 37th Road
Stanley, Kathleen & Robert Rygor Way	34th Street	Between Broadway and 34th Avenue
Monti Castañeda Corner	None	At the northwest corner of 89th Street and 35th Avenue
Peter Magnani Way	81st Street	Between Northern Boulevard and 34th Avenue
Ebenezer "Ben" Edwards Way	Maple Street	Between Flatbush Avenue and Bedford Avenue
Phil Foglia Way	None	At the intersection of East 189th Street and Belmont Avenue
Joseph Migliucci Way	East 186th Street	Between Arthur Avenue and Hoffman Street
Madonia Road	Arthur Avenue	Between 186th Street and 184th Street
St. John's Way	None	At the intersection of Union Turnpike and Utopia Parkway
Little Bangladesh Avenue	None	At the intersection of Homelawn Street and Hillside Avenue
Eleanor Dowe Blvd	None	At the southeast corner of East 169th Street and Webster Avenue
Curtis Hamilton Way	None	At the intersection of Washington Avenue and East 163rd Street
Hetty Fox Lane	None	At the southwest corner of Lyman Place and Freedman Street
Andy "The Barber" Foxe Way	None	At the northwest corner of East 168th Street and Franklin Avenue
Winifred A.R. Bama Way	None	At the northwest corner of East 169th Street and Fulton Avenue
Bishop Roy Bryant Sr. DD Way	None	At the intersection of Morris Avenue and 169th Street
Hon. Aurelia Greene Way	None	At the southeast corner of East 168th Street and Teller Avenue
Rosella Gregg Way	None	At the intersection of Grant Avenue and 167th Street

Mother Cordelia Gilford Way	None	At the northeast corner of Bristow Street and Jennings Street
Thomas ‘Tommy’ A. Solfio Way	None	At the southeast corner of Buttrick Avenue and Harding Avenue
Mario D’Agostino Way	None	At the intersection of East Tremont Avenue and Miles Avenue
Conti’s Pastry Shoppe Boulevard	None	At the southwest corner of Morris Park Avenue and Barnes Avenue
Joe Chiodi Way	None	At the intersection of Holland Avenue and Lydig Avenue
Michael Prince Way	None	At the southwest corner of Ampere Avenue and Ohm Avenue
Ibrahim al-Hamdi Way	None	At the intersection of White Plains Road and Rhinelander Avenue
Joseph Oddo Way	None	At the southwest corner of Coddington Avenue and Crosby Avenue
Gjergj Kastrioti Skenderbeu Way	None	At the intersection of Crescent Avenue and Adam's Place
PePe Cardona Way	None	At the intersection of Rochelle Street and City Island Avenue
Carmine Palladino Way	None	At the intersection of Kearney Avenue and Harding Avenue
Dominick Schiano Way	None	At the intersection of Reiss Place and Bronx Park East
Fan Noli Way	None	At the intersection of Morris Park Avenue and Tenbroeck Avenue
Melvin “Mel” Doby Memorial Way	None	At the northeast corner of Foothill Avenue and 204th Street
Reverend Laura G. Lowery Way	None	At the intersection of Jamaica Avenue and Hollis Court Boulevard
Union Course Racetrack	None	At the southwest corner of Jamaica Avenue and 78th Street
Maureen Walthers Way	None	At the intersection of Woodbine Street and Fresh Pond Road
Joseph Magnus Way	None	At the intersection of 75th Street and 58th Avenue
Phil "Scooter" Rizzuto Corner	None	At the corner of 78th Avenue and 64th Street
Sarah Whiting Way	None	At the intersection of Holly Avenue and Robinson Street
Ganesh Temple Street	Browne Street	Between Holly Avenue and 45th Avenue
Rabbi Dr. Asher Murciano Way	None	At the northwest corner of 108th Street and 68th Avenue
Ivan Mrakovic Way	None	At the intersection of 114th Street and 85th Avenue
rue Barry Lewis Way	None	At the southeast corner of Lefferts Boulevard and Talbot Street
Detective Brian Simonsen Way	None	At the southwest corner of 118th Street and Jamaica Avenue
Police Officer FRANK G. MACRI WAY	None	At the northwest corner of Clyde Street and Yellowstone Boulevard
Salvatore “Buddy” Scotto Way	None	At the South East Corner of 1st Place and Court Street from Court Street to Smith Street

Andreas Stylianou Way	None	At the intersection of 3rd Avenue and 7th Street
Joseph Ferris Way	None	At the southeast corner of 7th Avenue and 3rd Street
Nicholas Heyward Sr. Place	None	At the intersection of Bond Street and Baltic Street
Elisa Torres Way	None	At the intersection of Division Avenue and Wythe Avenue
District Attorney Kenneth P. Thompson Way	None	At the intersection of Jay Street and Myrtle Avenue
Rita's Way	Bond Street	Between Baltic Street and Butler Street
Genevieve (Jenny) Eason Way	None	At the intersection of 139th Street and Riverside Drive
David Dinkins Drive	None	At the northeast corner of 155th street and Riverside Drive East
Rev. Dr. J. G. McCann Way	None	At the intersection of 123rd Street and Morningside Avenue
Marie Andrée Bichotte Way	None	At the intersection of East 45th Street and Farragut Road
Frank Scollo Way	None	At the southeast corner of Mill Avenue and Avenue U
The Brooklyn/Bedford Park 9/11 Memorial	None	At the southwest corner of Avenue X and Bedford Avenue
Patrick Solomita Way	None	At the intersection of Avenue W and East 73rd Street
John A. Cortese Way	None	At the intersection of Flatbush Avenue and Troy Avenue
Dr. Louis A. Grecco Way	None	At the corner of Bedford Avenue and Richmond Road
Louis C. Antonelli Way	None	At the intersection of Allendale Road and West Fingerboard Road
BILL MCCREARY WAY	None	at the intersection of 120th Avenue and 219th Street
Archie Spigner Way	None	At the intersection of Sayres Avenue and 175th Street
Theresa Irene Merritt Way	None	At the intersection of 192nd Street and 110th Road
Robert Oliver, Jr. Way	None	At the intersection of Linden Boulevard and 159th Street
Barbara Jackson Way	None	At the intersection of Junction Boulevard and 57th Avenue
Ortner Vernon Murray	None	At the intersection of Northern Boulevard and 107th Street
Rodney Johnson Way	None	At the intersection of 100th Street and 25th Avenue
James Edward Heath Way	None	At the intersection of 114th Street and 34th Avenue
Michael Perna Way	None	At the intersection of 108th Street and 52 Avenue
Mary Moody Way	None	At the intersection of 99th Street and 35th Avenue
Marguerite Henderson Way	None	At the intersection of 96th Street and 30th Avenue
Ann Petry Place	None	At the southeast corner of East 129th Street and 5th Avenue
Althea Gibson Street	None	At the intersection of West 143rd Street between Adam Clayton Powell Jr Boulevard and Malcolm X Boulevard
Judge Sheila Abdus Salaam Way	West 131st Street	Between Adam Clayton Powell Boulevard and Malcolm X Boulevard

Bishop James P. Roberts, Sr. Way	West 122nd Street	Between Malcolm X Boulevard and Mount Morris Park West
Rev. Allen James Way	None	At the intersection of East 128th Street and Park Avenue
Bishop C.M. "Sweet Daddy" Grace Lane	None	At the intersection of West 124th Street and Frederick Douglass Boulevard
Audre Lorde Way	None	At the intersection of 68th Street and Lexington Avenue
Saint Tikhon Way	East 97th Street	Between Fifth Avenue and Madison Avenue
Wynn Handman Way	None	At the southeast corner of 56th Street and 7th Avenue
Ludie Brown Way	None	At the intersection of Kingsland Avenue and Chester Street
Vonte S. Murray Way	Steenwick Avenue	Between Reeds Mill Lane and Boston Road
Onaje Allan Gumbs Way	deKruif Place	
Patricia Wiley Way	None	At the intersection of Harper Avenue and East 233rd Street
Avenues for Justice Way	Avenue B	Between 6th Street and 7th Street
Donald Suggs Jr. Way	None	At the intersection of Avenue B and East 6 th Street
Terrence McNally Way	None	At the northeast corner of University Place and East 9th Street
Rafael "Bullumba" Landestoy Way	None	At the intersection of 166th Street and St. Nicholas Avenue
Isaiah Ché Moronta Way	None	At the corner of Dyckman Street and Nagle Avenue
Edith Prentiss Way	None	At the intersection of Overlook Terrace and 186th Street
Coogan's Way	None	At the northwest corner of 169th Street and Broadway
Gregorio Luperon High School Way	None	At the corner of Amsterdam Avenue and 165th Street
Hugo Cabrera Way	None	At the intersection of 173rd Street and Amsterdam Avenue
Víctor Víctor Way	None	At the intersection of 178th Street and Fort Washington
Johnny Ventura Way	None	At the intersection of Wadsworth and 176th Street in the borough of Manhattan
Quisqueya Plaza	None	Plaza at Dyckman Street between Broadway and Seaman Avenue
Rev. Maggie Howard Way	None	At the southeast corner of Tompkins Avenue and Tompkins Street
Social Activist Joseph N. Gumbs Way	None	At the northwest corner of Tompkins Street and Brownell Street
Bartolomeo Giove Way	None	At the northeast corner of Port Richmond Avenue and Willowbrook Road
Principal Marie A. Munoz Way	None	At the northeast corner of Park Avenue and New Street
James "Jim" Smith Way	None	At the northeast corner of Lawrence Avenue and Morrison Avenue
Pearl Harbor Cpl. Vincent Kechner Way	None	At the southeast corner of Port Richmond Avenue and Rainbow Avenue

Eric Garner Way	None	At the southwest corner of Bay Street and Victory Boulevard
Little Liberia Way	None	At the northwest corner of Sobel Court and Park Hill Avenue
Firefighter Sean D. Kenny Way	None	At the southeast corner of Clinton Avenue and Fillmore Street
Joseph Triffoglio Way	None	At the intersection of Victory Boulevard and Monroe Avenue
Nick Troianiello Way	None	At the intersection of Forest Avenue and Lilac Court
Detective James V. Nemorin Way	None	At the southeast corner of St. Paul's Avenue and Hannah Street
Detective Rodney J. Andrews Way	None	At the southeast corner of St. Paul's Avenue and Hannah Street
Vincent Gattullo Way	None	At the northwest corner of Clove Road and Martling Place
Educator Lawrence E. Ambrosino Way	None	At the northwest corner of De Ruyter Place and Maple Parkway
Shimon Peres Place	None	At the intersection of 95th Street and Riverside Drive
Jacques d'Amboise	None	At the northwest corner of West 64th Street and Columbus Avenue
Freddy Perez Way	None	At the intersection of 156th Street and Third Avenue
George Rodriguez Way	None	At the intersection of 149th Street and Morris Avenue
Ray Santos Way	None	At the intersection of Evergreen Avenue and Westchester Avenue
Commissioner Louis E. Rios Way	None	At the intersection of Prospect Avenue and 149th Street
Danilo Lachapel Way	None	At the intersection of Tinton Avenue and East 156th Street
The Point Community Development Corporation Way	None	At the intersection of Manida Street and Garrison Avenue
Nos Quedamos Way	None	At the intersection of Melrose Avenue and 158th Street
Russell M. Alston Way	None	At the intersection of Courtlandt Avenue and 157th Street
Rev. T. Wendell Foster Way	None	At the intersection of Forest Avenue and 161st Street
P.O. Jorge Luis Gonzalez Way	None	At the intersection of Home Street and Vyse Avenue
Luis Angel "Supa" Torres Way	None	At the southeast corner of Watson Avenue and Elder Avenue
Grace Maldonado Way	None	At the intersection of East 156th Street and Cauldwell Avenue
Carmen Belén Bermúdez Way	None	At the intersection of East 152nd Street and Third Avenue
Mrs. Esther 'Marie' Davis Way	None	Faile Street between Lafayette Avenue and Hunts Point Avenue
General Colin L. Powell Way	None	At the intersection of Kelly Street and East 163rd Street
Charlotte L. Taylor Way	None	At the intersection of West 28th Street and Mermaid Avenue

Clare Droesch Way	None	At the southeast corner of Beach 134th Street and Cronston Avenue
Lew M. Simon Way	None	At the southeast corner of Beach 116th Street and Rockaway Beach Boulevard
Scott E. Jordan Way	None	At the southwest corner of 91st Street and Rockaway Boulevard
Paul Russo Way	None	At the southwest corner of Tahoe Street and Eckford Avenue
Claire Shulman Way	None	At the intersection of Cryders Lane and 162nd Street
FERRIGNO PLACE	None	163rd Street between 33rd Avenue and 35th Avenue
Ann Jawin Way	None	At the intersection of 39th Avenue and 233rd Street
Little Manila Avenue	None	At the southwest corner of 70th Street and Roosevelt Avenue
Daniel Andrews Way	None	At the intersection of 54th Street and 32nd Avenue
Prodigy Way	None	At the northeast corner of 41st Drive and 12th Street
Dre's Way	None	At the intersection of 255th Street and Hook Creek Boulevard
Jose Miranda, Sr. Way	None	At the intersection of East 163rd Street and Intervale Avenue
Urban Health Plan Boulevard	None	At the intersection of Southern Boulevard and Westchester Avenue
Pietro Sclafani Way	None	At the intersection of 11th Street and 6th Avenue
Kenneth Casilla Way	None	At the intersection of Baltic Avenue and 3rd Avenue

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2022

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY22
Revenues	\$0	\$0	\$0
Expenditures	\$57,213	\$0	\$57,213
Net	\$57,213	\$0	\$57,213

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

IMPACT ON EXPENDITURES: This legislation would require the installation of 199 new street signs. It is estimated that each sign would cost \$37.50 and the labor to install each sign would be \$250, for a total cost of \$287.50 per sign. As such, the estimated total cost of enacting this legislation would be approximately \$57,213.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council, Finance Division

ESTIMATE PREPARED BY: Monika Bujak, Legislative Financial Analyst

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

LEGISLATIVE HISTORY: This legislation will be considered by the Committee on Parks and Recreation (“Committee”) as a Preconsidered Introduction on December 14, 2021. Upon a successful vote by the Committee, the bill would be introduced and submitted to the full Council for a vote on December 15, 2021.

FISCAL IMPACT SCHEDULE:

New Name	Number of Signs	Cost	Installation (street signs only)	Total Cost
Frances Perkins Place	1	37.5	250	287.5
TIN PAN ALLEY	1	37.5	250	287.5
Sumner Redstone Way	1	37.5	250	287.5
Mother Maude Ford Way	1	37.5	250	287.5
Alex Pauline Road	1	37.5	250	287.5
Boxing Row	1	37.5	250	287.5
Weyman Carey Way	1	37.5	250	287.5
Police Officer Randolph Holder Way	1	37.5	250	287.5
Cicely Tyson Way	1	37.5	250	287.5
Detective Robert A. Cardona Way	1	37.5	250	287.5
Hector "Macho" Camacho Way	1	37.5	250	287.5
John Johnson Way	1	37.5	250	287.5
Robert “Black Rob” Ross Way	1	37.5	250	287.5
Pura Belpre Way	1	37.5	250	287.5
Israel Martinez Way	1	37.5	250	287.5
Mexico-Tenochtitlan	1	37.5	250	287.5
Melissa Kruppa Way	1	37.5	250	287.5
Sharon Nearby Way	1	37.5	250	287.5
FDNY FF Jimmy Martinez Way	1	37.5	250	287.5
Anton Updale Way	1	37.5	250	287.5
Sergeant Leif E. Eikeseth Way	1	37.5	250	287.5
Ira D Hudson Way USN Pearl Harbor KIA	1	37.5	250	287.5
SGT Donald W. Tinney Jr. Street	1	37.5	250	287.5
Firefighter James J. Marshall Jr. Lane	1	37.5	250	287.5
Firefighter James J. Marshall Sr. Lane	1	37.5	250	287.5

Jennifer Diane Caputo Way	1	37.5	250	287.5
Dr. Ahmad Jaber Way	1	37.5	250	287.5
Joseph Joyce Way	1	37.5	250	287.5
Justin Wallace Way	1	37.5	250	287.5
Deborah Hoyle Way	1	37.5	250	287.5
Father Andrew Struzzieri Way	1	37.5	250	287.5
Clarence "SPUD" Josey Jr. Way	1	37.5	250	287.5
Neville Facey Way	1	37.5	250	287.5
Cathy LeBlanc Way	1	37.5	250	287.5
Benjamin Wright Way	1	37.5	250	287.5
Stephen Cooper Way	1	37.5	250	287.5
Darryl E. Greene Way	1	37.5	250	287.5
Johnny Pacheco Way	1	37.5	250	287.5
PFC Buford Brown Way	1	37.5	250	287.5
Reverend Luciano Soto Way	1	37.5	250	287.5
Dr. Carolyn G. Williams Way	1	37.5	250	287.5
Thomasina Bushby Way	1	37.5	250	287.5
Celia Cruz Salsa Legend	1	37.5	250	287.5
Sylvester Royer Corner	1	37.5	250	287.5
William 'Bill' Howard Sr. Way	1	37.5	250	287.5
Rev. Dr. Robert E. Cornegy, Sr. Way	1	37.5	250	287.5
Dr. Sam Pinn Jr. Way	1	37.5	250	287.5
Carmelo Sanchez Way	1	37.5	250	287.5
Roxanne Reid Way	1	37.5	250	287.5
Beverly Roberts Way	1	37.5	250	287.5
Juan Antonio Rossy Way	1	37.5	250	287.5
John McKelvey Sr. Way Villa Rosa Bonheur	1	37.5	250	287.5
Tenzing Norgay Sherpa Way	1	37.5	250	287.5
Joseph Ricevuto Way	1	37.5	250	287.5
Steve Knobel Way	1	37.5	250	287.5
Stanley, Kathleen & Robert Rygor Way	1	37.5	250	287.5
Monti Castañeda Corner	1	37.5	250	287.5
Peter Magnani Way	1	37.5	250	287.5
Ebenezer "Ben" Edwards Way	1	37.5	250	287.5
Phil Foglia Way	1	37.5	250	287.5
Joseph Migliucci Way	1	37.5	250	287.5
Madonia Road	1	37.5	250	287.5
St. John's Way	1	37.5	250	287.5

Little Bangladesh Avenue	1	37.5	250	287.5
Eleanor Dowe Blvd	1	37.5	250	287.5
Curtis Hamilton Way	1	37.5	250	287.5
Hetty Fox Lane	1	37.5	250	287.5
Andy "The Barber" Foxe Way	1	37.5	250	287.5
Winifred A.R. Bama Way	1	37.5	250	287.5
Bishop Roy Bryant Sr. DD Way	1	37.5	250	287.5
Hon. Aurelia Greene Way	1	37.5	250	287.5
Rosella Gregg Way	1	37.5	250	287.5
Mother Cordelia Gilford Way	1	37.5	250	287.5
Thomas 'Tommy' A. Solfio Way	1	37.5	250	287.5
Mario D'Agostino Way	1	37.5	250	287.5
Conti's Pastry Shoppe Boulevard	1	37.5	250	287.5
Joe Chiodi Way	1	37.5	250	287.5
Michael Prince Way	1	37.5	250	287.5
Ibrahim al-Hamdi Way	1	37.5	250	287.5
Joseph Oddo Way	1	37.5	250	287.5
Gjergj Kastrioti Skenderbeu Way	1	37.5	250	287.5
PePe Cardona Way	1	37.5	250	287.5
Carmine Palladino Way	1	37.5	250	287.5
Dominick Schiano Way	1	37.5	250	287.5
Fan Noli Way	1	37.5	250	287.5
Melvin "Mel" Doby Memorial Way	1	37.5	250	287.5
Reverend Laura G. Lowery Way	1	37.5	250	287.5
Union Course Racetrack	1	37.5	250	287.5
Maureen Walthers Way	1	37.5	250	287.5
Joseph Magnus Way	1	37.5	250	287.5
Phil "Scooter" Rizzuto Corner	1	37.5	250	287.5
Sarah Whiting Way	1	37.5	250	287.5
Ganesh Temple Street	1	37.5	250	287.5
Rabbi Dr. Asher Murciano Way	1	37.5	250	287.5
Ivan Mrakovic Way	1	37.5	250	287.5
rue Barry Lewis Way	1	37.5	250	287.5
Detective Brian Simonsen Way	1	37.5	250	287.5
Police Officer FRANK G. MACRI WAY	1	37.5	250	287.5
Salvatore "Buddy" Scotto Way	1	37.5	250	287.5
Andreas Stylianou Way	1	37.5	250	287.5
Joseph Ferris Way	1	37.5	250	287.5
Nicholas Heyward Sr. Place	1	37.5	250	287.5

Elisa Torres Way	1	37.5	250	287.5
District Attorney Kenneth P. Thompson Way	1	37.5	250	287.5
Rita's Way	1	37.5	250	287.5
Genevieve (Jenny) Eason Way	1	37.5	250	287.5
David Dinkins Drive	1	37.5	250	287.5
Rev. Dr. J. G. McCann Way	1	37.5	250	287.5
Marie Andrée Bichotte Way	1	37.5	250	287.5
Frank Scollo Way	1	37.5	250	287.5
The Brooklyn/Bedford Park 9/11 Memorial	1	37.5	250	287.5
Patrick Solomita Way	1	37.5	250	287.5
John A. Cortese Way	1	37.5	250	287.5
Dr. Louis A. Grecco Way	1	37.5	250	287.5
Louis C. Antonelli Way	1	37.5	250	287.5
BILL MCCREARY WAY	1	37.5	250	287.5
Archie Spigner Way	1	37.5	250	287.5
Theresa Irene Merritt Way	1	37.5	250	287.5
Robert Oliver, Jr. Way	1	37.5	250	287.5
Barbara Jackson Way	1	37.5	250	287.5
Ortner Vernon Murray	1	37.5	250	287.5
Rodney Johnson Way	1	37.5	250	287.5
James Edward Heath Way	1	37.5	250	287.5
Michael Perna Way	1	37.5	250	287.5
Mary Moody Way	1	37.5	250	287.5
Marguerite Henderson Way	1	37.5	250	287.5
Ann Petry Place	1	37.5	250	287.5
Althea Gibson Street	1	37.5	250	287.5
Judge Sheila Abdus Salaam Way	1	37.5	250	287.5
Bishop James P. Roberts, Sr. Way	1	37.5	250	287.5
Rev. Allen James Way	1	37.5	250	287.5
Bishop C.M. "Sweet Daddy" Grace Lane	1	37.5	250	287.5
Audre Lorde Way	1	37.5	250	287.5
Saint Tikhon Way	1	37.5	250	287.5
Wynn Handman Way	1	37.5	250	287.5
Ludie Brown Way	1	37.5	250	287.5
Vonte S. Murray Way	1	37.5	250	287.5
Onaje Allan Gumbs Way	1	37.5	250	287.5
Patricia Wiley Way	1	37.5	250	287.5
Avenues for Justice Way	1	37.5	250	287.5

Donald Suggs Jr. Way	1	37.5	250	287.5
Terrence McNally Way	1	37.5	250	287.5
Rafael "Bullumba" Landestoy Way	1	37.5	250	287.5
Isaiah Ché Moronta Way	1	37.5	250	287.5
Edith Prentiss Way	1	37.5	250	287.5
Coogan's Way	1	37.5	250	287.5
Gregorio Luperon High School Way	1	37.5	250	287.5
Hugo Cabrera Way	1	37.5	250	287.5
Víctor Víctor Way	1	37.5	250	287.5
Johnny Ventura Way	1	37.5	250	287.5
Quisqueya Plaza	1	37.5	250	287.5
Rev. Maggie Howard Way	1	37.5	250	287.5
Social Activist Joseph N. Gumbs Way	1	37.5	250	287.5
Bartolomeo Giove Way	1	37.5	250	287.5
Principal Marie A. Munoz Way	1	37.5	250	287.5
James "Jim" Smith Way	1	37.5	250	287.5
Pearl Harbor Cpl. Vincent Kechner Way	1	37.5	250	287.5
Eric Garner Way	1	37.5	250	287.5
Little Liberia Way	1	37.5	250	287.5
Firefighter Sean D. Kenny Way	1	37.5	250	287.5
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Vincent Gattullo Way	1	37.5	250	287.5
Educator Lawrence E. Ambrosino Way	1	37.5	250	287.5
Shimon Peres Place	1	37.5	250	287.5
Jacques d'Amboise	1	37.5	250	287.5
Freddy Perez Way	1	37.5	250	287.5
George Rodriguez Way	1	37.5	250	287.5
Ray Santos Way	1	37.5	250	287.5
Commissioner Louis E. Rios Way	1	37.5	250	287.5
Danilo Lachapel Way	1	37.5	250	287.5
The Point Community Development Corporation Way	1	37.5	250	287.5
Nos Quedamos Way	1	37.5	250	287.5

Russell M. Alston Way	1	37.5	250	287.5
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Grace Maldonado Way	1	37.5	250	287.5
Carmen Belén Bermúdez Way	1	37.5	250	287.5
Mrs. Esther ‘Marie’ Davis Way	1	37.5	250	287.5
General Colin L. Powell Way	1	37.5	250	287.5
Charlotte L. Taylor Way	1	37.5	250	287.5
Clare Droesch Way	1	37.5	250	287.5
Lew M. Simon Way	1	37.5	250	287.5
Scott E. Jordan Way	1	37.5	250	287.5
Paul Russo Way	1	37.5	250	287.5
Claire Shulman Way	1	37.5	250	287.5
FERRIGNO PLACE	1	37.5	250	287.5
Ann Jawin Way	1	37.5	250	287.5
Little Manila Avenue	1	37.5	250	287.5
Daniel Andrews Way	1	37.5	250	287.5
Prodigy Way	1	37.5	250	287.5
Dre’s Way	1	37.5	250	287.5
Jose Miranda, Sr. Way	1	37.5	250	287.5
Urban Health Plan Boulevard	1	37.5	250	287.5
Pietro Sclafani Way	1	37.5	250	287.5
Kenneth Casilla Way	1	37.5	250	287.5
Total	199	\$7,462.5	\$49,750	\$57,212.5

(For text of the preconsidered bill, please see the Introduction and Reading of Bills section printed in these Minutes)

PETER A. KOO, *Chairperson*; JAMES G. VAN BRAMER MARK D. LEVINE, JUSTIN L. BRANNAN, MARK GJONAJ, FRANCISCO P. MOYA, CARLINA RIVERA, ROBERT HOLDEN, DARMA V. DIAZ, KEVIN C. RILEY, JAMES F. GENNARO, SELVENA N. BROOKS-POWERS, ERIC DINOWITZ, ERIC A. ULRICH, JOSEPH C. BORELLI; Committee on Parks and Recreation, December 14, 2021 (Remote Hearing).
Other Council Members Attending: Council Members Powers, Rose and Feliz.

(The following is the text of a Message of Necessity from the Mayor for the Immediate Passage of Preconsidered Int. No. 2477:)

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

Pursuant to authority invested in me by section twenty of the Municipal Home Rule and by section thirty-six of the New York City Charter, I hereby certify to the necessity for the immediate passage of a local law; entitled:

A LOCAL LAW

In relation to the naming of 199 thoroughfares and public places, Frances Perkins Place, Borough of Manhattan, TIN PAN ALLEY, Borough of Manhattan, Sumner Redstone Way, Borough of Manhattan, Mother Maude Ford Way, Borough of Queens, Alex Pauline Road, Borough of Queens, Alex Pauline Road, Borough of Queens, Boxing Row, Borough of Brooklyn, Weyman Carey Way, Borough of Brooklyn, Police Officer Randolph Holder Way, Borough of Manhattan, Cicely Tyson Way, Borough of Manhattan, Detective Robert A. Cardona Way, Borough of Manhattan, Hector "Macho" Camacho Way, Borough of Manhattan, John Johnson Way, Borough of the Bronx, Robert "Black Rob" Ross Way, Borough of Manhattan, Pura Belpre Way, Borough of Manhattan, Israel Martinez Way, Borough of the Bronx, Mexico-Tenochtitlan, Borough of Manhattan, Melissa Kruppa Way, Borough of Staten Island, Sharon Nearby Way, Borough of Staten Island, FDNY FF Jimmy Martinez Way, Borough of Staten Island, Anton Updale Way, Borough of Staten Island, Sergeant Leif E. Eikeseth Way, Borough of Staten Island, Ira D Hudson Way USN Pearl Harbor KIA, Borough of Staten Island, SGT Donald W. Tinney Jr. Street, Borough of Staten Island, Firefighter James J. Marshall Jr. Lane, Borough of Staten Island, Firefighter James J. Marshall Sr. Lane, Jennifer Diane Caputo Way, Borough of Staten Island, Dr. Ahmad Jaber Way, Borough of Brooklyn, Joseph Joyce Way, Borough of Brooklyn, Justin Wallace Way, Borough of Queens, Deborah Hoyle Way, Borough of Queens, Father Andrew Struzzieri Way, Borough of Queens, Clarence "SPUD" Josey Jr. Way, Borough of Queens, Neville Facey Way, Borough of Queens, Cathy LeBlanc Way, Borough of Queens, Benjamin Wright Way, Borough of Queens, Stephen Cooper Way, Borough of Queens, Darryl E. Greene Way, Borough of Queens, Johnny Pacheco Way, Borough of the Bronx, PFC Buford Brown Way, Borough of the Bronx, Reverend Luciano Soto Way, Borough of the Bronx, Dr. Carolyn G. Williams Way, Borough of the Bronx, Thomasina Bushby Way, Borough of the Bronx, Celia Cruz Salsa Legend, Borough of the Bronx, Sylvester Royer Corner, Borough of the Bronx, William 'Bill' Howard Sr. Way, Borough of Brooklyn, Rev. Dr. Robert E. Cornegy, Sr. Way, Borough of Brooklyn, Dr. Sam Pinn Jr. Way, Borough of Brooklyn, Carmelo Sanchez Way, Borough of the Bronx, Roxanne Reid Way, Borough of the Bronx, Beverly Roberts Way, Borough of the Bronx, Juan Antonio Rossy Way, Borough of the Bronx, John McKelvey Sr. Way Villa Rosa Bonheur, Borough of the Bronx, Tenzing Norgay Sherpa Way, Borough of Queens, Joseph Ricevuto Way, Borough of Queens, Steve Knobel Way, Borough of Queens, Stanley, Kathleen & Robert Rygor Way, Borough of Queens, Monti Castañeda Corner, Borough of Queens, Peter Magnani Way, Borough of Queens, Ebenezer "Ben" Edwards Way, Borough of Brooklyn, Phil Foglia Way, Borough of the Bronx, Joseph Migliucci Way, Borough of the Bronx, Madonia Road, Borough of the Bronx, St. John's Way, Borough of Queens, Little Bangladesh Avenue, Borough of Queens, Eleanor Dowe Blvd, Borough of the Bronx, Curtis Hamilton Way, Borough of the Bronx, Hetty Fox Lane, Borough of the Bronx, Andy "The Barber" Foxe Way, Borough of the Bronx, Winifred A.R. Bama Way, Borough of the Bronx, Bishop Roy Bryant Sr. DD Way, Borough of the Bronx, Hon. Aurelia Greene Way, Borough of the Bronx, Rosella Gregg Way, Borough of the Bronx, Mother Cordelia Gilford Way, Borough of the Bronx, Thomas 'Tommy' A. Solfio Way, Borough of the Bronx, Mario D'Agostino Way, Borough of the Bronx, Conti's Pastry Shoppe Boulevard, Borough of the Bronx, Joe Chiodi Way, Borough of the Bronx, Michael Prince Way, Borough of the Bronx, Ibrahim al-Hamdi Way, Borough of the Bronx, Joseph Oddo Way, Borough of the Bronx, Gjergj Kastrioti Skenderbeu Way, Borough of the Bronx, PePe Cardona Way, Borough of the Bronx, Carmine Palladino Way, Borough of the Bronx, Dominick Schiano Way, Borough of the Bronx, Fan Noli Way, Borough of the Bronx, Melvin "Mel" Doby Memorial Way,

Borough of Queens, Reverend Laura G. Lowery Way, Borough of Queens, Union Course Racetrack, Borough of Queens, Maureen Walthers Way, Borough of Queens, Joseph Magnus Way, Borough of Queens, Phil "Scooter" Rizzuto Corner, Borough of Queens, Sarah Whiting Way, Borough of Queens, Ganesh Temple Street, Borough of Queens, Rabbi Dr. Asher Murciano Way, Borough of Queens, Ivan Mrakovcic Way, Borough of Queens, rue Barry Lewis Way, Borough of Queens, Detective Brian Simonsen Way, Borough of Queens, Police Officer FRANK G. MACRI WAY, Borough of Queens, Salvatore "Buddy" Scotto Way, Borough of Brooklyn, Andreas Stylianou Way, Borough of Brooklyn, Joseph Ferris Way, Borough of Brooklyn, Nicholas Heyward Sr. Place, Borough of Brooklyn, Elisa Torres Way, Borough of Brooklyn, District Attorney Kenneth P. Thompson Way, Borough of Brooklyn, Rita's Way, Borough of Brooklyn, Genevieve (Jenny) Eason Way, Borough of Manhattan, David Dinkins Drive, Borough of Manhattan, Rev. Dr. J. G. McCann Way, Borough of Manhattan, Marie Andrée Bichotte Way, Borough of Brooklyn, Frank Scollo Way, Borough of Brooklyn, The Brooklyn/Bedford Park 9/11 Memorial, Borough of Brooklyn, Patrick Solomita Way, Borough of Brooklyn, John A. Cortese Way, Borough of Brooklyn, Dr. Louis A. Grecco Way, Borough of Staten Island, Louis C. Antonelli Way, Borough of Staten Island, BILL MCCREARY WAY, Borough of Queens, Archie Spigner Way, Borough of Queens, Theresa Irene Merritt Way, Borough of Queens, Robert Oliver, Jr. Way, Borough of Queens, Barbara Jackson Way, Borough of Queens, Ortner Vernon Murray, Borough of Queens, Rodney Johnson Way, Borough of Queens, James Edward Heath Way, Borough of Queens, Michael Perna Way, Borough of Queens, Mary Moody Way, Borough of Queens, Marguerite Henderson Way, Borough of Queens, Ann Petry Place, Borough of Manhattan, Althea Gibson Street, Borough of Manhattan, Judge Sheila Abdus Salaam Way, Borough of Manhattan, Bishop James P. Roberts, Sr. Way, Borough of Manhattan, Rev. Allen James Way, Borough of Manhattan, Bishop C.M. "Sweet Daddy" Grace Lane, Borough of Manhattan, Audre Lorde Way, Borough of Manhattan, Saint Tikhon Way, Borough of Manhattan, Wynn Handman Way, Borough of Manhattan, Ludie Brown Way, Borough of the Bronx, Vonte S. Murray Way, Borough of the Bronx, Onaje Allan Gumbs Way, Borough of the Bronx, Patricia Wiley Way, Borough of the Bronx, Avenues for Justice Way, Borough of Manhattan, Donald Suggs Jr. Way, Borough of Manhattan, Terrence McNally Way, Borough of Manhattan, Rafael "Bullumba" Landestoy Way, Borough of Manhattan, Isaiah Ché Moronta Way, Borough of Manhattan, Edith Prentiss Way, Borough of Manhattan, Coogan's Way, Borough of Manhattan, Gregorio Luperon High School Way, Borough of Manhattan, Hugo Cabrera Way, Borough of Manhattan, Víctor Víctor Way, Borough of Manhattan, Johnny Ventura Way, Borough of Manhattan, Quisqueya Plaza, Borough of Manhattan, Rev. Maggie Howard Way, Borough of Staten Island, Social Activist Joseph N. Gumbs Way, Borough of Staten Island, Bartolomeo Giove Way, Borough of Staten Island, Principal Marie A. Munoz Way, Borough of Staten Island, James "Jim" Smith Way, Borough of Staten Island, Pearl Harbor Cpl. Vincent Kechner Way, Borough of Staten Island, Eric Garner Way, Borough of Staten Island, Little Liberia Way, Borough of Staten Island, Firefighter Sean D. Kenny Way, Borough of Staten Island, Joseph Triffoglio Way, Borough of Staten Island, Nick Troianiello Way, Borough of Staten Island, Detective James V. Nemorin Way, Borough of Staten Island, Detective Rodney J. Andrews Way, Borough of Staten Island, Vincent Gattullo Way, Borough of Staten Island, Educator Lawrence E. Ambrosino Way, Borough of Staten Island, Shimon Peres Place, Borough of Manhattan, Jacques d'Amboise Place, Borough of Manhattan, Freddy Perez Way, Borough of the Bronx, George Rodriguez Way, Borough of the Bronx, Ray Santos Way, Borough of the Bronx, Commissioner Louis E. Rios Way, Borough of the Bronx, Danilo Lachapel Way, Borough of the Bronx, The Point Community Development Corporation Way, Borough of the Bronx, Nos Quedamos Way, Borough of the Bronx, Russell M. Alston Way, Borough of the Bronx, Rev. T. Wendell Foster Way, Borough of the Bronx, P.O. Jorge Luis Gonzalez Way, Borough of the Bronx, Luis Angel "Supa" Torres Way, Borough of the Bronx, Grace Maldonado Way, Borough of the Bronx, Carmen Belén Bermúdez Way, Borough of the Bronx, Mrs. Esther 'Marie' Davis Way, Borough of the Bronx, General Colin L. Powell Way, Borough of the Bronx, Charlotte L. Taylor Way, Borough of Brooklyn, Clare Droesch Way, Borough of Queens, Lew M. Simon Way, Borough of Queens, Scott E. Jordan Way, Borough of Queens, Paul Russo Way, Borough of Queens, Claire Shulman Way, Borough of Queens, FERRIGNO PLACE, Borough of Queens, Ann Jawin Way, Borough of Queens, Little Manila Avenue, Borough of Queens, Daniel Andrews Way, Borough of Queens, Prodigy Way, Borough of Queens, Dre's Way, Borough of Queens, Jose Miranda, Sr. Way, Borough of the Bronx, Urban Health Plan Boulevard, Borough of the Bronx, Pietro Sclafani Way, Borough of Brooklyn, Kenneth Casilla Way, Borough of Brooklyn and the repeal of sections 24 and 48 of local law number 24 for the year 2019, section 27 of local law number 26 for the year 2020, Local Law 17 for the year 1993, sections 7, 22, 38, 40, 57, 61, 70, 77, 80 of local law number 14 for the

year 2021, section 4 of local law 110 for the year 2017, section 5 of local law 158 for the year 2019 and section 75 of local law number 62 for the year 2003.

Given under my hand and seal this 13TH day of
December, 2021 at City Hall in the City of New York.

Bill de Blasio
Mayor

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

Report of the Committee on Public Safety

Report for Int. No. 2439-A

Report of the Committee on Public Safety in favor of approving and adopting, as amended, a Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to police department domestic violence, sexual crimes, and human trafficking training, review, and reporting; and the mayor's office to end domestic and gender based violence fatality review and advisory committees.

The Committee on Public Safety, to which the annexed proposed amended local law was referred on October 21, 2021 (Minutes, page 2838), respectfully

REPORTS:

I. INTRODUCTION

On December 14, 2021, the Committee on Public Safety, chaired by Council Member Adrienne E. Adams, voted on Proposed Introduction Number 2439-A, sponsored by Council Member Helen Rosenthal, in relation to police department domestic violence, sexual crimes, and human trafficking training, review, and reporting; and the mayor's office to end domestic and gender based violence fatality review and advisory committees. The Committee voted in favor of the bill by a vote of nine affirmatives, none opposed, and no abstentions. A prior version of the bill was heard on October 18, 2021 and testimony was received from representatives of the New York City Police Department ("NYPD"), as well as local legal and social service providers, advocacy groups, and other interested stakeholders.

II. BACKGROUND

Generally, sexual assault is a crime that disproportionately impacts women and girls, as well as individuals who identify as LGBTQ+.^{1,2} Victims³ can suffer varying degrees of physical and emotional trauma from sexual assault incidents, and many report experiencing further emotional harm when reporting incidents to police and engaging with the criminal legal process.⁴ Compared to other violent crimes, studies have found significantly low rates of survivors reporting sexual assault to law enforcement.⁵ Common reasons cited by survivors for non-reporting include embarrassment and stigma associated with the crime; fear that they will not be believed, or that the criminal justice system is ineffective; perception that the crime is not serious enough; uncertainty about what constitutes a sex crime; fear of reprisal; and belief it will not happen again.⁶ For survivors who do report, many do not realize the strain that a criminal investigation (and trial) can have on them mentally, emotionally, physically, and financially.⁷ Consequently, they may ultimately no longer want to cooperate with the process and seek ways to disengage from the investigation, including recantation.⁸

In addition to the aforementioned sensitive nature of sex crime investigations, studies have revealed that response and investigation of many sexual assault reports by police departments across the country reflected an intention to prove an allegation false from the outset;⁹ this example reflects how critical it is for police to be properly trained to understand and engage with survivors of sexual assault, including checking implicit gender bias and utilizing specialized investigative techniques.¹⁰ The necessity of specialized investigative approaches to meet the unique needs of sexual assault survivors and aid the effectiveness of often-times complex investigations, has informed the establishment of special victims divisions within police departments nationwide to handle such cases.¹¹

¹ Note: LGBTQ+ people use a variety of terms to identify themselves. This Briefing Paper generally utilizes the acronym LGBTQ+, which stands for “lesbian, gay, bisexual, transgender and queer.” See “Glossary of Terms” Human Rights Campaign (last visited Oct. 6, 2021), available at https://www.hrc.org/resources/glossary-of-terms?utm_source=GS&utm_medium=AD&utm_campaign=BPI-HRC-Grant&utm_content=454854043827&utm_term=gay%20terms&gclid=Cj0KCCQjwpcqDBhCSARIsAEUJ0hP4IjAsJNt8zhev_ILfPiGSrWEtYudyfN6fful_iWfD_9L_TAHhwIMaAvoEEALw_wcB.

² See Identifying and Preventing Gender Bias in Law Enforcement Response to Sexual Assault and Domestic Violence, U.S. Department of Justice (Dec. 14, 2015), 1, 5, available at <https://www.justice.gov/opa/file/799476/download>.

³ Note: Recognizing that individuals who have experienced sexual violence should be referenced in a manner based on their preference, for the purpose of this briefing paper, the terms “victim” and “survivor” will be used in accordance with the usage employed by the Rape, Abuse & Incest National Network (RAINN). As such, the term “victim” is applicable when referring to an individual recently affected by sexual violence; when discussing a particular crime; or when referring to aspects of the criminal justice system, while the term “survivor” is used to refer to an individual who has gone through the recovery process, or when discussing the short- or long-term effects of sexual violence. See “Victim or Survivor? Key Terms and Phrases” RAINN (last visited Oct. 6, 2021), available at <https://www.rainn.org/articles/key-terms-and-phrases>.

⁴ Dean G. Kilpatrick, Heidi S. Resnick, Kenneth J. Ruggiero, et al., Drug-Facilitated, Incapacitated, and Forcible Rape: A National Study, National Crime Victims Research & Treatment Center (Feb. 1, 2007), available at <https://www.ncjrs.gov/pdffiles1/nij/grants/219181.pdf>.

⁵ Cameron Kimble, Sexual Assault Remains Dramatically Underreported, Brennan Center for Justice (Oct. 4, 2018), available at <https://www.brennancenter.org/our-work/analysis-opinion/sexual-assault-remains-dramatically-underreported>.

⁶ Richard B. Felson and Paul-Philippe Paré, The Reporting of Domestic Violence and Sexual Assault by Nonstrangers to the Police, 67 J. Marriage & Fam. 597, 606 (Mar. 2005), available at <https://www.ojp.gov/pdffiles1/nij/grants/209039.pdf>.

⁷ See “False Allegations, Case Unfounding and Victim Recantations in the Context of Sexual Assault” Oregon State Attorney General’s Sexual Assault Task Force (Jan. 2008), available at <https://evawintl.org/wp-content/uploads/ORSATFPaperFalseReports.pdf>.

⁸ *Id.*

⁹ See, e.g., Avalos, L. (2017). Policing rape complainants: When reporting rape becomes a crime. Journal of Gender, Race and Justice, 20, 459-508, available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2973404#; Capitol Offense: Police Mishandling of Sexual Assault Cases in the District of Columbia, Human Rights Watch (Jan. 24, 2013), available at <https://www.hrw.org/report/2013/01/24/capitol-offense/police-mishandling-sexual-assault-cases-district-columbia>; Chava Gourarie, How an Ohio Reporter Helped Convict more than 100 Rapists, COLUMBIA JOURNALISM R. (Sept. 2, 2015), available at http://www.cjr.org/local_news/rape_kit_reporting.php.

¹⁰ Heather Huhtanen, Gender Bias in Sexual Assault Response and Investigation, End Violence Against Women International (Oct. 2020), available at <https://evawintl.org/wp-content/uploads/TB-Gender-Bias-1-4-Combined.pdf>.

¹¹ See “Pocket Guide for Police Response to Sexual Assault” New York State Coalition Against Sexual Assault (Jul. 22, 2003), available at https://www.ncjrs.gov/ovc_archives/sartkit/tools/lawenforcement/Pocket%20Guide%20for%20Police%20Response%20to%20Sexual%20Assault.pdf.pdf.

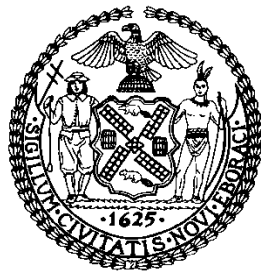
III. LEGISLATIVE ANALYSIS

Prop. Int. No. 2439-A

Proposed Introduction Number 2439-A, would require NYPD to train officers on responding to incidents involving domestic violence, sexual crimes, or human trafficking. The training will be delivered to all new recruits and biennially thereafter to all members of service who regularly interact with crime victims. The training will be developed from recommendations made by an interdisciplinary, interagency committee consisting of representatives of the NYPD, the Mayor’s Office to End Domestic and Gender-based Violence (“ENDGBV”), MOCJ, domestic violence service providers, sexual assault service and human trafficking service providers. In addition, the bill would add such service providers to the City’s domestic fatality review committee and codify an advisory committee to review case level data on the response to domestic violence fatalities. This law would take effect 90 days after it becomes law.

Since introduction, the bill has been amended as follows. First, the definition for “Family Offense” was amended to reference prohibited conduct as defined in NYS Criminal Procedure Law. The specific subject matters to be included in required trainings were amended to clarify the content of certain components and expand the scope of the training. Further, rather than fully delegating development of training curriculum to an interdisciplinary, inter-agency committee, the bill has been amended to provide that such entity will instead make recommendations to the Police Commissioner on the subject matter of such trainings. The frequency of training was also amended such that new recruits are to receive no less than three hours of such training, followed by ongoing training on a biennial basis for all members of service whose job responsibilities involve routinely interacting with crime victims. Additional amendments have been made to provisions related to ENDGBV, specifically: ENDGBV’s Domestic Violence Fatality Review Committee will now be required to include representatives from providers that serve immigrant victims, sexual assault providers, and human trafficking providers; and establishing an advisory to examine case-level data on gender-based and domestic violence fatalities. Finally, the title of the bill has been amended to reflect the broader scope of the provisions contained within the legislation.

(The following is the text of the Fiscal Impact Statement for Int. No. 2439-A:)



THE COUNCIL OF THE CITY OF NEW YORK

FINANCE DIVISION

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. NO. 2439-A

COMMITTEE: Public Safety

TITLE: A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to police department domestic violence, sexual crimes, and human trafficking training, review, and reporting.

Sponsors: By Council Members Rosenthal and Brooks-Powers.

SUMMARY OF LEGISLATION: This legislation would require the Police Department (NYPD) to train officers to respond to incidents involving domestic violence, sexual crimes, or human trafficking. The training would be developed from recommendations made by an interdisciplinary, interagency committee consisting of representatives of the NYPD, the Mayor’s Office to End Domestic and Gender-based Violence, the Mayor’s Office of Criminal Justice, domestic violence service providers, sexual assault service providers, and human trafficking service providers. In addition, the bill would add such service providers to the City’s domestic fatality review committee and create a fatality advisory committee to review individual case level data on gender based and domestic violence fatalities.

EFFECTIVE DATE: This local law would take effect in 90 days provided that before such date, the department may take actions as are necessary or appropriate to implement this local law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	(\$93,000)	(\$375,000)	(\$375,000)
Net	(\$93,000)	(\$375,000)	(\$375,000)

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

IMPACT ON EXPENDITURES: It is anticipated that the NYPD would require additional staff to comply with the requirements of Int. No. 2439-A. The three civilian personnel, two coordinators and one manager would administer and manage the training program which is expected to train approximately 3,000 new recruits and 14,000 existing personnel each year. The staff would also be responsible for tasks deemed necessary related to the advisory committee and reporting requirements. The cost for Fiscal 2022 would be approximately \$93,000, which is prorated to reflect the three months of the year in which this legislation is expected to be implemented. In Fiscal 2023, the total cost would be approximately \$375,000.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Nevin Singh, Financial Analyst

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
Stephanie Ruiz, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was first considered by the Committee on Public Safety (Committee) and the Committee on Women and Gender Equity October 18, 2021 and the legislation was laid over. On October 21, 2021, the legislation was introduced to the full Council and referred to the Committee. The legislation was subsequently amended and the amended version, Proposed Int. No. 2439-A, will be voted on by the Committee on December 14, 2021. Upon successful vote by the Committee, Proposed Int. No. 2439-A will be submitted to the full Council for a vote on December 16, 2021.

DATE PREPARED: December 13, 2021.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 2439-A:)

Int. No. 2439-A

By Council Members Rosenthal, Brooks-Powers, Ayala, Kallos, Louis and Rose.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to police department domestic violence, sexual crimes, and human trafficking training, review, and reporting; and the mayor's office to end domestic and gender based violence fatality review and advisory committees

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-192 to read as follows:

§ 14-192 Domestic violence, sexual crimes, and human trafficking training. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Domestic violence. The term "domestic violence" means acts or threats of violence, not including acts of self-defense, committed by a family or household member against another family or household member.

Family offense. The term "family offense" shall mean an act or threat of an act as defined in section 530.11 of the criminal procedure law.

Human trafficking. The term "human trafficking" shall mean an act or threat of an act that may constitute sex trafficking, as defined in section 230.34 of the penal law, or labor trafficking, as defined in section 135.35 and 135.36 of the penal law.

Sexual crimes. The term "sexual crimes" means any offense in article 130 of the penal law.

b. Training requirement.

1. The department shall develop, and implement by September 30, 2022, a victim-centered, trauma-informed questioning training program designed to develop skills for the response to and investigation of incidents involving domestic violence, sexual crimes, or human trafficking. The training program shall include but not be limited to the following components: the dynamics of domestic violence, sexual assault, and human trafficking, including abuser tactics of power and control; danger and lethality factors in domestic violence, sexual assault, and human trafficking cases; the criminal law provisions of the Family Protection Domestic Violence Intervention Act of 1994, codified in chapter 222 of the laws of 1994; how to determine the primary aggressor in a domestic violence incident; the family offenses; the offense of endangering the welfare of a child; the offenses of assault in the first degree, manslaughter in the first and second degrees, criminally negligent homicide, and murder in the second degree, together with the defense of justification and the role of trauma in victims' acts of self-defense; the importance of avoiding expressions of skepticism, victim-blaming, and minimizing of the offense in early communications with victims; how to recognize signs of drug-facilitated sexual assault and preserve crucial evidence thereof; the overlap among domestic violence, sexual assault and human trafficking; victim-centered, trauma-informed questioning in domestic violence, sexual assault, human trafficking, and related cases; the effects of trauma on victims; techniques of trauma-informed policing; the resources available to victims of domestic violence, sexual assault, and human trafficking, including shelter and nonresidential services, locating hospital-based sexual assault forensic exams, and domestic violence, sexual assault, and human trafficking emergency resources; and any other training deemed relevant by the commissioner, except that the commissioner may eliminate a training component or replace a training component with an alternative component in order to provide a comprehensive victim-centered, trauma-informed questioning training program.

2. There shall be an interdisciplinary and interagency committee that shall meet no later than May 1, 2022, and twice a year thereafter. The committee shall make recommendations to the department with respect to the

training program required by this subdivision. Each member of the committee will use their insights from interactions with programs and survivors of domestic violence, sexual crimes, and human trafficking to help evaluate whether previous trainings accomplished the goals of the trainings. Such committee shall consist of:

(i) the director of the mayor's office to end domestic and gender-based violence or the director's designee;

(ii) the director of the mayor's office of criminal justice or the director's designee;

(iii) officers or employees of the department, designated by the commissioner, with relevant experience or expertise, including officers or employees with expertise in domestic violence, sexual crimes, and human trafficking;

(iv) two representatives of two domestic violence service providers, including at least one provider that serves immigrant communities, as appointed by the mayor;

(v) two representatives of two sexual assault service providers, as appointed by the mayor; and

(vi) two representatives of two human trafficking service providers, as appointed by the mayor;

(vii) two survivors of gender-based violence, as appointed by the mayor; and

(viii) one or more representatives from the offices of the city's district attorneys invited by the department.

3. New recruits. All new department recruits shall receive at least three hours of training related to domestic violence, sexual crimes, and human trafficking.

4. Ongoing training. All uniformed members of the department whose responsibilities include routinely interacting with victims of crime, shall receive training on incidents involving domestic violence, sexual crimes, or human trafficking, on a biennial basis.

c. Reporting. Beginning February 1, 2023, and no later than each February 1 thereafter, the department shall report the following information concerning domestic violence, sexual crimes, or human trafficking training for the previous calendar year: the number of police officers trained and the curriculum used for each training session. The report shall be disaggregated by the number of officers who received recruit training and the number of officers that received ongoing training in the prior calendar year. Such report shall be posted on the department's website and submitted to the mayor, the speaker of the council, and the members of the committee formed pursuant to subdivision b of this section.

§ 2. Paragraphs 2, 3, and 5 of subdivision d of section 19 of the New York city charter, as added by local law number 61 for the year 2005, are amended to read as follows:

2. There shall be a domestic violence fatality review committee to examine aggregate information relating to domestic violence fatalities in the city of New York. Such committee shall develop recommendations for the consideration of the director of the office to end domestic and gender-based violence regarding the coordination and improvement of services for victims of domestic violence provided by agencies and private, *including nonprofit*, organizations that provide such services pursuant to a contract with an agency. The committee [shall be convened by the director of the office to end domestic and gender-based violence, or his or her designee, and] shall consist of the director of the office to end domestic and gender-based violence, or [his or her] *their* designee, the commissioner of the police department, or [his or her] *their* designee, the commissioner of the department of health and mental hygiene, or [his or her] *their* designee, the commissioner of the department of social services/human resources administration, or [his or her] *their* designee, the commissioner of the department of homeless services, or [his or her] *their* designee and the commissioner of the administration for children's services, or [his or her] *their* designee. The committee shall also consist of two representatives of programs that provide social or legal services to victims of domestic violence, *including at least one program that serves immigrant victims; two representatives of sexual assault service providers; two representatives of human trafficking service providers;* and two [individuals with personal experience with] *survivors of domestic violence.* The director of the office to end domestic and gender-based violence, or [his or her] *their* designee,

shall serve as chairperson of the committee. At the discretion of the director of the office to end domestic and gender-based violence, the committee may also include [a representative] *representatives* of any of the offices of the district attorney of any of the five boroughs and/or a representative of the New York city housing authority. Each member of the committee other than any member serving in an ex officio capacity shall be appointed by the mayor. *The director of the office to end domestic and gender-based violence may also invite representatives from other relevant agencies to participate in the committee's work, if the director determines they are necessary to accomplish the goals of the committee.*

(i) The service of each member other than a member serving in an ex officio capacity shall be for a term of two years to commence ninety days after the effective date of the local law that added this subdivision. Any vacancy occurring other than by expiration of term shall be filled by the mayor in the same manner as the original position was filled. A person filling such a vacancy shall serve [for the unexpired portion of the term of the member succeeded] *for a term of two years*. New terms shall begin on the next day after the expiration date of the preceding term.

(ii) Members of the committee shall serve without compensation.

(iii) No person shall be ineligible for membership on the committee because such person holds any other public office, employment or trust, nor shall any person be made ineligible to or forfeit such person's right to any public office, employment or trust by reason of such appointment.

(iv) The committee shall meet at least four times a year.

3. The committee's work shall include, but not be limited to, reviewing statistical data relating to domestic violence fatalities; analyzing aggregate information relating to domestic violence fatalities, including, non-identifying data with respect to victims and perpetrators involved in domestic violence fatalities, such as gender, age, race and familial or other relationship involved, and, if available, religion, ethnicity and employment status; examining any factors indicating a high-risk of involvement in domestic violence fatalities; and developing recommendations for the director of the mayor's office to end domestic and gender-based violence regarding the coordination and improvement of services for victims of domestic violence provided by agencies and private, *including non-profit*, organizations that provide such services pursuant to a contract with an agency.

5. The committee shall submit to the mayor and to the speaker of the city council, on an annual basis, a report including, but not limited to, the number of domestic violence fatality cases which occurred in the city of New York during the previous year; the number of domestic violence fatality cases reviewed by the committee during the previous year, if any; any non-identifying data with respect to victims and perpetrators involved in domestic violence fatalities, such as gender, age, race and familial or other relationship involved, and, if available, religion, ethnicity and employment status; any factors indicating a high risk of involvement in domestic violence fatalities; and recommendations regarding the coordination and improvement of services for victims of domestic violence provided by agencies and private, *including nonprofit*, organizations that provide such services pursuant to a contract with an agency.

§ 3. Subdivision d of section 19 of the New York city charter is amended by adding a new paragraph 6 to read as follows:

6. The director of the office to end domestic and gender-based violence, or the director's designee, shall establish a mechanism to review certain individual case-level data on gender-based and domestic violence fatalities, identified after due consideration of the goals of the fatality review committee and to the extent such data is available. The director shall establish and chair a fatality advisory committee to conduct or assist in such review, and may further prescribe, through interagency agreements or otherwise, appropriate confidentiality and privacy protocols, consistent with applicable law, to be followed in conducting such review. The director of the office to end domestic and gender-based violence may invite representatives from relevant

agencies to participate in the committee's work, if the director determines they are necessary to accomplish the goals of the committee.

§ 4. This local law takes effect in 90 days provided that before such date, the department may take actions as are necessary or appropriate to implement this local law.

ADRIENNE E. ADAMS, *Chairperson*; FERNANDO CABRERA, VANESSA L. GIBSON, CARLOS MENCHACA, I. DANEEK MILLER, JUSTIN L. BRANNAN, ROBERT F. HOLDEN, KEITH POWERS, KEVIN C. RILEY; Committee on Public Safety, December 14, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Rosenthal.*

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

Report of the Committee on Rules, Privileges and Elections

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

Report for M-358

Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment of Gail B. Nayowith as a member of the New York City Board of Health.

The Committee on Rules, Privileges and Elections, to which the annexed preconsidered Mayor's Message was referred on December 15, 2021 and which same Mayor's Message was coupled with the resolution shown below, respectfully

REPORTS:

Topic: *New York City Board of Health* – (Mayor's nominee for appointment upon advice and consent of the Council)

- **Gail B. Nayowith [Preconsidered-M 358]**

Pursuant to *New York City Charter* (“the Charter”) § 553, there shall be in the New York City Department of Health and Mental Hygiene (“the Department”)¹ a Board of Health (“the Board”)², the Chairperson of which shall be the Commissioner of the Department.

The main function of the Board is to promulgate the *New York City Health Code* (“Code”), which can encompass any matter within the jurisdiction of the Department, and has “the force and effect of law.” [Charter § 558.] The Board may legislate on “all matters and subjects to which the power and authority of the Department extends.” [Charter § 558(c).] The jurisdiction of the Department is among the most extensive and varied of all City agencies. Except as otherwise provided by law, the Department has jurisdiction to regulate all matters affecting health in the City and to perform all those functions and operations performed by the City that relate to the health of the people of the City, including but not limited to the mental health, mental retardation, alcoholism and substance abuse related needs of the people of the City. [Charter § 556.] The scope of the Department's jurisdiction includes such diverse disciplines as communicable diseases, environmental health services, radiological health, food safety, veterinary affairs, water quality, pest control and vital statistics. New emerging pathogens and biological warfare are the most recent additions to the Department's roster of concerns.

¹ On November 6, 2001, the voters of New York City approved the merger of the New York City Department of Health and the New York City Department of Health, Mental Retardation and Alcoholism Services to create a new agency called the Department of Public Health. The agency is presently known as the Department of Health and Mental Hygiene.

² The ballot proposal approved by the City's voters on November 6, 2001, expanded the Board's membership from five to eleven members (including the Commissioner), while maintaining the current ratio of medical to non-medical personnel. Also, member terms were reduced from eight years to six years, and staggered to assure continuity. The Charter Revision Commission (the “Commission”) asserted that these changes would ensure that the Board is better able to address today's “more complex public health threats and meet the new and emerging public health challenges of the future.” Also, the Commission reasoned that the expansion of the Board would “provide the opportunities to increase the variety of expertise represented, and allow for inclusion of representatives with experience relating to special health needs of different racial and cultural groups in the City.” Moreover, the Commission felt “a larger Board would also bring to bear greater diversity of academic, clinical and community perspectives on the broad spectrum of public health problems and issues that need to be addressed.” Report of the New York City Charter Revision Commission, *Making Our City's Progress Permanent*, pp69-70 (September 5, 2001).

In addition to its primary legislative function in relation to the *Code*, the Board is charged with certain administrative responsibilities. The Board may issue, suspend or revoke permits (e.g., food vendor permits) or may delegate this duty to the Commissioner, in which case a party aggrieved by the decision of the Commissioner has a right of appeal to the Board. [*Charter* § 561.] The Board may declare a state of “great and imminent peril” and take appropriate steps subject to Mayoral approval. [*Charter* § 563.] Other administrative functions of the Board are contained in the *Administrative Code of the City of New York*. One important function is to declare conditions as public nuisances and to order that such conditions be abated or otherwise corrected. [*Administrative Code* § 17-145.]

In addition to the Chairperson, the Board consists of ten members, five of whom shall be doctors of medicine who shall each have had not less than ten years experience in any or all of the following: clinical medicine, neurology, psychiatry, public health administration or college or university public health teaching. The other five members need not be physicians. However, non-physician members shall hold at least a Masters degree in environmental, biological, veterinary, physical, or behavioral health or science, or rehabilitative science or in a related field, and shall have at least ten years of experience in the field in which they hold such a degree. The Chairperson of the Mental Hygiene Advisory Board³ sits as one of the ten board members, provided that such individual meets the requirements for Board membership of either a physician or non-physician member.

The nine Board members other than the Chairperson and the member who shall be the Chairperson of the Mental Hygiene Advisory Board shall serve without compensation and shall be appointed by the Mayor, each for a term of six-years.⁴ In the case of a vacancy, the Mayor shall appoint a member to serve for the un-expired term. [*Charter* § 553(b).] The Mayor’s appointees are subject to the advice and consent of the New York City Council as set forth in *Charter* § 31.

The Commissioner shall designate such Department employees as may be necessary to the service of the Board, including an employee designated by him to serve as the Secretary to the Board. [*Charter* § 553 (c).]

Pursuant to *Charter* § 554, a member of the Board other than the Chairperson may be removed by the Mayor upon proof of official misconduct or of negligence in official duties or of conduct in any manner connected with his/her official duties, that tends to discredit his/her office, or of mental or physical inability to perform his/her duties. Prior to removal, however, the Board member shall receive a copy of the charges and shall be entitled to a hearing before the Mayor and to the assistance of counsel at such hearing.

If appointed, Ms. Nayowith, a resident of Manhattan, will replace Susan Klitzman and serve the remainder of a six-year term that expires on May 31, 2026. A copy of the candidate’s résumé is annexed to this briefing paper.

(After interviewing the candidate and reviewing the submitted material, the Committee decided to approve the appointment of the nominee GAIL B. NAYOWITH [Preconsidered M-358]):

Pursuant to §§ 31 and § 553 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Gail B. Nayowith as a member of the New York City Board of Health to serve for the remainder of a six-year term that expires on May 31, 2026.

³ This body advises the Commissioner of Health and Mental Hygiene and the Deputy Commissioner for Mental Hygiene Services in the development of community mental health, mental retardation, alcoholism and substance abuse facilities and services and programs related thereto. *Charter* § 568.

⁴ The term of the Board of Health Chair, who is the Commissioner of Health, is not specified. The Chair of the Mental Hygiene Advisory Board can serve an unlimited number of four-year terms on that advisory Board and, thus, on the New York City Board of Health as well. *Mental Hygiene Law* § 41.11(d) and *Charter* § 568(a)(1).

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

Res. No. 1878

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF GAIL B. NAYOWITH AS A MEMBER OF THE NEW YORK CITY BOARD OF HEALTH.

By Council Member Koslowitz.

RESOLVED, that pursuant to §§ 31 and § 553 of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of Gail B. Nayowith as a member of the New York City Board of Health for the remainder of a six-year term, which will expire on May 31, 2026.

KAREN KOSLOWITZ, *Chairperson*; MARGARET S. CHIN, PAUL A. VALLONE, ADRIENNE E. ADAMS, KEITH POWERS, THE MINORITY LEADER (STEVEN MATTEO); Committee on Rules, Privileges and Elections, December 15, 2021.

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

Report of the Committee on Technology

Report for Int. No. 1806-A

Report of the Committee on Technology in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to reporting on algorithmic tools used by city agencies.

The Committee on Technology, to which the annexed proposed amended local law was referred on November 26, 2021 (Minutes, page 4024), respectfully

REPORTS:

I. Introduction

On December 14, 2021 the Committee on Technology, chaired by Council Member Robert Holden, held a hearing to consider Int. No. 1806-A, to amend the administrative code of the city of New York, in relation to automated employment decision tools, and Int. No. 2158-A, by Council Members Levin at the request of the Manhattan Borough President, to amend the New York city charter, in relation to designating a geospatial information officer. More information on Int. No. 1806-A and materials from the previous hearing, held on January 22, 2020 on the original version of the legislation, may be accessed online at <https://go.usa.gov/xeANP>. More information on Int. No. 2158-A and materials from the previous hearing, held on September 24, 2021 on the original version of the legislation, may be accessed online at <https://go.usa.gov/xeARP>.

II. Automated Decision System (ADS) Background

The Oxford English Dictionary defines an algorithm as “a procedure or set of rules used in calculation and problem-solving.”¹ The term originally meant nothing more than basic arithmetic. Now, with the advent of more advanced computers and the ability to collect, compute, and compare ever-increasing amounts of data, algorithms have become more complex and powerful. Significantly, algorithms represent the promise and peril of social engineering on a scale larger, yet more precise, than ever before.²

Some examples of entities that use algorithms include: the United States (U.S.) Social Security Administration which uses algorithms to aid its agents in evaluating benefits claims; the Internal Revenue Service which uses them to help select taxpayers for audit; the U.S. Food and Drug Administration which uses algorithms to study patterns of foodborne illness; the U.S. Securities and Exchange Commission which uses algorithms to detect trading misconduct; local police departments which employ algorithms to help predict the emergence of crime surges; courts which use various algorithms to help determine the sentence of defendants; and parole boards which use algorithms to predict who is least likely to reoffend.³ Currently, New York City uses algorithms to assist officials in predicting where crimes may occur, placing students in public schools and scheduling building inspections, among other things.⁴ For example, the New York City Administration of Children’s Services (“ACS”) has been using a “software that help[s] strengthen investigations of possible child abuse and neglect, [by] automatically identify[ing] and flag[ing] high-risk cases that need additional review by managerial staff.”⁵ The New York City Department of Education (“DOE”) has been using a School Assignment Algorithm to assign students to schools.⁶ The New York City Fire Department (“FDNY”) has been using the Risk-Based Inspection System, an Oracle-based program with data-mining capabilities, to better anticipate where fires may spark. This algorithm organizes data from five city agencies into approximately 60 risk factors, which are then used to create lists of buildings that are most vulnerable to fire.⁷ The New York City Department of Housing Preservation and Development (“HPD”) has an initiative to use certain predictive analytics to identify buildings at the greatest risk for physically deteriorating conditions that endanger the health and safety of residents.⁸

A. Benefits of Algorithms

Algorithms hold tremendous value. Their ability to process data promises significant benefits to the economy, such as allowing consumers to find and sort products more quickly, which in turn lowers search costs. Artificial Intelligence (“AI”), among other things, can use algorithms to aid the detection of financial mismanagement, identity theft and credit card fraud.⁹

Algorithmically informed decision-making promises increased efficacy and fairness in the delivery of government services. As demonstrated in the medical profession, actuarial prediction is sometimes measurably better than clinical prediction: formalized analysis of datasets can result in better assessments of risk than less

¹ *Algorithm*, OXFORD ENGLISH DICTIONARY (3d ed. 2012), <http://www.oed.com/view/Entry/4959?redirectedFrom=algorithms>.

² See Sonia K. Katyal, *Private Accountability in the Age of Artificial Intelligence*, 66 UCLA L. REV. 54, 62, 63 (2019).

³ Sonia K. Katyal, *Private Accountability in the Age of Artificial Intelligence*, 66 UCLA L. REV. 54, 64–65 (2019).

⁴ Benjamin Freed, *New York City’s Algorithm Task Force to Hold First Public Meetings Nearly a Year After Creation*, STATESCOOP, March 29, 2019, <https://statescoop.com/new-york-citys-algorithm-task-force-to-hold-first-public-meetings-nearly-a-year-after-creation/>.

⁵ ACS DEPLOYS NEW TECHNOLOGY TO HELP FRONTLINE STAFF PROTECT NYC CHILDREN FROM ABUSE AND NEGLECT, New York City Administration of Children’s Services press release, October 30, 2018, <https://www1.nyc.gov/assets/acs/pdf/PressReleases/2018/ACSMobileTechnology.pdf>.

⁶ Tracy Tullis, *How Game Theory Helped Improve New York City’s High School Application Process*, December 5, 2014, NEW YORK TIMES, <https://www.nytimes.com/2014/12/07/nyregion/how-game-theory-helped-improve-new-york-city-high-school-application-process.html>.

⁷ Brian Heaton, *New York City Fights Fire with Data*, GOVERNMENT TECHNOLOGY, May 15, 2015, <https://www.govtech.com/public-safety/New-York-City-Fights-Fire-with-Data.html>.

⁸ Sohaib Hasan, *Using Analytics to Make Bad Buildings Better in New York City*, DATA LOOK, <http://blog.datalook.io/using-data-analytics-to-make-bad-buildings-better-in-new-york-city/>.

⁹ Sonia K. Katyal, *Private Accountability in the Age of Artificial Intelligence*, 66 UCLA L. REV. 54, 65 (2019).

formal professional determinations developed over years of experience in practice.¹⁰ An algorithm's data analysis can reveal patterns not previously noticed, recognized or precisely quantified. For example, systematic tracking of restaurant reviews, such as those contained on services like Yelp,¹¹ can inform city health inspectors about food-borne illnesses emerging from the restaurants in their jurisdictions.¹² In addition, integrating data across siloed administrative domains, such as education and general welfare, and then using that data to prioritize families in need of government help, can improve social service delivery.¹³

B. Risks Associated with Algorithms

Although some of the benefits that can be offered by algorithmic decision-making include speed, efficiency and fairness, there is a common misunderstanding that algorithms automatically result in unbiased decisions.¹⁴ While the effects of algorithms' predictions can be concerning in themselves, they become even more problematic when government agencies use them to distribute resources or impose retributions. For example, an individual can be denied parole or credit, fired, or not hired for reasons they will never know and which cannot be articulated.¹⁵

Most developers neither disclose their predictive models or algorithms¹⁶ nor publish the source code for their software, making it impossible for the consumer to inspect the system. Many criticize this “black box,” as the result of those systems may be discriminatory, erroneous, or otherwise problematic.¹⁷

Generally, a limited disclosure of an algorithm tells you very little, because its effects cannot be interpreted by a simple reading of the code. A source code disclosure is just a partial solution to the problem of algorithmic accountability. It is hard to know, as a general matter, whether the coding of an algorithmic tool is potentially harmful or unlawful, particularly given the grey areas of legal interpretation around this subject.¹⁸ The Arnold Foundation, developer of the Public Safety Assessment (“PSA”),¹⁹ has disclosed its relatively simple algorithms to the public. The PSA can be implemented without a computer by tallying up points for various factors, and then applying a conversion formula to obtain the final risk assessment. However, the Arnold Foundation provided next to nothing about its development process,²⁰ and did not reveal how it generated the algorithms. It also did not communicate whether it performed pre-or post-implementation validation tests and, if so, what the outcomes were. Nor has it disclosed, in quantitative or percentage terms, what “low risk” and “high risk” mean.²¹

¹⁰ Robert Brauneis, Ellen P. Goodman, *Algorithmic Transparency for the Smart City*, 20 YALE J. L. & TECH. 103, 115–16 (2018).

¹¹ <https://www.yelp.com/>

¹² Robert Brauneis, Ellen P. Goodman, *Algorithmic Transparency for the Smart City*, 20 YALE J. L. & TECH. 103, 115–16 (2018) (citing See Edward L. Glaeser et al., *Big Data and Big Cities: The Promises and Limitations of Improved Measures of Urban Life* (Harv. Bus. Sch. NOM Unit, Working Paper No. 16-065, 2015), <https://dash.harvard.edu/bitstream/handle/1/24009688/16-065.pdf>).

¹³ Robert Brauneis, Ellen P. Goodman, *Algorithmic Transparency for the Smart City*, 20 YALE J. L. & TECH. 103, 115–16 (2018).

¹⁴ Simson Garfinkel, Jeanna Matthews, Stuart S. Shapiro, Jonathan M. Smith, “Toward Algorithmic Transparency and Accountability,” *Communications of the ACM*, Vol. 60 No. 9, Page 5, <https://cacm.acm.org/magazines/2017/9/220423-toward-algorithmic-transparency-and-accountability/fulltext>.

¹⁵ See Robert Brauneis, Ellen P. Goodman, *Algorithmic Transparency for the Smart City*, 20 YALE J. L. & TECH. 103 (2018).

¹⁶ An algorithmic process will typically involve (1) the construction of a model to achieve some goal, based on analysis of collected historical data; (2) the coding of an algorithm that implements this model; (3) collection of data about subjects to provide inputs for the algorithm; (4) application of the prescribed algorithmic operations on the input data; and (5) outputs in the form of predictions or recommendations based on the chain of data analysis. Robert Brauneis, Ellen P. Goodman, *Algorithmic Transparency for the Smart City*, 20 YALE J. L. & TECH. 103, 107–08 (2018).

¹⁷ Robert Brauneis, Ellen P. Goodman, *Algorithmic Transparency for the Smart City*, 20 YALE J. L. & TECH. 103, 107–08 (2018).

¹⁸ Sonia K. Katyal, *Private Accountability in the Age of Artificial Intelligence*, 66 UCLA L. REV. 54, 137 (2019).

¹⁹ Public Safety Assessment (PSA) is a pretrial risk assessment tool developed by the Laura and John Arnold Foundation, designed to assist judges in deciding whether to detain or release a defendant before trial. PSA includes three different risk assessment algorithms, which are intended to assess the risks that a released defendant will, respectively, fail to appear for trial; commit a crime while on release; or commit a violent crime while on release.

The three algorithms operate by assigning points based on nine facts about the defendant's criminal history; some facts are used for only one or two of the algorithms, while others are used for all three. For the failure-to-appear and commission-of-crime assessments, the raw point scores are converted to a six-point scale, in which one signifies lowest risk and six signifies highest risk. For the commission-of-violent-crime assessment, the raw score is converted into a binary yes/no answer; a crime committed is either likely to be violent, or likely not to be violent.

²⁰ Robert Brauneis, Ellen P. Goodman, *Algorithmic Transparency for the Smart City*, 20 YALE J. L. & TECH. 103, 137 (2018).

²¹ Robert Brauneis, Ellen P. Goodman, *Algorithmic Transparency for the Smart City*, 20 YALE J. L. & TECH. 103, 138 (2018).

Bias can generally result from at least one of two factors during the development of an algorithm. The first is largely internal to the process of data collection—when errors in data collection, like inaccurate methodologies, lead to inaccurate depictions of reality.²² The second type, however, comes from an external source. It happens when the underlying subject matter draws on information that reflects or internalizes some forms of structural discrimination and thus influences the resulting data.²³ To reduce the influence of bias in ADSs used by New York City (NYC) agencies, the ADS Task Force was created.

III. Geographical Information Systems

Geographical Information Systems (“GIS”) are becoming useful tools for both the private and public sector, especially in the areas of land use, environment, social services, public services, education, health, and public safety.²⁴ GIS is a system that assembles, stores, manipulates, and analyzes geographically referenced information. The system incorporates statistical data, or tabular information, and cross-references it with physical boundaries, or spatial information.²⁵ Thus, the information can be specifically identified with a particular location and vice-versa. GIS could be used in emergency response planning, business development, real property tax valuation, disease studies, and school aid distribution.²⁶ For example, the system might be able to identify exact areas of natural emergency risk, and enable emergency personnel to calculate the quickest and easiest access routes in the event of a natural disaster.

However, despite the popularity of GIS as clearly evidenced by its growing use, there are some major legal issues beginning to emerge as well as others that might arise, including liability, access, and privacy.²⁷ New York City does not currently have a designated office to coordinate the use of GIS by all city agencies.

IV. Legislative Analysis

A. Legislative Analysis of Int. No. 1806-A

Int. No. 1806-A would amend the administrative code of the city of New York, in relation to reporting on algorithmic tools used by city agencies. The bill would require NYC agencies to provide information regarding every automated decision system used by the agency during the prior calendar year to the Mayor’s Office of Operations except when such a disclosure would violate local, state, or federal law, or endanger the safety of the public, or interfere with an active agency investigation. Such disclosure would include, among other things, the commercial name and a brief description of such algorithmic tool, the purpose of the tool, and the type of data collected and analyzed by the tool. The Mayor’s Office of Operations would be required to compile the information disclosed by city agencies and submit a report to the Mayor and the Speaker of the Council every year.

The bill would take effect immediately.

²² Sonia K. Katyal, *Private Accountability in the Age of Artificial Intelligence*, 66 UCLA L. REV. 54, 141 (2019) (citing Kate Crawford et al., *The AI Now Report: The Social and Economic Implications of Artificial Intelligence Technologies in the Near-term*, 6-7 (2016), https://ainowinstitute.org/AI_Now_2016_Report.pdf).

²³ See Joanna Bryson, *Three Very Different Sources of Bias in AI, and How to Fix Them*, Adventures NI (July 13, 2017), <http://joanna-bryson.blogspot.com/2017/07/three-very-different-sources-of-bias-in.html>. [https://perma.cc/B77S-46DY] (demonstrating that bias is introduced to artificial intelligence when there is poor quality data that is tainted with human biases and/or when the formal models behind AI are not well reasoned); Sonia K. Katyal, *Private Accountability in the Age of Artificial Intelligence*, 66 UCLA L. REV. 54, 141 (2019).

²⁴ See N.Y. Zoning Law & Prac. § 36A:01.

²⁵ *What Is GIS*, 3 N.Y. Zoning Law & Prac. § 36A:02.

²⁶ *Id.*

²⁷ *Id.*

B. Legislative Analysis of Int. No. 2158-A

The legislation would create a Chief Geospatial Information Officer (“CGIO”). The legislation would require the Commissioner of the Department of Information Technology & Telecommunications (“DoITT”) to designate an employee to serve as the Chief Geospatial Information Officer.

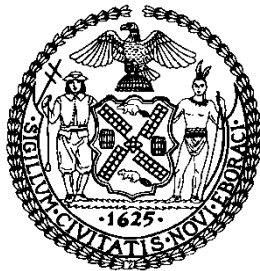
The legislation would also require DoITT to maintain and implement a special data interoperability strategy, including the development and maintenance of a plan for the use of geospatial information systems (“GIS”) by New York City agencies.

The bill would take effect immediately.

V. Update

On Tuesday, December 14, 2021, the Committee adopted both Int. No. 1806-A and Int. 2158-A by a vote of five in the affirmative, zero in the negative, and zero abstentions.

(The following is the text of the Fiscal Impact Statement for Int. No. 1806-A:)



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

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 1806-A

COMMITTEE: TECHNOLOGY

TITLE: Proposed Introduction No. 1806-A: A Local Law to amend the administrative code of the city of New York, in relation to reporting on automated decision systems used by city agencies.

SPONSOR(S): Council Members Koo, Lander, Ayala and Kallos.

SUMMARY OF LEGISLATION: Proposed Int. No. 1806-A would require city agencies to provide information regarding every automated decision system used by the agency during the prior calendar year to the Mayor’s Office of Operations. Such information would include what each automated decision system is intended to measure or reveal and a description of the decisions made or based on such system. The Mayor’s Office of Operations would be required to compile the information received by city agencies and report it to the Mayor and the Speaker of the Council every year.

EFFECTIVE DATE: This local law takes effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that the enactment of this legislation would not generate any revenue.

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Florentine Kabore, Financial Analyst

ESTIMATE REVIEWED BY: John Russell, Unit Head
Nathan Toth, Deputy Director
Noah Brick, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on November 26, 2019 as Int. No. 1806 and was referred to the Committee on Technology (Committee). The Committee heard the legislation on January 22, 2020 and the legislation was laid over. The bill was subsequently amended, and the amended version, Proposed Int. No. 1806-A, will be heard by the Committee on December 14, 2021. Upon a successful vote by the Committee, the bill will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 13, 2021.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1806-A:)

Int. No. 1806-A

By Council Members Koo, Lander, Ayala, Kallos, Cabán, Rosenthal, Louis, Dinowitz, Gennaro and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on algorithmic tools used by city agencies

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 3-119.5 to read as follows:

§ 3-119.5 *Annual reporting on algorithmic tools.* a. *For purposes of this section, the term “algorithmic tool” means any technology or computerized process that is derived from machine learning, artificial intelligence, predictive analytics, or other similar methods of data analysis, that is used to make or assist in making decisions about and implementing policies that materially impact the rights, liberties, benefits, safety or interests of the public, including their access to available city services and resources for which they may be eligible. Such term includes, but is not limited to tools that analyze datasets to generate risk scores, make predictions about behavior, or develop classifications or categories that determine what resources are allocated to particular*

groups or individuals, but does not include tools used for basic computerized processes, such as calculators, spellcheck tools, autocorrect functions, spreadsheets, electronic communications, or any tool that relates only to internal management affairs such as ordering office supplies or processing payments, and does not materially affect the rights, liberties, benefits, safety or interests of the public.

b. Each agency shall report to the mayor's office of operations, or any other office or agency designated by the mayor, no later than December 31 of every year, every algorithmic tool that the agency has used one or more times during the prior calendar year.

c. Each agency shall provide the following information about each algorithmic tool reported pursuant to subdivision b of this section:

1. The name or commercial name, and a brief description of such algorithmic tool;
2. The purpose for which the agency is using such an algorithmic tool;
3. The type of data collected or analyzed by the algorithmic tool and the source of such data;
4. A description of how the information received from such algorithmic tool is used;
5. Whether a vendor or contractor was involved in the development or ongoing use of the algorithmic tool, a description of such involvement, and the name of such vendor or contractor when feasible; and
6. The month and year in which such algorithmic tool began to be used, if known.

d. The mayor's office of operations, or any other office or agency designated by the mayor, shall compile the information received pursuant to subdivisions b and c of this section and report it to the mayor and the speaker of the council, disaggregated by agency, no later than March 31 of every year.

e. No agency shall disclose any information pursuant to this section where such disclosure would violate local, state, or federal law, or endanger the safety of the public, or interfere with an active agency investigation.

§ 2. This local law takes effect immediately.

ROBERT F. HOLDEN, *Chairperson*; BRADFORD S. LANDER, PAUL A. VALLONE, KALMAN YEGER, ERIC A. ULRICH; Committee on Technology, December 14, 2021 (Remote Hearing).

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

Report for Int. No. 2158-A

Report of the Committee on Technology in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to designating a geospatial information officer.

The Committee on Technology, to which the annexed proposed amended local law was referred on November 19, 2020 (Minutes, page 2437), respectfully

REPORTS:

I. Introduction

On December 14, 2021 the Committee on Technology, chaired by Council Member Robert Holden, held a hearing to consider Int. No. 1806-A, to amend the administrative code of the city of New York, in relation to automated employment decision tools, and Int. No. 2158-A, by Council Members Levin at the request of the Manhattan Borough President, to amend the New York city charter, in relation to designating a geospatial information officer. More information on Int. No. 1806-A and materials from the previous hearing, held on January 22, 2020 on the original version of the legislation, may be accessed online at <https://go.usa.gov/xeANP>. More information on Int. No. 2158-A and materials from the previous hearing, held on September 24, 2021 on the original version of the legislation, may be accessed online at <https://go.usa.gov/xeARP>.

II. Automated Decision System (ADS) Background

The Oxford English Dictionary defines an algorithm as “a procedure or set of rules used in calculation and problem-solving.”¹ The term originally meant nothing more than basic arithmetic. Now, with the advent of more advanced computers and the ability to collect, compute, and compare ever-increasing amounts of data, algorithms have become more complex and powerful. Significantly, algorithms represent the promise and peril of social engineering on a scale larger, yet more precise, than ever before.²

Some examples of entities that use algorithms include: the United States (U.S.) Social Security Administration which uses algorithms to aid its agents in evaluating benefits claims; the Internal Revenue Service which uses them to help select taxpayers for audit; the U.S. Food and Drug Administration which uses algorithms to study patterns of foodborne illness; the U.S. Securities and Exchange Commission which uses algorithms to detect trading misconduct; local police departments which employ algorithms to help predict the emergence of crime surges; courts which use various algorithms to help determine the sentence of defendants; and parole boards which use algorithms to predict who is least likely to reoffend.³ Currently, New York City uses algorithms to assist officials in predicting where crimes may occur, placing students in public schools and scheduling building inspections, among other things.⁴ For example, the New York City Administration of Children’s Services (“ACS”) has been using a “software that help[s] strengthen investigations of possible child abuse and neglect, [by] automatically identify[ing] and flag[ing] high-risk cases that need additional review by managerial staff.”⁵ The New York City Department of Education (“DOE”) has been using a School Assignment Algorithm to assign students to schools.⁶ The New York City Fire Department (“FDNY”) has been using the Risk-Based Inspection System, an Oracle-based program with data-mining capabilities, to better anticipate where fires may spark. This algorithm organizes data from five city agencies into approximately 60 risk factors, which are then used to create lists of buildings that are most vulnerable to fire.⁷ The New York City Department of Housing Preservation and Development (“HPD”) has an initiative to use certain predictive analytics to identify buildings at the greatest risk for physically deteriorating conditions that endanger the health and safety of residents.⁸

A. Benefits of Algorithms

Algorithms hold tremendous value. Their ability to process data promises significant benefits to the economy, such as allowing consumers to find and sort products more quickly, which in turn lowers search costs. Artificial Intelligence (“AI”), among other things, can use algorithms to aid the detection of financial mismanagement, identity theft and credit card fraud.⁹

Algorithmically informed decision-making promises increased efficacy and fairness in the delivery of government services. As demonstrated in the medical profession, actuarial prediction is sometimes measurably better than clinical prediction: formalized analysis of datasets can result in better assessments of risk than less

¹ *Algorithm*, OXFORD ENGLISH DICTIONARY (3d ed. 2012), <http://www.oed.com/view/Entry/4959?redirectedFrom=algorithms>.

² See Sonia K. Katyal, *Private Accountability in the Age of Artificial Intelligence*, 66 UCLA L. REV. 54, 62, 63 (2019).

³ Sonia K. Katyal, *Private Accountability in the Age of Artificial Intelligence*, 66 UCLA L. REV. 54, 64–65 (2019).

⁴ Benjamin Freed, *New York City’s Algorithm Task Force to Hold First Public Meetings Nearly a Year After Creation*, STATESCOOP, March 29, 2019, <https://statescoop.com/new-york-citys-algorithm-task-force-to-hold-first-public-meetings-nearly-a-year-after-creation/>.

⁵ ACS DEPLOYS NEW TECHNOLOGY TO HELP FRONTLINE STAFF PROTECT NYC CHILDREN FROM ABUSE AND NEGLECT, New York City Administration of Children’s Services press release, October 30, 2018, <https://www1.nyc.gov/assets/acs/pdf/PressReleases/2018/ACSMobileTechnology.pdf>.

⁶ Tracy Tullis, *How Game Theory Helped Improve New York City’s High School Application Process*, December 5, 2014, NEW YORK TIMES, <https://www.nytimes.com/2014/12/07/nyregion/how-game-theory-helped-improve-new-york-city-high-school-application-process.html>.

⁷ Brian Heaton, *New York City Fights Fire with Data*, GOVERNMENT TECHNOLOGY, May 15, 2015, <https://www.govtech.com/public-safety/New-York-City-Fights-Fire-with-Data.html>.

⁸ Sohaib Hasan, *Using Analytics to Make Bad Buildings Better in New York City*, DATA LOOK, <http://blog.datalook.io/using-data-analytics-to-make-bad-buildings-better-in-new-york-city/>.

⁹ Sonia K. Katyal, *Private Accountability in the Age of Artificial Intelligence*, 66 UCLA L. REV. 54, 65 (2019).

formal professional determinations developed over years of experience in practice.¹⁰ An algorithm's data analysis can reveal patterns not previously noticed, recognized or precisely quantified. For example, systematic tracking of restaurant reviews, such as those contained on services like Yelp,¹¹ can inform city health inspectors about food-borne illnesses emerging from the restaurants in their jurisdictions.¹² In addition, integrating data across siloed administrative domains, such as education and general welfare, and then using that data to prioritize families in need of government help, can improve social service delivery.¹³

B. Risks Associated with Algorithms

Although some of the benefits that can be offered by algorithmic decision-making include speed, efficiency and fairness, there is a common misunderstanding that algorithms automatically result in unbiased decisions.¹⁴ While the effects of algorithms' predictions can be concerning in themselves, they become even more problematic when government agencies use them to distribute resources or impose retributions. For example, an individual can be denied parole or credit, fired, or not hired for reasons they will never know and which cannot be articulated.¹⁵

Most developers neither disclose their predictive models or algorithms¹⁶ nor publish the source code for their software, making it impossible for the consumer to inspect the system. Many criticize this "black box," as the result of those systems may be discriminatory, erroneous, or otherwise problematic.¹⁷

Generally, a limited disclosure of an algorithm tells you very little, because its effects cannot be interpreted by a simple reading of the code. A source code disclosure is just a partial solution to the problem of algorithmic accountability. It is hard to know, as a general matter, whether the coding of an algorithmic tool is potentially harmful or unlawful, particularly given the grey areas of legal interpretation around this subject.¹⁸ The Arnold Foundation, developer of the Public Safety Assessment ("PSA"),¹⁹ has disclosed its relatively simple algorithms to the public. The PSA can be implemented without a computer by tallying up points for various factors, and then applying a conversion formula to obtain the final risk assessment. However, the Arnold Foundation provided next to nothing about its development process,²⁰ and did not reveal how it generated the algorithms. It

¹⁰ Robert Brauneis, Ellen P. Goodman, *Algorithmic Transparency for the Smart City*, 20 YALE J. L. & TECH. 103, 115–16 (2018).

¹¹ <https://www.yelp.com/>

¹² Robert Brauneis, Ellen P. Goodman, *Algorithmic Transparency for the Smart City*, 20 YALE J. L. & TECH. 103, 115–16 (2018) (citing See Edward L. Glaeser et al., *Big Data and Big Cities: The Promises and Limitations of Improved Measures of Urban Life* (Harv. Bus. Sch. NOM Unit, Working Paper No. 16-065, 2015), <https://dash.harvard.edu/bitstream/handle/1/24009688/16-065.pdf>).

¹³ Robert Brauneis, Ellen P. Goodman, *Algorithmic Transparency for the Smart City*, 20 YALE J. L. & TECH. 103, 115–16 (2018).

¹⁴ Simson Garfinkel, Jenna Matthews, Stuart S. Shapiro, Jonathan M. Smith, "Toward Algorithmic Transparency and Accountability," *Communications of the ACM*, Vol. 60 No. 9, Page 5, <https://cacm.acm.org/magazines/2017/9/220423-toward-algorithmic-transparency-and-accountability/fulltext>.

¹⁵ See Robert Brauneis, Ellen P. Goodman, *Algorithmic Transparency for the Smart City*, 20 YALE J. L. & TECH. 103 (2018).

¹⁶ An algorithmic process will typically involve (1) the construction of a model to achieve some goal, based on analysis of collected historical data; (2) the coding of an algorithm that implements this model; (3) collection of data about subjects to provide inputs for the algorithm; (4) application of the prescribed algorithmic operations on the input data; and (5) outputs in the form of predictions or recommendations based on the chain of data analysis. Robert Brauneis, Ellen P. Goodman, *Algorithmic Transparency for the Smart City*, 20 YALE J. L. & TECH. 103, 107–08 (2018).

¹⁷ Robert Brauneis, Ellen P. Goodman, *Algorithmic Transparency for the Smart City*, 20 YALE J. L. & TECH. 103, 107–08 (2018).

¹⁸ Sonia K. Katyal, *Private Accountability in the Age of Artificial Intelligence*, 66 UCLA L. REV. 54, 137 (2019).

¹⁹ Public Safety Assessment (PSA) is a pretrial risk assessment tool developed by the Laura and John Arnold Foundation, designed to assist judges in deciding whether to detain or release a defendant before trial. PSA includes three different risk assessment algorithms, which are intended to assess the risks that a released defendant will, respectively, fail to appear for trial; commit a crime while on release; or commit a violent crime while on release.

The three algorithms operate by assigning points based on nine facts about the defendant's criminal history; some facts are used for only one or two of the algorithms, while others are used for all three. For the failure-to-appear and commission-of-crime assessments, the raw point scores are converted to a six-point scale, in which one signifies lowest risk and six signifies highest risk. For the commission-of-violent-crime assessment, the raw score is converted into a binary yes/no answer; a crime committed is either likely to be violent, or likely not to be violent.

²⁰ Robert Brauneis, Ellen P. Goodman, *Algorithmic Transparency for the Smart City*, 20 YALE J. L. & TECH. 103, 137 (2018).

also did not communicate whether it performed pre-or post-implementation validation tests and, if so, what the outcomes were. Nor has it disclosed, in quantitative or percentage terms, what “low risk” and “high risk” mean.²¹

Bias can generally result from at least one of two factors during the development of an algorithm. The first is largely internal to the process of data collection—when errors in data collection, like inaccurate methodologies, lead to inaccurate depictions of reality.²² The second type, however, comes from an external source. It happens when the underlying subject matter draws on information that reflects or internalizes some forms of structural discrimination and thus influences the resulting data.²³ To reduce the influence of bias in ADSs used by New York City (NYC) agencies, the ADS Task Force was created.

III. Geographical Information Systems

Geographical Information Systems (“GIS”) are becoming useful tools for both the private and public sector, especially in the areas of land use, environment, social services, public services, education, health, and public safety.²⁴ GIS is a system that assembles, stores, manipulates, and analyzes geographically referenced information. The system incorporates statistical data, or tabular information, and cross-references it with physical boundaries, or spatial information.²⁵ Thus, the information can be specifically identified with a particular location and vice-versa. GIS could be used in emergency response planning, business development, real property tax valuation, disease studies, and school aid distribution.²⁶ For example, the system might be able to identify exact areas of natural emergency risk, and enable emergency personnel to calculate the quickest and easiest access routes in the event of a natural disaster.

However, despite the popularity of GIS as clearly evidenced by its growing use, there are some major legal issues beginning to emerge as well as others that might arise, including liability, access, and privacy.²⁷ New York City does not currently have a designated office to coordinate the use of GIS by all city agencies.

IV. Legislative Analysis

A. Legislative Analysis of Int. No. 1806-A

Int. No. 1806-A would amend the administrative code of the city of New York, in relation to reporting on algorithmic tools used by city agencies. The bill would require NYC agencies to provide information regarding every automated decision system used by the agency during the prior calendar year to the Mayor’s Office of Operations except when such a disclosure would violate local, state, or federal law, or endanger the safety of the public, or interfere with an active agency investigation. Such disclosure would include, among other things, the commercial name and a brief description of such algorithmic tool, the purpose of the tool, and the type of data collected and analyzed by the tool. The Mayor’s Office of Operations would be required to compile the information disclosed by city agencies and submit a report to the Mayor and the Speaker of the Council every year.

The bill would take effect immediately.

²¹ Robert Brauneis, Ellen P. Goodman, *Algorithmic Transparency for the Smart City*, 20 YALE J. L. & TECH. 103, 138 (2018).

²² Sonia K. Katyal, *Private Accountability in the Age of Artificial Intelligence*, 66 UCLA L. REV. 54, 141 (2019) (citing Kate Crawford et al., *The AI Now Report: The Social and Economic Implications of Artificial Intelligence Technologies in the Near-term*, 6-7 (2016), https://ainowinstitute.org/AI_Now_2016_Report.pdf).

²³ See Joanna Bryson, *Three Very Different Sources of Bias in AI, and How to Fix Them*, Adventures NI (July 13, 2017), <http://joanna-bryson.blogspot.com/2017/07/three-very-different-sources-of-bias-in.html>. [https://perma.cc/B77S-46DY] (demonstrating that bias is introduced to artificial intelligence when there is poor quality data that is tainted with human biases and/or when the formal models behind AI are not well reasoned); Sonia K. Katyal, *Private Accountability in the Age of Artificial Intelligence*, 66 UCLA L. REV. 54, 141 (2019).

²⁴ See N.Y. Zoning Law & Prac. § 36A:01.

²⁵ *What Is GIS*, 3 N.Y. Zoning Law & Prac. § 36A:02.

²⁶ *Id.*

²⁷ *Id.*

B. Legislative Analysis of Int. No. 2158-A

The legislation would create a Chief Geospatial Information Officer (“CGIO”). The legislation would require the Commissioner of the Department of Information Technology & Telecommunications (“DoITT”) to designate an employee to serve as the Chief Geospatial Information Officer.

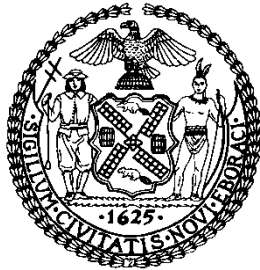
The legislation would also require DoITT to maintain and implement a special data interoperability strategy, including the development and maintenance of a plan for the use of geospatial information systems (“GIS”) by New York City agencies.

The bill would take effect immediately.

C. Update

On Tuesday, December 14, 2021, the Committee adopted both Int. No. 1806-A and Int. 2158-A by a vote of five in the affirmative, zero in the negative, and zero abstentions.

(The following is the text of the Fiscal Impact Statement for Int. No. 2158-A:)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
 LATONIA MCKINNEY, DIRECTOR
FISCAL IMPACT STATEMENT
PROPOSED INTRO. NO: 2158-A
COMMITTEE: TECHNOLOGY

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to designating a geospatial information officer.

SPONSORS: Council Members Levin, Holden, Kallos, Cornegy, Gjonaj, Rosenthal, Menchaca, Ampry-Samuel and Ulrich (by request of the Manhattan Borough President).

SUMMARY OF LEGISLATION: Proposed Int. No. 2158-A would designate a Chief Geospatial Information Officer (CGIO) within the Department of Information Technology & Telecommunications (DoITT) and require DoITT to maintain and implement a special data interoperability strategy, including the development and maintenance of a strategic plan for the City’s use of geospatial information systems (GIS). The legislation would also mandate regular meetings of agency GIS managers and other geospatial experts.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that the enactment of this legislation would not generate any revenue.

IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures resulting from the enactment of this legislation. The Commissioner of DoITT will designate an existing employee within the Department to serve as the Chief Geospatial Information Officer.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Florentine Kabore, Financial Analyst

ESTIMATE REVIEWED BY: John Russell, Unit Head
Noah Brick, Assistant Counsel
Nathan Toth, Deputy Director

LEGISLATIVE HISTORY: This legislation was introduced to the Council on November 19, 2020 as Int. No. 2158 and was referred to the Committee on Technology (Committee). The Committee heard the legislation on September 24, 2021 and the legislation was laid over. The bill was subsequently amended, and the amended version, Proposed Int. No. 2158-A, will be heard by the Committee on December 14. Upon successful vote by the Committee, the bill will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 13, 2021.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 2158-A:)

Int. No. 2158-A

By Council Members Levin, Holden, Kallos, Cornegy, Gjonaj, Rosenthal, Menchaca, Ampry-Samuel, Louis, Gennaro, Rose and Ulrich (by request of the Manhattan Borough President).

A Local Law to amend the New York city charter, in relation to designating a geospatial information officer

Be it enacted by the Council as follows:

Section 1. Subdivisions g and h of section 1072 of the New York city charter are amended to read as follows:
g. to participate in developing, maintaining and implementing a long-range computer systems *strategy*, [and] data communications strategy, *spatial data interoperability strategy* for the city of New York *and plan for the use of geospatial information systems by city agencies*;

h. to assist in providing interagency coordination on matters related to data communications activities and interfacing of computers, *including convening, under the direction of the chief geospatial information officer,*

annual interagency meetings of agency personnel responsible for supervising the collection, management or use of geospatial data and, when appropriate, other geospatial experts, to enable citywide coordination and collaboration in areas including application development, data sharing and data interoperability;

§ 2. Chapter 48 of the New York city charter is amended by adding a new section 1076 to read as follows:

§ 1076. *Chief geospatial information officer. The commissioner shall designate an employee to serve as the chief geospatial information officer.*

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

ROBERT F. HOLDEN, *Chairperson*; BRADFORD S. LANDER, PAUL A. VALLONE, KALMAN YEGER, ERIC A. ULRICH; Committee on Technology, December 14, 2021 (Remote Hearing).

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

Report of the Committee on Women and Gender Equity

Report for Int. No. 2424-B

Report of the Committee on Women and Gender Equity in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to establishing a street harassment prevention advisory board.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was referred on October 7, 2021 (Minutes, page 2646), respectfully

REPORTS:

I. INTRODUCTION

On December 14, 2021, the Committee on Women and Gender Equity, chaired by Council Member Darma V. Diaz, held a vote on Introduction (Int.) Number 2424-B, sponsored by Council Member Helen Rosenthal, in relation to establishing a street harassment prevention advisory board. The Committee previously heard testimony¹ on Int. 2424 from the New York City (“NYC” or “City”) Commission on Gender Equity (CGE) and advocacy groups.

Update

On December 14, 2021, the Committee on Women and Gender Equity passed Int. 2424-B, by a vote of seven in the affirmative, zero in the negative, and zero abstentions.

¹ Hearing held November 29, 2021.

II. BILL ANALYSIS

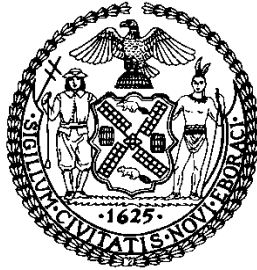
Analysis of Int. 2424-B

The bill will require the creation of an advisory board to advise the Mayor and the Council on the issue of street harassment prevention. The advisory board would have the duty to: study the occurrence of street harassment; identify persons and communities most at risk of street harassment; and to develop and recommend: programming and training materials for city agencies to prevent and respond to street harassment; programming, training and educational materials to promote public awareness and prevention of street harassment; forms of support and resources for victims of street harassment; and programming regarding non-criminalization responses to street harassment. By December 31, 2022, the advisory board would be required to make information and resources available to city agencies for posting on their websites. Eighteen months after the local law takes effect, the advisory board would be required to develop a survey with questions that would assess the prevalence of street harassment in the city. By December 31, 2022, the advisory board would be required to produce a report summarizing its activities, and annually thereafter the report would be required to include the findings of the survey the advisory board developed.

Members of the advisory board would include: the Directors of the Commission on Gender Equity and the Mayor's Office to End Domestic and Gender-Based Violence, who would serve as co-chairs of the advisory board; the Chair of the City Commission on Human Rights or their designee; the Executive Director of the Office of Nightlife or their designee; a representative from the Department of Transportation; four members appointed by the Mayor; two members appointed by the Speaker of the Council; and two members appointed by the Public Advocate. Additionally, a representative from the Metropolitan Transit Authority would be invited to participate as a member. Such members would be required to meet no less than once each quarter, and hold at least one meeting open to the public.

If passed, this bill would take effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No. 2424-B:)



THE COUNCIL OF THE CITY OF NEW YORK

FINANCE DIVISION

LATONIA MCKINNEY, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. NO. 2424 – B

COMMITTEE: Women and Gender Equity

TITLE: To amend the administrative code of the city of New York, in relation to establishing a street harassment prevention advisory board.

Sponsors: Council Members Rosenthal, the Public Advocate (Mr. Williams), Van Bramer, Kallos, and Brooks-Powers.

SUMMARY OF LEGISLATION: Proposed Int. No. 2424-B would require creating an advisory board to advise the Mayor and the Council on the issue of street harassment prevention.

Members of the advisory board would include the directors/commissioners and or their designated appointee from the Commission on Gender Equity and the Mayor’s Office to End Domestic and Gender-Based Violence, the Chair of the City’s Human Rights Commission, and the Executive Director of the Office of Nightlife, among others. In addition, they would include appointments by the Mayor, Speaker of the Council, and the Public Advocate. Such members would be required to meet no less than once each quarter and hold at least one meeting open to the public.

Under the requirements of Proposed Int. No. 2424-B, the advisory board would study the occurrence of street harassment; identify persons and communities most at risk of street harassment; develop and recommend: programming and training materials for city agencies to prevent and respond to street harassment; programming, training, and educational materials to promote public awareness and prevention of street harassment; forms of support and resources for victims of street harassment; and programming regarding non-criminalization responses to street harassment.

By December 31, 2022, the advisory board would be required to make information and resources available to city agencies for posting on their websites. Eighteen months after the local law takes effect, the advisory board would be required to develop a survey with questions to assess the prevalence of street harassment in the city. By December 31, 2022, the advisory board would be required to produce a report summarizing its activities, and annually thereafter the report would be required to include the findings of the survey the advisory board developed.

EFFECTIVE DATE: This bill would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2022

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation as the agencies would fulfill the requirements of this legislation using existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Eisha Wright, Unit Head

ESTIMATE REVIEWED BY: Regina Poreda Ryan, Deputy Director
Stephanie Ruiz, Assistant Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on October 7, 2021 as Int. 2424 and referred to the Committee Women and Gender Equity (Committee). A joint hearing was held by the Committee and the Committee on General Welfare on November 29, 2021, and an amendment was proposed by the Committees and the legislation was laid over. The legislation was amended a second time and the recently amended version, Proposed Int. No. 2424-B, will be voted on by the Committee at a hearing on December 14, 2021. Upon a successful vote by the Committee, Proposed Int. No. 2424-B will be submitted to the full Council for a vote on December 15, 2021.

DATE PREPARED: December 12, 2021.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 2424-B:)

Int. No. 2424-B

By Council Member Rosenthal, the Public Advocate (Mr. Williams) and Council Members Van Bramer, Louis, Kallos, Brooks-Powers and Rose.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a street harassment prevention advisory board

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 10-183 to read as follows:

§ 10-183 Street harassment prevention advisory board. a. Definitions. For purposes of this section, the following terms have the following meanings:

Advisory board. The term “advisory board” means the street harassment prevention advisory board established pursuant to this section.

Street harassment. The term “street harassment” means unwanted or unwelcome disrespectful, offensive or threatening statements, gestures or other conduct directed at a natural person in public based on the person’s actual or perceived age, race, creed, color, national origin, gender, disability, sexual orientation or any other trait, status or condition.

b. Advisory board established. There shall be an advisory board to advise the mayor and the council on the issue of street harassment and its prevention.

c. Duties. The advisory board shall have the following duties:

1. To study the occurrence of street harassment;

2. To identify persons and communities most at risk of street harassment, and most impacted by its occurrence;

3. To develop and recommend programming and training materials for appropriate agencies to prevent and respond to street harassment, including recommendations for communication and outreach;

4. To develop and recommend programming, training and educational materials to promote public awareness and prevention of street harassment, including recommendations for communication and outreach;

5. To develop and recommend forms of support and resources for victims of street harassment, which may include identifying existing avenues for individuals to file complaints regarding discrimination or harassment;

6. To develop and recommend programming regarding non-criminalization responses to street harassment;

7. No later than December 31, 2022, to identify, recommend and make available to city agencies, for publicizing on their websites and through other methods, relevant information and resources addressing the prevention of street harassment, including, but not limited to a resource guide for victims of street harassment;

8. No later than 18 months after the effective date of the local law that added this section, and as frequently thereafter as the advisory board determines is necessary to fulfill the duties set forth in subdivision c of this section, to develop a survey for members of the public regarding the occurrence of street harassment. The

advisory board shall determine the specific data elements to be collected in such survey, including but not limited to questions aimed at identifying high-risk locations, and shall collaborate with the members of the participating city offices and agencies to recommend which such city offices and agencies should conduct such survey;

9. Beginning on December 31, 2022, and no later than December 31 annually thereafter, to submit a report to the mayor and the speaker of the council that contains a summary of the advisory board's activities for the relevant reporting period, including but not limited to public outreach conducted by the participating city offices and agencies; the advisory board's recommendations for legislation and programming; and a list of materials the advisory board considered in making its recommendations;

10. Beginning with the report due December 31, 2023, and annually thereafter, the report due pursuant to paragraph 9 of this subdivision shall include a summary of findings of any survey conducted in the prior year pursuant to paragraph 8 of this subdivision; and

11. The report due pursuant to paragraph 9 of this subdivision shall be posted on the websites of the commission on gender equity and the office to end domestic and gender-based violence no later than 10 days after its submission to the mayor and the speaker of the council.

d. Members. The advisory board shall be composed of the following members:

1. The director of the commission on gender equity or their designee and the director of the office to end domestic and gender-based violence or their designee, who shall serve as co-chairs of the advisory board;

2. The chair of the city commission on human rights or their designee;

3. The executive director of the office of nightlife or their designee;

4. A representative from the department of transportation;

5. A representative from the metropolitan transit authority shall be invited to participate as a member;

6. Four members appointed by the mayor;

7. Two members appointed by the speaker of the council; and

8. Two members appointed by the public advocate.

Members appointed by the mayor, speaker of the council and the public advocate pursuant to paragraphs 6 through 8 of this subdivision shall: (i) be representative of all five boroughs; and (ii) have demonstrated expertise on the topic of street harassment prevention, including expertise as it relates to gender-based violence prevention, gender equity, LGBTQ rights, racial equity, religious tolerance, poverty and homelessness prevention, and immigrants' rights.

e. Other participants. The co-chairs may invite officers and representatives of relevant federal, state and local agencies and authorities to participate in the work of the advisory board.

f. Appointments. All appointments required by this section shall be made no later than May 1, 2022. Each member of the advisory board shall serve for a term of two years 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.

g. Meetings. 1. The co-chairs shall convene the first meeting of the advisory board no later than June 1, 2022, except that where not all members of the advisory board have been appointed within the time specified in subdivision f, the co-chairs shall convene the first meeting of the advisory board within 10 days of the appointment of a quorum.

2. The advisory board shall meet no less frequently than once each quarter to carry out the duties set forth in subdivision c of this section.

3. The advisory board may invite, or accept requests from, experts and stakeholders to attend its meetings and to provide testimony and information relevant to its duties.

4. The advisory board shall, during each calendar year, make at least one of its meetings open to members of the public to solicit their input. The advisory board shall seek assistance from agencies and organizations associated with members of the advisory board to publicize such public meetings to as broad a scope of the public as possible.

§ 2. This local law takes effect immediately.

DARMA V. DIAZ, *Chairperson*; BRADFORD S. LANDER, LAURIE A. CUMBO, BEN KALLOS; HELEN ROSENTHAL, FARAH N. LOUIS, JAMES F. GENNARO; Committee on Women and Gender Equity, December 14, 2021 (Remote Hearing). *Other Council Members Attending: Council Members Barron, Cornegy and Yeager.*

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).

GENERAL ORDER CALENDAR

Report for Int. No. 2443-A

Report of the Committee on Land Use 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 increasing penalties related to using joint living work quarters for artists contrary to zoning.

The Committee on Land Use, to which the annexed proposed amended local law was referred on November 10, 2021 (Minutes, page 3069), respectfully

REPORTS:

I. INTRODUCTION

On November 9, 2021, the Subcommittee of Zoning and Franchises heard Preconsidered Int. No. by Council Member Chin, a Local Law to amend the administrative code of the city of New York, in relation to increasing penalties related to using joint living work quarters for artists contrary to zoning, which was introduced at a Stated Council meeting on November 10, 2021 as Int. 2443. Based on testimony given at that hearing and negotiations with the Administration, the bill was subsequently amended as Proposed Int. No. 2443-A. This bill is related to application Nos. C 210422 ZMM and N 210423 ZRM for the SoHo/NoHo Neighborhood Plan.

On December 9, 2021, the Subcommittee on Zoning and Franchises voted to approve the proposed bill, as amended, by a vote of 7 in the affirmative, zero in the negative, with zero abstentions. Also on December 9, 2021, the Committee on Land Use voted to approve the proposed bill as amended, by a vote of 16 in the affirmative, zero in the negative, with zero abstentions.

II. BACKGROUND

Joint living work quarters for artists (JLWQA) are spaces in non-residential buildings used both as living quarters and work space by artists and their households.¹ During the 1960's and 1970's with the decline in the industrial economy in the SoHo/NoHo area, artist lofts gained prominence and legal status.² First, in SoHo in 1971 when SoHo was rezoned from M1-5 to M1-5A/B, establishing JLWQA as a Use Group 17D manufacturing use, and then in 1976 when NoHo was rezoned from M1-5 to M1-5B.³ In these zoning districts, located only in SoHo and NoHo, artists may occupy JLWQA's as an industrial use pursuant to the requirements of the Zoning Resolution (ZR) section 42-14, which incorporates the definitions of a JLWQA and "artist" found in section 12-10 of the ZR.⁴ One such requirement, is a requirement that the artist occupant be certified as an artist by the New York City Department of Cultural Affairs (DCLA).⁵ DCLA has promulgated rules and prescribed guidelines for an artist to obtain certification⁷ that are consistent with the definition of "artist" in section 276 of the Multiple Dwelling Law.⁸

¹ New York City Department of City Planning, *Zoning Handbook*, (2018).

² *Envision SoHo/NoHo: A Summary of Findings and Recommendations*, (2019).

³ *Id* at 24

⁴ As an enabling act, New York State's multiple dwelling law was amended to establish Article 7B ("Artists Loft Law")

⁵ See ZR sections 42-14, and 12-10 definitions of "joint living work quarters for artists" and "artist" available at:

<https://zr.planning.nyc.gov/>

⁶ See ZR section 12-10

⁷ See N.Y. Multiple Dwelling Law §§ 275-276 and 58 RCNY, Chapter 1.

⁸ "As used in this article, the word "artist" means a person who is regularly engaged in the fine arts, such as painting and sculpture or in the performing or creative arts, including choreography and filmmaking, or in the composition of music on a professional basis, and is so certified by the city department of cultural affairs and/or state council on the arts." N.Y. Mult. Dwell. Law § 276 (McKinney)

While the number of artists seeking DCLA certification has declined sharply in recent years,⁹ the desirability of the SoHo/NoHo area has made the market for JLWQA units so strong that these units have been sold to non-artists contrary to zoning and to the detriment of SoHo/NoHo's legacy as an arts enclave. According to data gathered by the Department of City Planning (DCP) there are over 1636 units designated as JLWQA's in their Certificate of Occupancy (C of O).¹⁰ Currently, many of the units intended for occupancy by certified artists are not so occupied, in violation of the requirements in the ZR.¹¹ Such violations are due to several factors, including an occupant's inability to meet the artist certification requirements and lack of enforcement.

The current amount of the penalty for occupying a JLWQA contrary to zoning requirements is \$1,250.¹² This bill will significantly increase current penalties and act as a deterrent for these units to be occupied by non-artists, or those not meeting the requirements in the zoning resolution, in the future.

III. SUMMARY OF LEGISLATION

The bill was introduced as Int. No. 2443 at a stated meeting on November 10, 2021. The bill would have classified uses contrary to the 12-10 zoning resolution definition of joint living work quarters for artists as major violations under the Administrative Code and increased penalties associated with these violations. A first violation would have been subject to a penalty of not less than \$15,000, with subsequent violations subject to a penalty of not less than \$25,000. In addition, monthly penalties of \$1,000 for each month the violation was not corrected may have been imposed.

The bill was subsequently amended as Proposed Int. No. 2443-A. While the original proposed civil penalty increases remain the same, except for specifying that subsequent offenses are capped at \$25,000, Proposed Int. No. 2443-A imposes additional requirements on new purchasers of JLWQA units. Specifically, that within 90 days of acquiring a JLWQA, the new owner of said JLWQA must file with the City Register a statement that the property is a JLWQA subject to the JLWQA requirements in the zoning resolution. In addition, Proposed Int. 2443-A authorizes the City to record a property's JLWQA status at the City Register. Finally, Proposed Int. No. 2443-A specifies that the new penalties and requirements become effective, not immediately, but rather 180 days after it becomes a law.

IV. ANALYSIS OF LEGISLATION

Bill section one, adds to Int. No. 2443, a new section 7-629 to the Administrative Code related to joint living work quarters for artists. Subdivision a of new section 7-629 establishes definitions for "city register" and "joint living-work quarters for artists."

Subdivision b of new section 7-629 provides that within 90 days of acquiring a joint living work quarter for artists, an owner must file a statement with the City Register that the property is a joint living work quarter for artists subject to the applicable requirements in the zoning resolution. This subdivision also provides that such requirement shall not apply to owners of joint living work quarters for artists who owned the property prior to the effective date of this local law.

Last, Subdivision c of new section 7-629 provides that an office or agency designated by the mayor may record with the City Register a property's status as a joint living work quarter for artists in the City of New York, including the borough, block and lot number as set forth in the tax map.

Bill section two amends section 28-201.2.2 of the Administrative Code, by adding a new item 8 that classifies as a major violation a violation of a requirement, established pursuant to the zoning resolution, related to a use contrary to the definition of joint living work quarters for artists, as defined by section 12-10 of the zoning resolution.

Bill section 3 amends section 28-202.1 of the Administrative Code by adding a new exception 13 providing that a violation of a requirement, established pursuant to the zoning resolution, related to a use contrary to the

⁹ "SoHo/NoHo Neighborhood Plan, As Approved by the City Planning Commission Presentation" (October 20, 2021)

¹⁰ *Id* at 42.

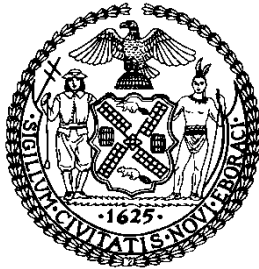
¹¹ *Supra* Note 8 at 42.

¹² *See* New York City Department of Buildings Penalty Schedule at 1 RCNY §102-01.

definition of joint living work quarters for artists, as defined by section 12-10 of the zoning resolution, shall be subject to a civil penalty of not less than \$15,000 for the first offense and \$25,000 for each subsequent offense. In addition to such civil penalties, a separate monthly penalty may be imposed of \$1,000 for each month that the violation is not corrected.

Section 4 of the bill provides that this local law takes effect 180 days after it becomes law.

(The following is the text of the Fiscal Impact Statement for Int. No. 2443-A:)



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

PROPOSED INTRO. NO: 2443-A

**COMMITTEE/SUBCOMMITTEE:
Land Use and Zoning and Franchises**

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to increasing penalties related to using joint living work quarters for artists contrary to zoning.

SPONSORS: Council Member Chin.

SUMMARY OF LEGISLATION: Proposed Intro. No. 2443-A would increase the penalties for using Joint Living Work Quarters for Artists (JLWQA) contrary to the requirements of the zoning resolution, including, if applicable, that the unit be occupied by an artist certified by the New York City Department of Cultural Affairs (DCP). In addition, this bill would also require new purchasers of JLWQA’s to file with the City Register and authorize the City to record JLWQA status against properties at the City Register.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

FISCAL IMPACT STATEMENT:

	Effective FY22	FY Succeeding Effective FY23	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: While the administering agency is authorized to impose civil penalties on violators of provisions of the legislation, this estimate assumes full compliant with the provisions of this legislation.

IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures resulting from the enactment of this legislation because the responsible agency will use existing resources to comply with this law.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

ESTIMATE REVIEWED BY: Nathan Toth, Deputy Director
Stephanie Ruiz, Assistant Counsel

LEGISLATIVE HISTORY: The Subcommittee on Zoning and Franchises (Subcommittee) held a hearing on this legislation as a Pre-considered Introduction on November 9, 2021. Following the hearing, this legislation was subsequently introduced to the full Council as Intro. No. 2443 on November 10, 2021 and referred to the Subcommittee and the Committee on Land Use (Committee). The legislation was subsequently amended and the amended version, Proposed Intro. No. 2443-A, will be considered by the Subcommittee and the Committee on December 9, 2021. Upon a successful vote by the Subcommittee and the Committee, Proposed Intro. No. 2443-A will be submitted to the full Council for a vote on December 9, 2021.

DATE PREPARED: December 9, 2021.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 2443-A:)

Int. No. 2443-A

By Council Member Chin.

A Local Law to amend the administrative code of the city of New York, in relation to increasing penalties related to using joint living work quarters for artists contrary to zoning

Be it enacted by the Council as follows:

Section 1. Chapter 6 of title 7 of the administrative code of the city of New York is amended by adding a new section 7-629 to read as follows:

§ 7-629 *Joint living-work quarters for artists. a. Definition. For the purposes of this section, the following terms have the following meanings:*

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

Joint living-work quarters for artists. The term “joint living-work quarters for artists” has the same meaning as such term is defined in section 12-10 of the zoning resolution.

b. Recording requirement for owners of joint living-work quarters for artists. Within 90 days of acquiring ownership of a property that is a joint living-work quarter for artists, the owner of such property must record in the city register, or in the case of property within the county of Richmond, in the office of the clerk of such county, a statement that such property is a joint living-work quarter for artists, and that such property is therefore subject to regulations governing joint living-work quarters for artists pursuant to the zoning resolution. Such requirement shall not apply to an owner of such property who acquired ownership of such property prior to the effective date of the local law that added this section.

c. Notice recorded by city agencies. In addition to any statement required to be recorded by the owner of a property that is a joint living-work quarter for artists pursuant to subdivision b of this section, for any property in the city of New York that is a joint living-work quarter for artists, an office or agency designated by the mayor may, where such office or agency determines it to be in the public interest, timely record in the city register, or in the case of property within the county of Richmond, in the office of the clerk of such county, notice that such property is a joint living-work quarter for artists, and that such property is therefore subject to regulations governing joint living-work quarters for artists pursuant to the zoning resolution. Each such notice shall include the borough, block and lot number of such property as set forth on the tax map.

§ 2. Section 28-201.2.2 of the administrative code of the city of New York is amended by adding a new item 8 to read as follows:

8. A violation of a requirement, established pursuant to the zoning resolution, related to a use contrary to the definition of joint living-work quarters for artists, as defined by section 12-10 of the zoning resolution.

§ 3. Section 28-202.1 of the administrative code of the city of New York is amended by adding a new exception 13 to read as follows:

13. A violation of a requirement, established pursuant to the zoning resolution, related to a use contrary to the definition of joint living-work quarters for artists, as defined by section 12-10 of the zoning resolution, shall be subject to a civil penalty of not less than \$15,000 for the first offense and \$25,000 for each subsequent offense. In addition to such civil penalties, a separate monthly penalty may be imposed of \$1,000 for each month that the violation is not corrected.

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

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, DIANA AYALA, FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 9, 2021 (Hybrid Hearing).

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

Report for L.U. No. 949 & Res. No. 1855

Report of the Committee on Land Use in favor of approving Application No. 20225010 RSY (Coney Island Amusement Park Project Plan – Third Amendment to the Special Process Agreement) Third Amendment to agreement for special process to amend Paragraph 5(b) of the Special Process Agreement to change seventeen (17) years to twenty-seven (27) years to promote the development and programming of the lands within the Coney Island Amusement Park for amusement purposes, pursuant to the Coney Island Amusement Park Project Plan “CIAPPP” described in the Special Process Agreement. The expiration date of each of the Interim Leases shall not be later than December 31, 2037.

The Committee on Land Use, to which the annexed Land Use item was referred on December 9, 2021 (Minutes, page 3699) and which same Land Use item was coupled with the resolution shown below and laid over by the Council on December 9, 2021 (Minutes, page 3881), respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 13

20225010 RSY

Third Amendment to agreement for special process to amend Paragraph 5(b) of the Special Process Agreement to change seventeen (17) years to twenty-seven (27) years to promote the development and programming of the lands within the Coney Island Amusement Park for amusement purposes, pursuant to the Coney Island Amusement Park Project Plan “CIAPPP” described in the Special Process Agreement. The expiration date of each of the Interim Leases shall not be later than December 31, 2037.

INTENT

To authorize the Speaker of the Council to execute a proposed Third Amendment to the Coney Island Amusement Park Special Process Agreement to facilitate the lease extension of property for operation as part of the Coney Island Amusement Park.

PUBLIC HEARING

DATE: December 2, 2021

Witnesses in Favor: Eight

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: December 7, 2021

The Subcommittee recommends that the Land Use Committee approve the application submitted by the New York City Economic Development Corporation and New York City Department of Parks and Recreation.

In Favor:

Moya
Levin
Reynoso
Grodenschik
Borelli

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: December 9, 2021

The Committee recommends that the Council approve the attached resolution.

In Favor:**Against:****Abstain:**

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

Res. No. 1855

Resolution approving an application submitted by the New York City Economic Development Corporation and New York City Department of Parks and Recreation, Application No. 20225010 RSY (Preconsidered L.U. No. 949), authorizing a third amendment to a previously executed agreement between the Mayor and Council establishing a Special Process for City Council Review and Approval of the “Coney Island Amusement Park Project Plan”, Community Board 13, Council District 47.

By Council Members Salamanca and Moya.

WHEREAS, on August 20, 2009, the Special Process Agreement approved by the Council of the City of New York (the “Council), April 25, 2013 modified as First Amendment, and March 21, 2019 modified as Second Amendment of the Agreement for Special Process between the Mayor of the City of New York and the Council;

WHEREAS, the Plan includes the acquisition of certain parkland and subsequent lease of such parkland to the New York City Economic Development Corporation for the operation of an amusement park, including without limitation amusement park features such as indoor and outdoor rides, arcades, attractions and ancillary uses, including small-scale retail use;

WHEREAS, it is in the interest of the city for the Council to participate in and play a major role in the selection of the proposed operator/developer for such amusement park;

WHEREAS, the Mayor and the Council agreed that such participation shall be accomplished through the Council’s approval of a “Coney Island Amusement Park Project Plan (CIAPPP)” in the manner set forth in a Coney Island Amusement Park Special Process Agreement (the “Special Process Agreement”) and Agreement for Coney Island Parallel Process (the “Parallel Process Agreement”, collectively the “Agreements”), ;

WHEREAS, the New York City Economic Development Corporation and New York City Department of Parks and Recreation filed with the Council on _____, 2021 its application dated _____, 2021, requesting a proposed Third Amendment to the Special Process Agreement to permit NYCEDC to extend the Interim Leases and the sublease of the Additional Amusement Park Parcels and Additional Parcels to not later than December 31, 2037; authorize the City to enter into a lease extension to not later than December 31, 2037 with NYCEDC for the Additional Amusement Park Parcels; and add the Additional Parcels with a lease term expiring not later than December 31, 2037 to the extended CAI Lease premises;

WHEREAS, on upon due notice, the Council held a public hearing on December 2, 2021 on the Application; and

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Plan and the Third Amendment to the Special Process Agreement.

RESOLVED:

The Council of The City of New York hereby authorizes the Speaker to execute the Third Amendment to the Special Process Agreement, a copy of which is attached hereto.

**THIRD AMENDMENT TO
AGREEMENT
FOR
SPECIAL PROCESS
FOR
NEW YORK CITY COUNCIL REVIEW AND APPROVAL
OF
CONEY ISLAND AMUSEMENT PARK PROJECT PLAN
("THIRD AMENDMENT")**

THIRD AMENDMENT TO SPECIAL PROCESS AGREEMENT, dated as of the ____ day of _____, 2021, modifying Special Process Agreement approved by the Council of the City of New York (the "Council") on August 20, 2009, as modified by Amendment dated April 25, 2013 ("First Amendment"), and Second Amendment dated March 21, 2019 ("Second Amendment") (as amended, the "Special Process Agreement"), between the Mayor of the City of New York (the "Mayor") and the Council;

WHEREAS, ULURP Application No. C090107MMK designated certain real property within Brooklyn Community Board 13 as parkland to be identified as such on the City map (such parkland the "Coney Island Amusement Park") and such application was approved, as modified by the July 29, 2009 City Council Resolution 2138 and the December 13, 2010 City Planning Commission Resolution, and Chapter 281 of the 2011 Session Laws was enacted by the New York State Legislature (the "Legislation");

WHEREAS, it is the intent and purpose of the Special Process Agreement to promote the development and programming of the lands within the Coney Island Amusement Park for amusement purposes, pursuant to the "CIAPPP" described in the Special Process Agreement;

WHEREAS, the Special Process Agreement provides for continuing activity within the Coney Island Amusement Park, pursuant to interim lease, until such time as necessary infrastructure to service the Coney Island Amusement Park, as it will be developed under and pursuant to a CIAPPP, has been completed, and economic conditions support the availability of financing for the project to be built pursuant to the Council approved CIAPPP;

WHEREAS, the Special Process Agreement section 5(b) originally provided for an interim lease term not exceed ten (10) years;

WHEREAS, Central Amusement International, LLC, now Central Amusement International Inc. ("CAI"), was selected as interim lessee of property ("CAI Lease") owned by the New York City Economic

Development Corporation (“NYCEDC”) both inside and outside the Coney Island Amusement Park for the purposes contemplated by the Special Process Agreement for an original term of ten (10) years, expiring on December 31, 2020;

WHEREAS, in 2009, NYCEDC acquired the Seaside Parcel in the Coney Island Amusement Park, as described in the First Amendment, subject to a lease with Seaside Amusement Corp. (“Seaside Lease”) which was assigned by Seaside Amusement Corp. to Vodou Foods Corporation (“Voudou Foods”) and originally to expire on December 31, 2020 (the Seaside Lease and the CAI Lease referred to as “Interim Leases”);

WHEREAS, the First Amendment amended Special Process Agreement Section 5(b) to change ten (10) years to seventeen (17) years, with the resulting Interim Lease expiration date extended to not later than December 31, 2027.

WHEREAS, pursuant to the First Amendment, as well as Mayoral Authorization dated October 17, 2013, the Additional Parcels, as described in the First Amendment were added to the extended CAI Lease premises, by the City’s leasing the Additional Parcels to the New York City Land Development Corporation (“NYCLDC”), pursuant to Section 384(b)(4) of the City Charter, and assignment of NYCLDC’s interest as tenant under such lease to NYCEDC for sublease to CAI, with a term expiring on December 31, 2027;

WHEREAS, pursuant to a Request for Proposals, CAI was selected to lease and operate the Additional Amusement Park Parcels in the Coney Island Amusement Park, as described in the Second Amendment, for amusement park purposes;

WHEREAS, the Second Amendment authorized the City to enter into a lease with NYCEDC for the Additional Amusement Park Parcels, and required NYCEDC to assign such lease or enter into a sublease with CAI or an affiliate thereof, in furtherance of the purposes and intents of the Legislation, and the City and NYCEDC thereafter entered into such lease and sublease;

WHEREAS, the amusements in the Coney Island Amusement Park and surrounding area were unable to operate at all for the 2020 season due to mandated government closure imposed as a result of the COVID-19 coronavirus and suffered severe financial losses, and the operators under the leases suffered the additional adverse effect of not being able to operate for the full term of their respective leases;

WHEREAS, the City, NYCEDC, CAI, and Voudou Foods wish to extend the term for each of the Interim Leases and the larger CAI Lease premises (i.e. the Additional Parcels and Additional Amusement Park Parcels) for an additional ten (10) years (all such parcels within and outside the Coney Island Amusement Park area depicted in the attached Exhibit 1);

WHEREAS, the parties desire to amend the Special Process Agreement to (i) permit NYCEDC to extend the Interim Leases and the sublease of the Additional Amusement Park Parcels and Additional Parcels to not later than December 31, 2037; (ii) authorize the City to enter into a lease extension to not later than December 31, 2037 with NYCEDC for the Additional Amusement Park Parcels; and (iii) add the Additional Parcels with a lease term expiring not later than December 31, 2037 to the extended CAI Lease premises; and

WHEREAS, the parties understand that the Additional Parcels with such lease term would be added to the extended CAI Lease premises by the City's leasing the Additional Parcels to NYCLDC, pursuant to Section 384(b)(4) of the City Charter, for assignment of NYCLDC's interest as tenant under such lease to NYCEDC, for inclusion of the Additional Parcels in the extended CAI Lease premises;

WHEREAS, it is not economically feasible for any other operator to assume operation of the properties leased under the Interim Leases and the larger CAI Lease premises for the abbreviated period of time that will be remaining in the leases following an extension pursuant to this Third Amendment;

NOW, THEREFORE, the parties hereto agree as follows:

1. Paragraph 5(b) of the Special Process Agreement is hereby amended to change seventeen (17) years to twenty-seven (27) years, and therefore the expiration date of each of the Interim Leases shall not be later than December 31, 2037.
2. The City is authorized to extend the lease with NYCEDC for the Additional Amusement Park Parcels to not later than December 31, 2037.
3. The Additional Parcels with a term expiring not later than December 31, 2037 may be added to the extended CAI Lease premises.

4. NYCEDC is encouraged to use its reasonable efforts to cause the expiration date of each of the Interim Leases and the sublease for the Additional Amusement Park Parcels and the Additional Parcels to be extended to not later than December 31, 2037.
5. The Special Process Agreement shall remain in full force and effect, and is hereby reaffirmed in its entirety, as modified by this Third Amendment.

This Third Amendment shall become effective upon the execution hereof by (i) the Mayor; and (ii) the Speaker of the Council upon the adoption by the Council of a resolution approving this Third Amendment. **IN**

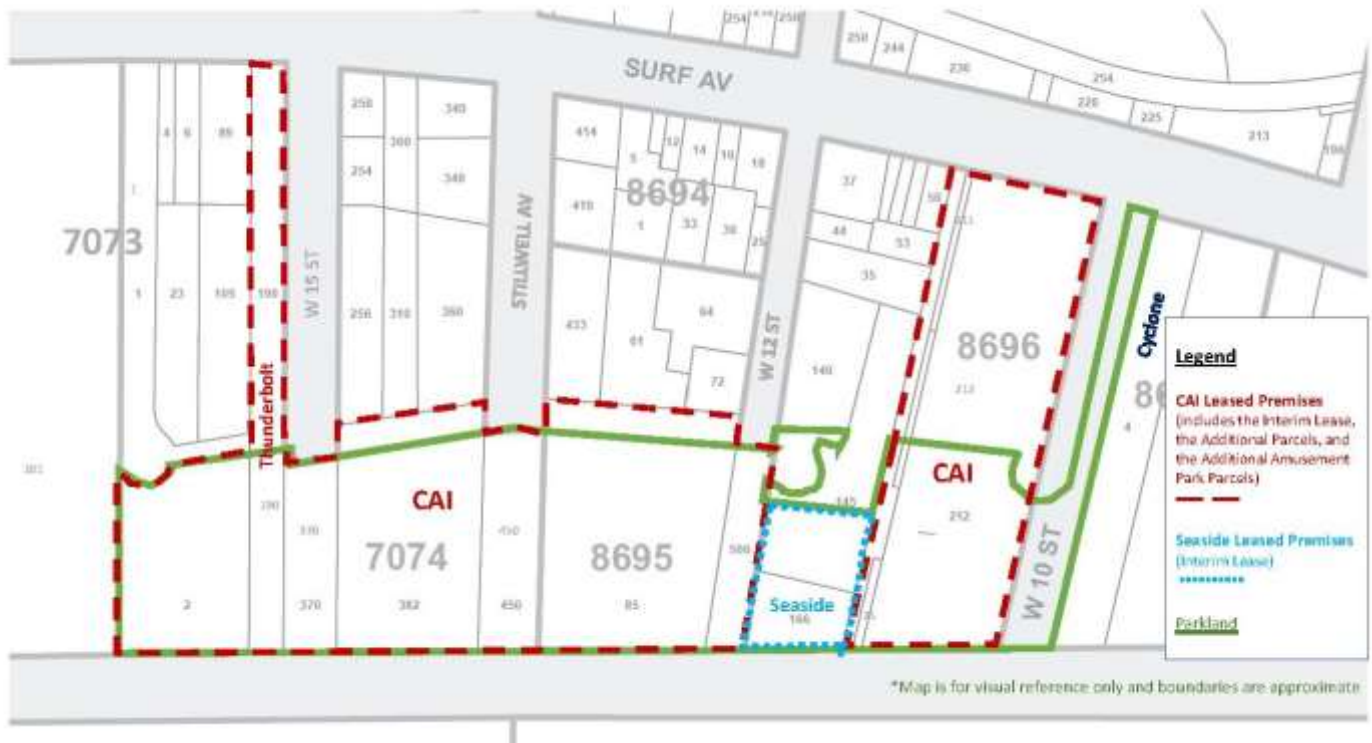
WITNESS WHEREOF, the Mayor and the Speaker have hereunto executed this Third Amendment the date and year first above written.

Mayor of the City of New York

Speaker of the New York City Council

EXHIBIT 1

INTERIM LEASE AREAS AND CAI EXTENDED LEASE PREMISES IN CONEY ISLAND
AMUSEMENT PARK
(on page following)



RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, DIANA AYALA, FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 9, 2021 (Hybrid Hearing).

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

Report for L.U. No. 899 & Res. No. 1879

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210412 ZSM (175 Park Avenue) submitted by Commodore Owner LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-685 of the Zoning Resolution, in conjunction with a special permit pursuant to 81-64 (Special Floor Area Provisions for Qualifying Sites), to modify: the qualifying site definition of Section 81-613 (Definitions); the floor area requirements for an increase in floor area pursuant Row A of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites); the street wall regulations of Sections 81-43 (Street Wall Continuity along Designated Streets) and 81-671 (Special Street Wall Requirements); the height and setback requirements of Section 81-27 (Alternative Height and Setback Regulations – Daylight Evaluation) and Section 81-66 (Special Height and Setback Requirements); the mandatory district plan elements of Section 81-42 (Retail Continuity along Designated Streets), and 81-45 (Pedestrian Circulation Space), Section 81-674 (Ground floor use provisions) & Section 37-53 (Design Standards for Pedestrian Circulation Space); the publicly accessible space requirements of Section 81-681 (Mandatory Requirements for Qualifying Sites) and Section 37-70 (Public Plazas); and the requirements of Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) to extend the time for substantial construction to be completed prior to the lapse of any special permit granted for the qualifying site; in connection with a proposed commercial building, on property located at 175 Park Avenue (Block 1280, Lot 30), within a qualifying site consisting of two zoning lots – Development Site Zoning Lot (Block 1280, Lot 30) and Grand Central Zoning Lot (Block 1280, Lots 1, 54, 154, 8154, 8254, 9001 & 9154), in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict), Borough of Manhattan, Community District 5, Council District 4.

The Committee on Land Use, to which the annexed Land Use item was referred on October 21, 2021 (Minutes, page 2842) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3606) , respectfully

REPORTS:**SUBJECT****MANHATTAN CB-5 – SIX APPLICATIONS RELATED TO 175 PARK AVENUE****C 210412 ZSM (L.U. No. 899)**

City Planning Commission decision approving an application submitted by Commodore Owner, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-685 of the Zoning Resolution, in conjunction with a special permit pursuant to 81-64 (Special Floor Area Provisions for Qualifying Sites), to modify:

1. the qualifying site definition of Section 81-613 (Definitions) to include two or more zoning lots that are contiguous and in include the zoning lot occupied by Grand Central Terminal;
2. the requirement that a development exceed the basic maximum floor area ratio set forth in Row A of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites) as a pre-condition to an increase in floor area pursuant to such table, where a qualifying site includes the zoning lot occupied by Grand Central Terminal;

3. the street wall regulations of Sections 81-43 (Street Wall Continuity along Designated Streets) and 81-671 (Special Street Wall Requirements);
4. the height and setback requirements of Section 81-27 (Alternative Height and Setback Regulations – Daylight Evaluation) and Section 81-66 (Special Height and Setback Requirements);
5. the mandatory district plan elements of Section 81-42 (Retail Continuity along Designated Streets), and 81-45 (Pedestrian Circulation Space), Section 81-674 (Ground floor use provisions) & Section 37-53 (Design Standards for Pedestrian Circulation Space);
6. the requirement that the publicly accessible space required pursuant to Section 81-681 (Mandatory Requirements for Qualifying Sites), comply with the provisions of Section 37-70 (Public Plazas); and
7. the requirements of Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) to extend the time period not to exceed 10 years, for substantial construction to be completed prior to the lapse of any special permit granted for the qualifying site;

in connection with a proposed commercial building, on property located at 175 Park Avenue (Block 1280, Lot 30), within a qualifying site consisting of two zoning lots – Development Site Zoning Lot (Block 1280, Lot 30) and Grand Central Zoning Lot (Block 1280, Lots 1, 54, 154, 8154, 8254, 9001, and 9154), in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict).

C 210413 ZSM (L.U. No. 900)

City Planning Commission decision approving an application submitted by Commodore Owner, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-621 of the Zoning Resolution to allow Use Group 5 uses (transient hotel), on property located at 175 Park Avenue (Block 1280, Lot 30), in a C5-3 District, within the Special Midtown District (East Midtown Subdistrict).

C 210414 ZSM (L.U. No. 901)

City Planning Commission decision approving an application submitted by Commodore Owner, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-644 of the Zoning Resolution to allow an increase in the amount of floor area permitted, up to the amount specified in Row F of the table in Section 81-64 (Special Floor Area Provisions for Qualifying sites) where subway station and/or rail mass transit facility improvements are made in accordance with the provisions of Section 81-292 (Subway station improvements) and Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan), in connection with a proposed commercial building, on property located at 175 Park Avenue (Block 1280, Lot 30), within a qualifying site consisting of two zoning lots – Development Site Zoning Lot (Block 1280, Lot 30) and Grand Central Zoning Lot (Block 1280, Lots 1, 54, 154, 8154, 8254, 9001 & 9154), in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict - Grand Central Transit Improvement Zone Subarea).

C 210415 ZSM (L.U. No. 902)

City Planning Commission decision approving an application submitted by Commodore Owner, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-645 of the Zoning Resolution as follows:

1. to allow an increase in the amount of floor area permitted, up to the amount specified in Row G of the table in Section 81-64 (Special Floor Area Provisions for Qualifying sites) where an above-grade public concourse, in the form of an open or enclosed, publicly accessible space for public use and enjoyment on the qualifying site; and
2. to modify the off-street loading berth requirements of Section 36-62 (Required Accessory Off-street Loading Berths) to allow a reduction in the required number of berths;

in connection with a proposed commercial building, on property located at 175 Park Avenue (Block 1280, Lot 30), within a qualifying site consisting of two zoning lots – Development Site Zoning Lot (Block 1280, Lot 30) and Grand Central Zoning Lot (Block 1280, Lots 1, 54, 154, 8154, 8254, 9001 & 9154), in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict).

N 210416 ZRM (L.U. No. 903)

City Planning Commission decision approving an application submitted by Commodore Owner, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York modifying the provisions of the East Midtown Subdistrict in Article VIII, Chapter 1 (Special Midtown District).

C 210417 PPM (L.U. No. 904)

City Planning Commission decision approving an application submitted by the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter, for the disposition of a city-owned property located at 175 Park Avenue aka 109 East 42nd Street (Block 1280, Lot 30), pursuant to zoning.

INTENT

To grant an approval of the special permit pursuant to ZR Section 81-685 to allow for modifications to the East Midtown Subdistrict regulations; approval of the special permit pursuant to ZR Section 81-621 to permit hotel use; approval of the special permit pursuant to ZR Section 81-644 to permit an increase in floor area to allow for transit improvements; approval of the special permit pursuant to ZR Section 81-645 to permit an increase in floor area to allow for public concourse improvements and modify loading regulations; amend zoning text to amend provisions relating to existing special permits; and approve the disposition of non-residential City-owned property to facilitate the development of a 2.25 million-square-foot hotel and office tower, located at 175 Park Avenue (Block 1280, Lot 30), in the East Midtown neighborhood of Manhattan, Community District 5.

PUBLIC HEARING**DATE:** November 9, 2021**Witnesses in Favor:** Seventeen**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** December 7, 2021

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on L.U. Nos. 903 and 904, and approve with modifications the decisions of the City Planning Commission on L.U. Nos. 899 through 902.

In Favor:

Moya
Levin
Reynoso
Grodenschik
Borelli

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** December 7, 2021

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Gibson
Barron
Koo
Levin
Reynoso
Treyger
Grodenschik
Diaz, Sr.
Riley
Brooks-Powers
Feliz
Borelli

Against:

None

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated _____, 2021, with the Council on _____, 2021, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 1879

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 210412 ZSM, for the grant of a special permit (L.U. No. 899).

By Council Members Salamanca and Moya.

WHEREAS, Commodore Owner, 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 81-685 of the Zoning Resolution, in conjunction with a special permit pursuant to 81-64 (Special Floor Area Provisions for Qualifying Sites), to modify the qualifying site definition of Section 81-613 (Definitions); the requirement that a development exceed the basic maximum floor area ratio set forth in Row A of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites); the street wall regulations of Sections 81-43 (Street Wall Continuity along Designated Streets) and 81-671 (Special Street Wall Requirements); the height and setback requirements of Section 81-27 (Alternative Height and Setback Regulations – Daylight Evaluation) and Section 81-66 (Special Height and Setback Requirements); the mandatory district plan elements of Section 81-42 (Retail Continuity along Designated Streets), and 81-45 (Pedestrian Circulation Space), Section 81-674 (Ground floor use provisions) & Section 37-53 (Design Standards for Pedestrian Circulation Space); the requirement that the publicly accessible space required pursuant to Section 81-681 (Mandatory Requirements for Qualifying Sites), comply with the provisions of Section 37-70 (Public Plazas); and the requirements of Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) in connection with a proposed commercial building, on property located at 175 Park Avenue (Block 1280, Lot 30), within a qualifying site consisting of two zoning lots – Development Site Zoning Lot (Block 1280, Lot 30) and Grand Central Zoning Lot (Block 1280, Lots 1, 54, 154, 8154, 8254, 9001 & 9154), in a C5-3 District, which in conjunction with the related actions would facilitate the development of an approximately 2.25 million-square-foot hotel and office tower located at 175 Park Avenue (Block 1280, Lot 30), in the East Midtown neighborhood of Manhattan, Community District 5 (ULURP No. C 210412 ZSM) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on October 18, 2021, its decision dated October 18, 2021 (the “Decision”) on the Application;

WHEREAS, the Application is related to applications C 210413 ZSM (L.U. No. 900), a special permit pursuant to Zoning Resolution (ZR) Section 81-621 to permit hotel use; C 210414 ZSM (L.U. No. 901), a special Permit pursuant to ZR Section 81-644 to permit an increase in floor area to allow for transit improvements; C 210415 ZSM (L.U. No. 902), a special permit pursuant to ZR Section 81-645 to permit an increase in floor area to allow for public concourse improvements and modify loading regulations; N 210416 ZRM (L.U. No. 903), a zoning text amendments to amend provisions relating to existing special permits; and C 210417 PPM (L.U. No. 904), a disposition of non-residential City-owned property;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 81-685 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 November 9, 2021;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration, issued November 20th, 2020 (CEQR No. 21DCP057M) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on October 7, 2021, which identified significant adverse impacts related to air quality and noise would be avoided through the placement of (E) designations on the project site. The proposed project as analyzed in the FEIS, identified significant adverse impacts with respect to transportation (vehicular traffic, transit, pedestrian) and construction (transportation) and the identified significant adverse impacts and proposed mitigation measures under the proposed actions are summarized in Chapter 16 “Mitigation” of the FEIS. To ensure the implementation of the mitigation measures identified in the FEIS, the mitigation measures are included in the Restrictive Declaration. The Council has also considered the Technical Memorandum dated December 14, 2021.

RESOLVED:

Having considered the FEIS and Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and
- (3) Consistent with social, economic and other essential considerations, from among the reasonable alternatives provided in the application, the action[s] is [are] one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (4) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated October 7, 2021, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS and the Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 210412 ZSM, 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

1. The property that is the subject of this application (C 210412 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Skidmore, Owings and Merrell LLP, filed with this application and incorporated in this resolution:

C 210412 ZSM

<u>Dwg No.</u>	<u>Title</u>	<u>Last Revised Date</u>
Z-002	Zoning Calculations	10/08/2021 <u>12/13/2021</u>
Z-003	Zoning Lot Site Plan	05/10/2021 <u>12/13/2021</u>
Z-201	Zoning Waiver Plan – Ground Floor	05/10/2021 <u>12/13/2021</u>
Z-202	Zoning Waiver Plan – Level 2	05/10/2021 <u>12/13/2021</u>
Z-250	Zoning Waiver Sections	05/10/2021 <u>12/13/2021</u>
Z-300	Daylight Evaluation	05/10/2021 <u>12/13/2021</u>
Z-301	Daylight Evaluation	05/10/2021 <u>12/13/2021</u>
Z-302	Daylight Evaluation	05/10/2021 <u>12/13/2021</u>
Z-303	Daylight Evaluation	05/10/2021 <u>12/13/2021</u>
Z-304	Daylight Evaluation	05/10/2021 <u>12/13/2021</u>
Z-305	Daylight Evaluation	05/10/2021 <u>12/13/2021</u>
Z-306	Daylight Evaluation	05/10/2021 <u>12/13/2021</u>
Z-307	Daylight Evaluation	05/10/2021 <u>12/13/2021</u>
Z-500	Lexington Passage & Transit Hall – Ground Floor	05/10/2021
Z-510	Lexington Passage & Transit Hall – Sections	05/10/2021
Z-511	Lexington Passage & Transit Hall – Sections	05/10/2021
Z-512	Lexington Passage & Transit Hall – Sections	05/10/2021
Z-513	Lexington Passage & Transit Hall – Sections	05/10/2021
Z-601	Public Concourse Improvements – Ground Floor	05/10/2021
Z-602	Public Concourse Improvements – Level 2	10/08/2021
Z-603	Public Concourse Improvements – Level 3	10/08/2021
Z-620	Public Concourse Improvements – Landscape Sections	10/08/2021
Z-621	Public Concourse Improvements – Landscape Sections	10/08/2021
Z-701	Publicly Accessible Space – Ground Floor	05/10/2021

Z-702	Publicly Accessible Space – Level 2	10/08/2021
Z-730	Publicly Accessible Space – Landscape Sections	10/08/2021

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached hereto as Exhibit A, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register of the City of New York, County of New York. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.
6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.
7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, VANESSA L. GIBSON, INEZ D. BARRON, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, RUBEN DIAZ, Sr., KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 7, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Council Member Rose.*

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

Report for L.U. No. 900 & Res. No. 1880

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210413 ZSM (175 Park Avenue) submitted by Commodore Owner LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-621 of the Zoning Resolution to allow Use Group 5 uses (transient hotel), on property located at 175 Park Avenue (Block 1280, Lot 30), in a C5-3 District, within the Special Midtown District (East Midtown Subdistrict), Borough of Manhattan, Community District 5, Council District 4.

The Committee on Land Use, to which the annexed Land Use item was referred on October 21, 2021 (Minutes, page 2843) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3610) , respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 899 & Res. No. 1879 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 1880

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 210413 ZSM, for the grant of a special permit (L.U. No. 900).

By Council Members Salamanca and Moya.

WHEREAS, Commodore Owner, 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 81-621 of the Zoning Resolution to allow Use Group 5 uses (transient hotel), on property located at 175 Park Avenue (Block 1280, Lot 30), in a C5-3 District, which in conjunction with the related actions would facilitate the development of a 2.25 million-square-foot hotel and office tower, located at 175 Park Avenue (Block 1280, Lot 30), in the East Midtown neighborhood of Manhattan Community District 5 (ULURP No. C 210413 ZSM) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on October 18, 2021, its decision dated October 18, 2021 (the “Decision”) on the Application;

WHEREAS, the Application is related to applications C 210412 ZSM (L.U. No. 899), a special permit pursuant to Zoning Resolution (ZR) Section 81-685 to allow for modifications to the East Midtown Subdistrict regulations; C 210414 ZSM (L.U. No. 901), a special Permit pursuant to ZR Section 81-644 to permit an increase in floor area to allow for transit improvements; C 210415 ZSM (L.U. No. 902), a special permit pursuant to ZR Section 81-645 to permit an increase in floor area to allow for public concourse improvements and modify loading regulations; N 210416 ZRM (L.U. No. 903), a zoning text amendments to amend provisions relating to existing special permits; and C 210417 PPM (L.U. No. 904), a disposition of non-residential City-owned property;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 81-621 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 November 9, 2021;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration, issued November 20th, 2020 (CEQR No. 21DCP057M) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on October 7, 2021, which identified significant adverse impacts related to air quality and noise would be avoided through the placement of (E) designations on the project site. The proposed project as analyzed in the FEIS, identified significant adverse impacts with respect to transportation (vehicular traffic, transit, pedestrian) and construction (transportation) and the identified significant adverse impacts and proposed mitigation measures under the proposed actions are summarized in Chapter 16 “Mitigation” of the FEIS. To ensure the implementation of the mitigation measures identified in the FEIS, the mitigation measures are included in the Restrictive Declaration. The Council has also considered the Technical Memorandum dated December 14, 2021.

RESOLVED:

Having considered the FEIS and Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and
- (3) Consistent with social, economic and other essential considerations, from among the reasonable alternatives provided in the application, the action[s] is [are] one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (4) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated October 7, 2021, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS and Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 210413 ZSM, 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

1. The property that is the subject of this application (C 210413 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations

indicated on the following plans, prepared by Skidmore, Owings and Merrell LLP, filed with this application and incorporated in this resolution:

C 210413 ZSM

<u>Dwg No.</u>	<u>Title</u>	<u>Last Revised Date</u>
Z-002	Zoning Calculations	10/08/2021 12/13/2021
Z-003	Zoning Lot Site Plan	05/10/2021 12/13/2021
Z-201	Zoning Waiver Plan – Ground Floor	05/10/2021 12/13/2021
Z-202	Zoning Waiver Plan – Level 2	05/10/2021 12/13/2021
Z-250	Zoning Waiver Sections	05/10/2021 12/13/2021
Z-300	Daylight Evaluation	05/10/2021 12/13/2021
Z-301	Daylight Evaluation	05/10/2021 12/13/2021
Z-302	Daylight Evaluation	05/10/2021 12/13/2021
Z-303	Daylight Evaluation	05/10/2021 12/13/2021
Z-304	Daylight Evaluation	05/10/2021 12/13/2021
Z-305	Daylight Evaluation	05/10/2021 12/13/2021
Z-306	Daylight Evaluation	05/10/2021 12/13/2021
Z-307	Daylight Evaluation	05/10/2021 12/13/2021

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached hereto as Exhibit A, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register of the City of New York, County of New York. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.
6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe

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

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

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, VANESSA L. GIBSON, INEZ D. BARRON, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, RUBEN DIAZ, Sr., KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 7, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Council Member Rose.*

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

Report for L.U. No. 901 & Res. No. 1881

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210414 ZSM (175 Park Avenue) submitted by Commodore Owner LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-644 of the Zoning Resolution to allow an increase in the amount of floor area permitted, up to the amount specified in Row F of the table in Section 81-64 (Special Floor Area Provisions for Qualifying sites) where subway station and/or rail mass transit facility improvements are made in accordance with the provisions of Section 81-292 (Subway station improvements) and Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan), in connection with a proposed commercial building, on property located at 175 Park Avenue (Block 1280, Lot 30), within a qualifying site consisting of two zoning lots – Development Site Zoning Lot (Block 1280, Lot 30) and Grand Central Zoning Lot (Block 1280, Lots 1, 54, 154, 8154, 8254, 9001 & 9154), in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict - Grand Central Transit Improvement Zone Subarea), Borough of Manhattan, Community District 5, Council District 4.

The Committee on Land Use, to which the annexed Land Use item was referred on October 21, 2021 (Minutes, page 2843) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3610), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 899 & Res. No. 1879 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 1881

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 210414 ZSM, for the grant of a special permit (L.U. No. 901).

By Council Members Salamanca and Moya.

WHEREAS, Commodore Owner, 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 81-644 of the Zoning Resolution to allow an increase in the amount of floor area permitted, up to the amount specified in Row F of the table in Section 81-64 (Special Floor Area Provisions for Qualifying sites) where subway station and/or rail mass transit facility improvements are made in accordance with the provisions of Section 81-292 (Subway station improvements) and Section 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan), in connection with a proposed commercial building, on property located at 175 Park Avenue (Block 1280, Lot 30), within a qualifying site consisting of two zoning lots – Development Site Zoning Lot (Block 1280, Lot 30) and Grand Central Zoning Lot (Block 1280, Lots 1, 54, 154, 8154, 8254, 9001 & 9154), in a C5-3 District, which in conjunction with the related actions would facilitate the development of a 2.25 million-square-foot hotel and office tower, located at 175 Park Avenue (Block 1280, Lot 30), in the East Midtown neighborhood of Manhattan, Community District 5 (ULURP No. C 210414 ZSM) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on October 18, 2021, its decision dated October 18, 2021 (the “Decision”) on the Application;

WHEREAS, the Application is related to applications C 210412 ZSM (L.U. No. 899), a special permit pursuant to Zoning Resolution (ZR) Section 81-685 to allow for modifications to the East Midtown Subdistrict regulations; C 210413 ZSM (L.U. No. 900), a special permit pursuant to Zoning Resolution (ZR) Section 81-621 to permit hotel use; C 210415 ZSM (L.U. No. 902), a special permit pursuant to ZR Section 81-645 to permit an increase in floor area to allow for public concourse improvements and modify loading regulations; N 210416 ZRM (L.U. No. 903), a zoning text amendments to amend provisions relating to existing special permits; and C 210417 PPM (L.U. No. 904), a disposition of non-residential City-owned property;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Sections 81-644 and 74-634 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 November 9, 2021;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration, issued November 20th, 2020 (CEQR No. 21DCP057M) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on October 7, 2021, which identified significant adverse impacts related to air quality and noise would be avoided through the placement of (E) designations on the project site. The proposed project as analyzed in the FEIS, identified significant adverse impacts with respect to transportation (vehicular traffic, transit, pedestrian) and construction (transportation) and the identified significant adverse impacts and proposed mitigation measures under the proposed actions are summarized in

Chapter 16 “Mitigation” of the FEIS. To ensure the implementation of the mitigation measures identified in the FEIS, the mitigation measures are included in the Restrictive Declaration. The Council has also considered the Technical Memorandum dated December 14, 2021.

RESOLVED:

Having considered the FEIS and Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and
- (3) Consistent with social, economic and other essential considerations, from among the reasonable alternatives provided in the application, the action[s] is [are] one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (4) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated October 7, 2021, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS and Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 210414 ZSM, 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

- 1. The property that is the subject of this application (C 210414 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by Skidmore, Owings and Merrell LLP, filed with this application and incorporated in this resolution:

C 210414 ZSM

<u>Dwg No.</u>	<u>Title</u>	<u>Last Revised Date</u>
Z-002	Zoning Calculations	10/08/2021 <u>12/13/2021</u>
		<u>1</u>
Z-003	Zoning Lot Site Plan	05/10/2021 <u>12/13/2021</u>
		<u>1</u>

Z-201	Zoning Waiver Plan – Ground Floor	05/10/2021 <u>12/13/202</u>
Z-202	Zoning Waiver Plan – Level 2	<u>1</u> 05/10/2021 <u>12/13/202</u>
Z-250	Zoning Waiver Sections	<u>1</u> 05/10/2021 <u>12/13/202</u>
Z-300	Daylight Evaluation	<u>1</u> 05/10/2021 <u>12/13/202</u>
Z-301	Daylight Evaluation	<u>1</u> 05/10/2021 <u>12/13/202</u>
Z-302	Daylight Evaluation	<u>1</u> 05/10/2021 <u>12/13/202</u>
Z-303	Daylight Evaluation	<u>1</u> 05/10/2021 <u>12/13/202</u>
Z-304	Daylight Evaluation	<u>1</u> 05/10/2021 <u>12/13/202</u>
Z-305	Daylight Evaluation	<u>1</u> 05/10/2021 <u>12/13/202</u>
Z-306	Daylight Evaluation	<u>1</u> 05/10/2021 <u>12/13/202</u>
Z-307	Daylight Evaluation	<u>1</u> 05/10/2021 <u>12/13/202</u>
TI-099	Transit Improvements Key Plan – Sub-Cellar 1	05/10/2021
TI-100	Transit Improvements Key Plan – Cellar	05/10/2021
TI-101	Transit Improvements Key Plan – Ground Floor	05/10/2021
TI-110	Transit Improvements – R-238	05/10/2021
TI-120	Transit Improvements – Girder Removal	05/10/2021
TI-130	Transit Improvements – Short Loop	05/10/2021
TI-131	Transit Improvements – Short Loop	05/10/2021
TE-100	Transit Easement Site Plan	05/10/2021
TE-110	Transit Easement Sections	05/10/2021
TE-120	Transit Easement Axonometric	05/10/2021

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by

the New York City Department of Buildings.

3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached hereto as Exhibit A, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register of the City of New York, County of New York. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.
6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted
7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, VANESSA L. GIBSON, INEZ D. BARRON, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, RUBEN DIAZ, Sr., KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 7, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Council Member Rose.*

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

Report for L.U. No. 902 & Res. No. 1882

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210415 ZSM (175 Park Avenue) submitted by Commodore Owner, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-645 of the Zoning Resolution to allow an increase in the amount of floor area permitted, up to the amount specified in Row G of the table in Section 81-64 (Special Floor Area Provisions for Qualifying sites); and to modify the off-street loading berth requirements of Section 36-62 (Required Accessory Off-street Loading Berths); in connection with a proposed commercial building, on property located at 175 Park Avenue (Block 1280, Lot 30), within a qualifying site consisting of two zoning lots – Development Site Zoning

Lot (Block 1280, Lot 30) and Grand Central Zoning Lot (Block 1280, Lots 1, 54, 154, 8154, 8254, 9001 & 9154), in a C5-3 District, within the Special Midtown District (Grand Central Subdistrict), Borough of Manhattan, Community District 5, Council District 4.

The Committee on Land Use, to which the annexed Land Use item was referred on October 21, 2021 (Minutes, page 2844) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3611) , respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 899 & Res. No. 1879 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 1882

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 210415 ZSM, for the grant of a special permit (L.U. No. 902).

By Council Members Salamanca and Moya.

WHEREAS, Commodore Owner, 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 81-645 of the Zoning Resolution to allow an increase in the amount of floor area permitted, up to the amount specified in Row G of the table in Section 81-64 (Special Floor Area Provisions for Qualifying sites) where an above-grade public concourse, in the form of an open or enclosed, publicly accessible space for public use and enjoyment on the qualifying site; and to modify the off-street loading berth requirements of Section 36-62 (Required Accessory Off-street Loading Berths) to allow a reduction in the required number of berths, in connection with a proposed commercial building, on property located at 175 Park Avenue (Block 1280, Lot 30), within a qualifying site consisting of two zoning lots – Development Site Zoning Lot (Block 1280, Lot 30) and Grand Central Zoning Lot (Block 1280, Lots 1, 54, 154, 8154, 8254, 9001 & 9154), in a C5-3 District, which in conjunction with the related actions would facilitate the development of a 2.25 million-square-foot hotel and office tower, located at 175 Park Avenue (Block 1280, Lot 30), in the East Midtown neighborhood of Manhattan, Community District 5 (ULURP No. C 210415 ZSM) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on October 18, 2021, its decision dated October 18, 2021 (the “Decision”) on the Application;

WHEREAS, the Application is related to applications C 210412 ZSM (L.U. No. 899), a special permit pursuant to Zoning Resolution (ZR) Section 81-685 to allow for modifications to the East Midtown Subdistrict regulations; C 210413 ZSM (L.U. No. 900), a special permit pursuant to Zoning Resolution (ZR) Section 81-621 to permit hotel use; C 210414 ZSM (L.U. No. 901), a special Permit pursuant to ZR Section 81-644 to permit an increase in floor area to allow for transit improvements; N 210416 ZRM (L.U. No. 903), a zoning text amendments to amend provisions relating to existing special permits; and C 210417 PPM (L.U. No. 904), a disposition of non-residential City-owned property;

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

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 81-645 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 November 9, 2021;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration, issued November 20th, 2020 (CEQR No. 21DCP057M) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on October 7, 2021, which identified significant adverse impacts related to air quality and noise would be avoided through the placement of (E) designations on the project site. The proposed project as analyzed in the FEIS, identified significant adverse impacts with respect to transportation (vehicular traffic, transit, pedestrian) and construction (transportation) and the identified significant adverse impacts and proposed mitigation measures under the proposed actions are summarized in Chapter 16 “Mitigation” of the FEIS. To ensure the implementation of the mitigation measures identified in the FEIS, the mitigation measures are included in the Restrictive Declaration. The Council has also considered the Technical Memorandum dated December 14, 2021.

RESOLVED:

Having considered the FEIS and Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and
- (3) Consistent with social, economic and other essential considerations, from among the reasonable alternatives provided in the application, the action[s] is [are] one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (4) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated October 7, 2021, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS and Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 210415 ZSM, 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

1. The property that is the subject of this application (C 210415 ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations

indicated on the following plans, prepared by Skidmore, Owings and Merrell LLP, filed with this application and incorporated in this resolution:

C 210415 ZSM

<u>Dwg No.</u>	<u>Title</u>	<u>Last Revised Date</u>
Z-002	Zoning Calculations	10/08/2021 <u>12/13/2021</u>
Z-003	Zoning Lot Site Plan	05/10/2021 <u>12/13/2021</u>
Z-201	Zoning Waiver Plan – Ground Floor	05/10/2021 <u>12/13/2021</u>
Z-202	Zoning Waiver Plan – Level 2	05/10/2021 <u>12/13/2021</u>
Z-250	Zoning Waiver Sections	05/10/2021 <u>12/13/2021</u>
Z-300	Daylight Evaluation	05/10/2021 <u>12/13/2021</u>
Z-301	Daylight Evaluation	05/10/2021 <u>12/13/2021</u>
Z-302	Daylight Evaluation	05/10/2021 <u>12/13/2021</u>
Z-303	Daylight Evaluation	05/10/2021 <u>12/13/2021</u>
Z-304	Daylight Evaluation	05/10/2021 <u>12/13/2021</u>
Z-305	Daylight Evaluation	05/10/2021 <u>12/13/2021</u>
Z-306	Daylight Evaluation	05/10/2021 <u>12/13/2021</u>
Z-307	Daylight Evaluation	05/10/2021 <u>12/13/2021</u>
Z-500	Lexington Passage & Transit Hall – Ground Floor	05/10/2021
Z-510	Lexington Passage & Transit Hall – Sections	05/10/2021
Z-511	Lexington Passage & Transit Hall – Sections	05/10/2021
Z-512	Lexington Passage & Transit Hall – Sections	05/10/2021
Z-513	Lexington Passage & Transit Hall – Sections	05/10/2021
Z-601	Public Concourse Improvements – Ground Floor	05/10/2021
Z-602	Public Concourse Improvements – Level 2	10/08/2021
Z-603	Public Concourse Improvements – Level 3	10/08/2021
Z-620	Public Concourse Improvements – Landscape Sections	10/08/2021
Z-621	Public Concourse Improvements – Landscape Sections	10/08/2021
Z-701	Publicly Accessible Space – Ground Floor	05/10/2021
Z-702	Publicly Accessible Space – Level 2	10/08/2021
Z-730	Publicly Accessible Space – Landscape Sections	10/08/2021

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.

4. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached hereto as Exhibit A, with such administrative changes as are acceptable to Counsel to the Department of City Planning, has been executed and recorded in the Office of the Register of the City of New York, County of New York. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
5. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.
6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted.
7. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city's or such employee's or agent's failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, VANESSA L. GIBSON, INEZ D. BARRON, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, RUBEN DIAZ, Sr., KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 7, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Council Member Rose.*

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

Report for L.U. No. 903 & Res. No. 1883

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210416 ZRM (175 Park Avenue) submitted by Commodore Owner LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York modifying the provisions of the East Midtown Subdistrict in Article VIII, Chapter 1 (Special Midtown District), Borough of Manhattan, Community District 5, Council District 4.

The Committee on Land Use, to which the annexed Land Use item was referred on October 21, 2021 (Minutes, page 2844) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3612) , respectfully

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 899 & Res. No. 1879 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 1883

Resolution approving the decision of the City Planning Commission on Application No. N 210416 ZRM, for an amendment of the text of the Zoning Resolution (L.U. No. 903).

By Council Members Salamanca and Moya.

WHEREAS, Commodore Owner, 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 the provisions of the East Midtown Subdistrict in Article VIII, Chapter 1 (Special Midtown District), which in conjunction with the related actions would facilitate the development of a 2.25 million-square-foot hotel and office tower, located at 175 Park Avenue (Block 1280, Lot 30), in the East Midtown neighborhood of Manhattan Community District 5 (ULURP No. N 210416 ZRM), (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on October 18, 2021, its decision dated October 18, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to applications C 210412 ZSM (L.U. No. 899), a special permit pursuant to Zoning Resolution (ZR) Section 81-685 to allow for modifications to the East Midtown Subdistrict regulations; C 210413 ZSM (L.U. No. 900), a special permit pursuant to Zoning Resolution (ZR) Section 81-621 to permit hotel use; C 210414 ZSM (L.U. No. 901), a special Permit pursuant to ZR Section 81-644 to permit an increase in floor area to allow for transit improvements; C 210415 ZSM (L.U. No. 902), a special permit pursuant to ZR Section 81-645 to permit an increase in floor area to allow for public concourse improvements and modify loading regulations; and C 210417 PPM (L.U. No. 904), a disposition of non-residential City-owned property;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on November 9, 2021;

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 Positive Declaration, issued November 20th, 2020 (CEQR No. 21DCP057M) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on October 7, 2021, which identified significant adverse impacts related to air quality and noise would be avoided through the placement of (E) designations on the project site. The proposed project as analyzed in the FEIS, identified significant adverse impacts with respect to transportation (vehicular traffic, transit, pedestrian) and construction (transportation) and the identified significant adverse impacts and proposed mitigation measures under the proposed actions are summarized in Chapter 16 “Mitigation” of the FEIS. To ensure the implementation of the mitigation measures identified in the FEIS, the mitigation measures are included in the Restrictive Declaration. The Council has also considered the Technical Memorandum dated December 14, 2021.

RESOLVED:

Having considered the FEIS and Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and
- (3) Consistent with social, economic and other essential considerations, from among the reasonable alternatives provided in the application, the action[s] is [are] one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (4) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated October 7, 2021, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS and Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 210416 ZRM, 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

* * *

**ARTICLE VIII
SPECIAL PURPOSE DISTRICTS**

**Chapter 1
Special Midtown District**

* * *

**81-60
SPECIAL REGULATIONS FOR THE EAST MIDTOWN SUBDISTRICT**

* * *

**81-61
General Provisions**

* * *

**81-613
Definitions**

* * *

Public Realm Improvement Fund

For the purposes of Section 81-60, inclusive, the “Public Realm Improvement Fund” (the “Fund”) shall be a separate interest-bearing account established for the deposit of contributions made when #developments# or, where permitted, #enlargements# on #qualifying sites# in the East Midtown Subdistrict will exceed the basic maximum #floor area ratio# set forth in Section 81-64 (Special Floor Area Provisions for Qualifying Sites) through their utilization of the provisions of Sections 81-642 (Transfer of development rights from landmarks to qualifying sites), ~~or~~ 81-643 (Special provisions for retaining non-complying floor area in commercial buildings) or 81-685 (Special permit to modify qualifying site provisions). The Fund shall be utilized, at the discretion of the #Public Realm Improvement Fund Governing Group#, to provide funding to implement improvements to the East Midtown Subdistrict, and its immediate vicinity, in the Borough of Manhattan. Upon receipt of any contribution, the #Public Realm Improvement Fund Governing Group# or the Department of City Planning shall notify the Comptroller of the City of New York and the Speaker of the New York City Council and promptly deposit it into the Fund.

* * *

**81-644
Special permit for transit improvements**

For #qualifying sites# located in the Grand Central Transit Improvement Zone Subarea, or the Other Transit Improvement Zone Subarea, as shown on Map 2 (East Midtown Subdistrict and Subareas) in Appendix A of this Chapter, the City Planning Commission may permit an increase in the amount of #floor area ratio# permitted on such #zoning lots#, up to the amount specified in Row F of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), as applicable, where subway station and/or rail mass transit facility improvements are made in accordance with the provisions of Sections 81-292 (Subway station improvements) and 74-634 (Subway station improvements in Downtown Brooklyn and in Commercial Districts of 10 FAR and above in Manhattan).

As a pre-condition to applying for such special permit, an applicant shall demonstrate that the maximum as-of-right #floor area ratio# for #qualifying sites# set forth in Row E of the table in Section 81-64 has been achieved prior to, or in conjunction with, the special permit application.

**81-645
Special permit for a public concourse**

For #qualifying sites#, the City Planning Commission may permit an increase in the amount of #floor area ratio# permitted on such #zoning lots#, up to the amount specified in Row G of the table in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), as applicable, where an above-grade public concourse, in the form of an open or enclosed, publicly accessible space for public use and enjoyment, is provided on the #qualifying site#. Such publicly accessible spaces shall include amenities that are characteristic of #public plazas# or public atriums, as applicable, for the comfort and convenience of the public. In addition, to facilitate such public concourse, the Commission may permit the modification of provisions, other than #floor area ratio# regulations, of this Resolution.

As a pre-condition to applying for such special permit, an applicant shall demonstrate that the maximum as-of-right #floor area ratio# for #qualifying sites# set forth in Row E of the table in Section 81-64 has been achieved prior to, or in conjunction with, the special permit application.

In order for the City Planning Commission to approve a special permit application for additional #floor area#, the Commission shall determine that such #development# or, where permitted, #enlargement#, complies with the conditions and application requirements of paragraph (a), the findings of paragraph (b) and the additional requirements of paragraph (c) of this Section.

- (a) Applications shall include information and justification sufficient to provide the Commission with the basis for:
 - (1) evaluating the benefits to the general public;
 - (2) determining the appropriate amount of increased #floor area# to grant; and
 - (3) determining whether the applicable findings set forth in paragraph (b) of this Section have been met. Such application materials shall also include initial plans for the maintenance of the proposed improvements.

- (b) The Commission shall find that:
 - (1) to the extent practicable, the open or enclosed public concourse will:
 - (i) consist of a prominent space of generous proportions and quality design that is inviting to the public;
 - (ii) improve pedestrian circulation and provide suitable amenities for the occupants;
 - (iii) front upon a #street# or a pedestrian circulation space in close proximity to and within view of, and accessible from, an adjoining sidewalk;
 - (iv) provide or be surrounded by active #uses#;
 - (v) be surrounded by transparent materials;
 - (vi) provide connections to pedestrian circulation spaces in the immediate vicinity; and
 - (vii) be designed in a manner that combines the separate elements within such space into a cohesive and harmonious site plan, resulting in a high-quality public space; ~~and~~

- (2) the public benefit derived from the proposed public concourse merits the amount of additional #floor area# being granted to the proposed #development# or, where permitted, #enlargement#, pursuant to this special permit; and
- (3) with regard to a modification to regulations of this Resolution, other than #floor area ratio# regulations, such modification:
- (i) is the minimum extent necessary and will facilitate an improved public concourse, inclusive of enhancements described in the findings of paragraph (b)(1) of this Section; and
- (ii) will not have adverse effects on the #qualifying site#, surrounding #zoning lots#, or adjacent #streets#.
- (c) Prior to obtaining a foundation permit or building permit for a #development# or, where permitted, an #enlargement# on a #qualifying site#, from the Department of Buildings, a written declaration of restrictions, in a form acceptable to the Chairperson of the City Planning Commission, setting forth the obligations of the owner to construct, maintain and provide public access to public improvements provided pursuant to this Section, shall be recorded against such property in the Office of the Register of the City of New York (County of New York). Proof of recordation of the declaration of restrictions shall be submitted in a form acceptable to the Department of City Planning.

No temporary certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing increased #floor area# granted pursuant to the provisions of this Section until the required improvements have been substantially completed, as determined by the Chairperson, and such improvements are usable by the public. Such portion of the #building# utilizing increased #floor area# shall be designated by the Commission in drawings included in the declaration of restrictions filed pursuant to this paragraph.

No permanent certificate of occupancy shall be granted by the Department of Buildings for the portion of the #building# utilizing increased #floor area# until all improvements have been finally completed in accordance with the approved plans, as determined by the Chairperson.

* * *

81-685

Special permit to modify qualifying site provisions

In conjunction with any application that would allow additional #floor area# permitted beyond the basic maximum #floor area# for a #qualifying site# set forth in Section 81-64 (Special Floor Area Provisions for Qualifying Sites), the City Planning Commission may permit modifications to certain #qualifying site# criteria, as well as height and setback regulations and mandatory plan elements, as set forth in paragraph (a) of this Section, provided that the Commission determines that the application requirements set forth in paragraph (b) and the findings set forth in paragraph (c) of this Section are met.

- (a) The Commission may modify the following, whether singly or in any combination:
- (1) the following #qualifying site# criteria:
- (i) the requirement for minimum #wide street# frontage, including the requirement that no existing #buildings# will remain on such #wide street# frontage, set forth in

- paragraphs (b) and (c) of the definition of a #qualifying site# in Section 81-613 (Definitions);
- (ii) the #building# performance and publicly accessible space requirements in paragraph (f) of the definition of a #qualifying site# and Section 81-681 (Mandatory requirements for qualifying sites);~~or~~
 - (iii) the requirement that the additional #floor area# permitted through the provisions of Section 81-64 be achieved exclusively through a #development#;
 - (iv) the requirement that a #qualifying site# be comprised of a single #zoning lot#, provided that the two or more #zoning lots# constituting such #qualifying site# are contiguous and include the #zoning lot# occupied by Grand Central Terminal. All #bulk# regulations of this Chapter shall apply to such modified #qualifying site# without regard to #zoning lot lines#; or
 - (v) the requirement that a #development# or #enlargement# exceed the basic maximum #floor area ratio# set forth in Row A of the table in Section 81-64 as a pre-condition to an increase in #floor area# pursuant to such table, where a #qualifying site# includes the #zoning lot# occupied by Grand Central Terminal;
- (2) the provisions for #zoning lots# divided by district boundaries set forth in Sections 77-02 (Zoning Lots Not Existing Prior to Effective Date or Amendment of Resolution), 77-21 (General Provisions) or 77-22 (Floor Area Ratio), and the provisions of Section 81-612 (Applicability along district boundaries) requiring that #zoning lots# divided by Subarea boundaries utilize the provisions of Article VII, Chapter 7;
- (3) for #qualifying sites# modified pursuant to paragraph (a)(1)(iv) and paragraph (a)(1)(v) of this Section:
- (i) the pre-condition of achieving the maximum as-of-right #floor area ratio# for #qualifying sites# set forth in Row E of the table in Section 81-64 prior to, or in conjunction with, the special permits set forth in Sections 81-644 (Special permit for transit improvements) and 81-645 (Special permit for a public concourse), provided that, prior to obtaining a new building permit for a #development# utilizing bonus #floor area# granted pursuant to Sections 81-644 or 81-645, a contribution is made to the #Public Realm Improvement Fund# in an amount that is commensurate with what the provisions of Section 81-642 (Transfer of development rights from landmarks to qualifying sites) would require if the #zoning lot# occupied by Grand Central Terminal were a #granting lot# and the #development# site were a #receiving lot#; and
 - (ii) the permitted #floor area ratio# attributable to the combination of the special permits set forth in Row F and Row G of the table in Section 81-64, from 3.0 to 6.0;
- ~~(3)~~(4) the #street wall# regulations of Sections 81-43 (Street Wall Continuity Along Designated Streets) or 81-671 (Special street wall requirements), inclusive;

- ~~(4)(5)~~ the height and setback regulations of Sections 81-26 (Height and Setback Regulations – Daylight Compensation), inclusive, 81-27 (Alternate Height and Setback Regulations – Daylight Evaluation), inclusive, or 81-66 (Special Height and Setback Requirements); ~~or~~
- ~~(5)(6)~~ the mandatory district plan elements of Sections 81-42 (Retail Continuity Along Designated Streets), 81-44 (Curb Cut Restrictions), 81-45 (Pedestrian Circulation Space), 81-46 (Off-street Relocation or Renovation of a Subway Stair), 81-47 (Major Building Entrances), 81-48 (Off-street Improvement of Access to Rail Mass Transit Facility), 81-674 (Ground floor use provisions), 81-675 (Curb cut restrictions and loading berth requirements), 81-676 (Pedestrian circulation space requirements) or 37-50 (REQUIREMENTS FOR PEDESTRIAN CIRCULATION SPACE), inclusive, except that no modifications to the required amount of pedestrian circulation space set forth in Section 37-51 shall be permitted; or
- (7) for #qualifying sites# modified pursuant to paragraph (a)(1)(iv) or paragraph (a)(1)(v) of this Section, the time period for substantial construction to be completed prior to the lapse of any special permit granted for such #qualifying site#, as set forth in Section 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution), provided that such time period does not exceed 10 years.

(b) Application requirements

Applications for a special permit for modifications pursuant to this Section shall contain materials, of sufficient scope and detail, to enable the Commission to determine the extent of the proposed modifications. In addition, where modifications to #street wall# or height and setback regulations are proposed, any application shall contain the following materials, at a minimum:

- (1) drawings, including but not limited to, plan views and axonometric views, that illustrate how the proposed #building# will not comply with the #street wall# regulations of Section 81-43, or as such provisions are modified pursuant to Section 81-671, as applicable, and that illustrate how the proposed #building# will not comply with the height and setback regulations of Sections 81-26 or 81-27, or as such provisions are modified pursuant to Section 81-66, as applicable;
- (2) where applicable, formulas showing the degree to which such proposed #building# will not comply with the length and height rules of Section 81-26, or as such provisions are modified pursuant to Section 81-66; ~~and~~
- (3) where applicable, #daylight evaluation charts# and the resulting daylight evaluation score showing the degree to which such proposed #building# will not comply with the provisions of Section 81-27 or as such provisions are modified pursuant to Section 81-66; and
- (4) for any #development# or #enlargement# on a #qualifying site# that includes Grand Central Terminal, a report from the Landmarks Preservation Commission concerning the harmonious relationship of the #development# or, where permitted, #enlargement# to Grand Central Terminal.

(c) Findings

The Commission shall find that such proposed modifications:

- (1) to the definition of #qualifying site# are the minimum extent necessary, and are harmonious with the Subdistrict objective to protect and strengthen the economic vitality and competitiveness of East Midtown by facilitating the development of exceptional modern and sustainable office towers;
- (2) to the requirement for #wide street# frontage in the definition of #qualifying sites# will not unduly concentrate #bulk# towards the middle of the #block# to the detriment of the surrounding area;
- (3) to the #building# performance requirements in the definition of #qualifying sites# and paragraph (a) of Section 81-681:
 - (i) are necessary due to the presence of existing #buildings# on the site; and
 - (ii) will not detract from the incorporation of innovative sustainable design measures;
- (4) to the publicly accessible space requirements in the definition of #qualifying sites# and paragraph (b) of Section 81-681:
 - (i) are the minimum necessary to accommodate the proposed #building#; and
 - (ii) that any reduction or waiver will result in a better site plan and will not detract from a lively streetscape and pedestrian experience;
- (5) to regulations pertaining to #zoning lots# divided by district boundaries will result in better site planning;
- (6) to #floor area ratio# requirements will facilitate significant improvements to transit infrastructure and the public realm in and around Grand Central Terminal;
- ~~(6)~~(7) to the mandatory district plan elements:
 - (i) will result in a better site plan for the proposed #development# or #enlargement# that is harmonious with the mandatory district plan element strategy of the #Special Midtown District#, as set forth in Section 81-41 (General Provisions);
 - (ii) any adverse impact on retail continuity is minimized by a site plan that requires pedestrian-oriented #uses# along the boundaries of any open or enclosed public areas within the #zoning lot#; ~~and~~
- ~~(7)~~(8) to the #street wall# or height and setback regulations:
 - (i) are necessary due to constraints or conditions of the #development# or #enlargement# and conditions imposed by the configuration of the site;
 - (ii) will not unduly obstruct the access of light and air to surrounding properties;

- (iii) will result in an improved distribution of #bulk# on the #zoning lot# that is harmonious with the height and setback goals of the #Special Midtown District# set forth in Section 81-251 (Purpose of height and setback regulations); and
- (iv) the overall design of the #building# demonstrates an integrated and well-considered facade, taking into account factors such as #street wall# articulation, and fenestration, that creates a prominent and distinctive #building# which complements the character of the surrounding area and constitutes a distinctive addition to the Midtown Manhattan skyline.; and

(9) to the time period for substantial construction to be completed prior to the lapse of any special permit granted for such #qualifying site# are necessary due to the complexity of demolition and construction on the site.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, VANESSA L. GIBSON, INEZ D. BARRON, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, RUBEN DIAZ, Sr., KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 7, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Council Member Rose.*

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

Report for L.U. No. 904 & Res. No. 1884

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210417 PPM (175 Park Avenue) submitted by the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter, for the disposition pursuant to zoning of a city owned property located at 175 Park Avenue aka 109 East 42nd Street (Block 1280, Lot 30), Borough of Manhattan, Community District 5, Council District 4.

The Committee on Land Use, to which the annexed Land Use item was referred on October 21, 2021 (Minutes, page 2844) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3612) , respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 899 & Res. No. 1879 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 1884

Resolution approving the decision of the City Planning Commission on Application No. C 210417 PPM, for the disposition of city-owned property, pursuant to zoning (L.U. No. 904).

By Council Members Salamanca and Moya.

WHEREAS, the Department of Citywide Administrative Services (DCAS), filed an application pursuant to Section 197-c of the New York City Charter for the disposition of city-owned property located at 175 Park Avenue aka 109 East 42nd Street (Block 1280, Lot 30), pursuant to zoning, which in conjunction with the related actions to facilitate the development of a 2.25 million-square-foot hotel and office tower, located at 175 Park Avenue (Block 1280, Lot 30), in the East Midtown neighborhood of Manhattan, Community District 5 (ULURP No. C 210417 PPM) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on October 18, 2021, its decision dated October 18, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to applications C 210412 ZSM (L.U. No. 899), a special permit pursuant to Zoning Resolution (ZR) Section 81-685 to allow for modifications to the East Midtown Subdistrict regulations; C 210413 ZSM (L.U. No. 900), a special permit pursuant to Zoning Resolution (ZR) Section 81-621 to permit hotel use; C 210414 ZSM (L.U. No. 901), a special Permit pursuant to ZR Section 81-644 to permit an increase in floor area to allow for transit improvements; C 210415 ZSM (L.U. No. 902), a special permit pursuant to ZR Section 81-645 to permit an increase in floor area to allow for public concourse improvements and modify loading regulations; and N 210416 ZRM (L.U. No. 903), a zoning text amendments to amend provisions relating to existing special permits;

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 November 9, 2021;

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 Positive Declaration, issued November 20th, 2020 (CEQR No. 21DCP057M) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on October 7, 2021, which identified significant adverse impacts related to air quality and noise would be avoided through the placement of (E) designations on the project site. The proposed project as analyzed in the FEIS, identified significant adverse impacts with respect to transportation (vehicular traffic, transit, pedestrian) and construction (transportation) and the identified significant adverse impacts and proposed mitigation measures under the proposed actions are summarized in Chapter 16 “Mitigation” of the FEIS. To ensure the implementation of the mitigation measures identified in the FEIS, the mitigation measures are included in the Restrictive Declaration. The Council has also considered the Technical Memorandum dated December 14, 2021.

RESOLVED:

Having considered the FEIS and Technical Memorandum with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;

- (2) The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and
- (3) Consistent with social, economic and other essential considerations, from among the reasonable alternatives provided in the application, the action[s] is [are] one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (4) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated October 7, 2021, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS and Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Section 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 210417 PPM, incorporated by reference herein, and the record before the Council, the Council approves the Decision for the disposition of the City-owned non-residential property located at Block 1280, Lot 30, pursuant to zoning.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, VANESSA L. GIBSON, INEZ D. BARRON, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, RUBEN DIAZ, Sr., KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 7, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Council Member Rose.*

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

Report for L.U. No. 906 & Res. No. 1885

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210438(A) ZSM (250 Water Street) submitted by 250 Seaport District, LLC pursuant to Sections 197-c and 201 of the New York City Charter and proposed for modification pursuant to Section 2-06(c)(1) of the Uniform Land Use Review Procedure for the grant of special permits pursuant to the following sections of the Zoning Resolution: Section 74-743(a)(1) – to allow the distribution of total allowable floor area without regard for zoning lot lines; and Section 74-743(a)(2) – to modify the height and setback requirements of Section 62-341 (Development on land and platforms), Section 35-652 (Maximum height of buildings and setback regulations), and Section 23-662 (Maximum height of buildings and setback regulations), and the street wall location requirements of Section 35-651 (Street wall location); in connection with a proposed mixed use development in a C6-2A District, within a Large-Scale General Development, within the Special Lower Manhattan District, on property located at 250 Water Street (Block 98, Lot 1), Borough of Manhattan, Community District 1, Council District 1.

The Committee on Land Use, to which the annexed Land Use item was referred on October 21, 2021 (Minutes, page 2845) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3613), respectfully

REPORTS:

SUBJECT

MANHATTAN CB-1 – TWO APPLICATIONS RELATED TO 250 WATER STREET

C 210438(A) ZSM (L.U. No. 906)

City Planning Commission decision approving an application submitted by 250 Seaport District, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the following sections of the Zoning Resolution:

1. Section 74-743(a)(1) – to allow the distribution of total allowable floor area without regard for zoning lot lines; and
2. Section 74-743(a)(2) – to modify the height and setback requirements of Section 62-341 (Development on land and platforms), Section 35-652 (Maximum height of buildings and setback regulations), and Section 23-662 (Maximum height of buildings and setback regulations), and the street wall location requirements of Section 35-651 (Street wall location);

in connection with a proposed mixed use development on property located at 250 Water Street (Block 98, Lot 1), in a C6-2A District, within a Large-Scale General Development generally bounded by Pearl Street, Peck Slip, Water Street, Beekman Street and its easterly prolongation, the U.S. Pierhead line and John Street and its easterly prolongation (Block 73, p/o Lot 10, p/o Lot 8, Lot 11 & a portion of Marginal Street, Wharf or Place, Block 98, Lot 1, Block 74, p/o Lot 20, and the de-mapped portions of Fulton Street, Water Street & Front Street), in C4-6, C5-3, and C6-2A Districts, within the Special Lower Manhattan District.

N 210439 ZRM (L.U. No. 907)

City Planning Commission decision approving an application submitted by 250 Seaport District, 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 the provisions of the South Street Seaport Subdistrict in Article IX Chapter 1 (Special Lower Manhattan District).

INTENT

To grant an approval of zoning special permit to allow the distribution of total allowable floor area without regard to zoning lot lines and to modify height, setback and street wall requirements; and approve a zoning text amendment to modify Zoning Resolution (ZR) Article IX, Chapter 1 to facilitate the development

of a mixed-use building with 547,000 square feet of zoning floor area located at 250 Water Street (Block 98, Lot 1) in the South Street Seaport area of Lower Manhattan, Community District 1.

PUBLIC HEARING

DATE: October 25, 2021

Witnesses in Favor: Sixty-six

Witnesses Against: Eighteen

SUBCOMMITTEE RECOMMENDATION

DATE: December 9, 2021

The Subcommittee recommends that the Land Use Committee approve with modifications the decisions of the City Planning Commission on L.U. Nos. 906 and 907.

In Favor:

Moya
Levin
Reynoso
Grodenschik
Ayala
Rivera
Borelli

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: December 9, 2021

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Gibson
Koo
Miller
Reynoso
Treyger
Grodenschik
Adams
Ayala

Against:

None

Abstain:

Barron

Moya
 Rivera
 Riley
 Brooks-Powers
 Feliz
 Borelli

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated _____, 2021, with the Council on _____, 2021, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 1885

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 210438(A) ZSM, for the grant of a special permit (L.U. No. 906).

By Council Members Salamanca and Moya.

WHEREAS, 250 Seaport District, 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(a)(1) to allow the distribution of total allowable floor area without regard for zoning lot lines; and Section 74-743(a)(2) to modify the height and setback requirements of Section 62-341 (Development on land and platforms), Section 35-652 (Maximum height of buildings and setback regulations), and Section 23-662 (Maximum height of buildings and setback regulations), and the street wall location requirements of Section 35-651 (Street wall location) in connection with a proposed mixed use development on property located at 250 Water Street (Block 98, Lot 1), in a C6-2A District, within a Large-Scale General Development generally bounded by Pearl Street, Peck Slip, Water Street, Beekman Street and its easterly prolongation, the U.S. Pierhead line and John Street and its easterly prolongation (Block 73, p/o Lot 10, p/o Lot 8, Lot 11 & a portion of Marginal Street, Wharf or Place, Block 98, Lot 1, Block 74, p/o Lot 20, and the de-mapped portions of Fulton Street, Water Street & Front Street), in C4-6, C5-3, and C6-2A Districts, which in conjunction with the related action would facilitate the development of a mixed-use building with 547,000 square feet of zoning floor area located at 250 Water Street (Block 98, Lot 1) in the South Street Seaport area of Lower Manhattan, Community District 1 (ULURP No. C 210438(A) ZSM) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on October 22, 2021, its decision dated October 20, 2021 (the “Decision”) on the Application;

WHEREAS, the Application is related to application N 210439 ZRM (L.U. No. 907), a zoning text amendment to ZR Section 74-96 (Modification of Use, Bulk, Parking and Loading Regulations in Industrial Business Incentive Areas) also subject to review and action by the Council; and other related actions not subject to review and action by the Council: N 210441 ZAM, a zoning authorization to provide a curb cut on a wide street; N 210445 ZAM, a zoning authorization to provide for modifications within a Waterfront Public Access Area related to permitted obstructions and bollards; N 210446 ZCM, zoning certification pursuant to ZR Section 62-12(c) related to proposed design changes to a Waterfront Public Access Area and the level of compliance; M 130053(B) ZSM, modifications to the previously approved South Street Seaport / Pier 17 LSGD;

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 Sections 74-743(a)(1) and 74-743(a)(2) 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 October 25, 2021;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration issued November 16, 2020 (CEQR No. 21DCP084M) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on October 8, 2021. The FEIS and the Notice of Completion were revised on October 10, 2021, in which the significant adverse impacts related to hazardous materials, air quality and noise would be avoided through the placement of (E) designation (E-621) on the Development Site (Block 98, Lot 1), and an equivalent mechanism on the City owned Museum Site at Block 74, Lot 1. The FEIS identified significant adverse impacts with respect to shadows, open space (due to shadows), historic and cultural resources (architectural resources), transportation (traffic and pedestrians), and construction activities related to traffic and noise. The FEIS also analyzed this amended application (C 210438 (A) ZSM), which identified the same impacts as the original application except that it would not result in significant adverse impacts with respect to historic and cultural resources or open space, and the shadows impact on one open space resource would be reduced but the impact would remain. Other commitments made related to the environmental review will be codified in a Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and
- (3) The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the Restrictive Declaration dated October 20, 2021, attached as an Exhibit, all as acceptable to Counsel to the Department of City Planning, is executed by 250 Seaport District, LLC, or its successors, and such Restrictive Declaration shall have been recorded and filed on the Office of Register of the City of New York, County of New York, those project components related to the environment and mitigation measures that were identified as practicable; and by the placement of (E) Designations (E-621) on the Development Site (Block 98, Lot 1), and an equivalent mechanism on the city owned Museum Site (Block 74, Lot 1).
- (4) No development pursuant to this resolution shall be permitted until the Restrictive Declaration attached as an Exhibit, as same may be modified with any necessary administrative or technical changes, all as acceptable to Counsel to the Department of City Planning, is executed by 250 Seaport District, LLC, or its successor, and such Restrictive Declaration shall have been recorded and filed in the Office of the Register of the City of New York, County of New York.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 210438(A) ZSM, 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

1. The property that is the subject of this application (C 210438(A) ZSM) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following plans, prepared by T.J. Gottesdiener, Skidmore, Owings & Merrill, filed with this application and incorporated in this resolution:

<u>Drawing No.</u>	<u>Title</u>	<u>Last Revised Date</u>
Z-001	LSGD Zoning Analysis	10/15 <u>12/09/21</u>
Z-002	LSGD Zoning Site Plan	10/15/2021
Z-400	Zoning Lot A – Analysis	10/15 <u>12/09/21</u>
Z-401	Zoning Lot A – Site Plan	10/15/2021
Z-402	Zoning Lot A – Waiver Plan	10/15/2021
Z-403	Zoning Lot A – Waiver Sections	10/15/2021
Z-404	Zoning Lot A – Waiver Sections	10/15/2021
Z-405	Zoning Lot A – Waiver Sections	10/15/2021
Z-406	Zoning Lot A – Waiver Sections	10/15/2021
Z-407	Zoning Lot A – Waiver Sections	10/15/2021

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance.
4. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sublessee or occupant.
5. Development pursuant to this resolution shall be allowed only after the attached restrictive declaration, the terms of which are hereby incorporated in this resolution, shall have been recorded and filed in the Office of the Register of the City of New York, County of New York.
6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may,

without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure or breach of any of the conditions as stated above, may constitute grounds for the City Planning Commission or City Council, as applicable, to disapprove any application for modification, renewal or extension of the special permit hereby granted or of the attached restrictive declaration.

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

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, DIANA AYALA, FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 9, 2021 (Hybrid Hearing).

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

Report for L.U. No. 907 & Res. No. 1886

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 210439 ZRM (250 Water Street) submitted by 250 Seaport District, 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 the provisions of the South Street Seaport Subdistrict in Article IX Chapter 1 (Special Lower Manhattan District), Borough of Manhattan, Community District 1, Council District 1.

The Committee on Land Use, to which the annexed Land Use item was referred on October 21, 2021 (Minutes, page 2845) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3615), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 906 & Res. No. 1885 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 1886

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 210439 ZM, for an amendment of the text of the Zoning Resolution (L.U. No. 907).

By Council Members Salamanca and Moya.

WHEREAS, 250 Seaport District, 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 the provisions of the South Street Seaport Subdistrict in Article IX Chapter 1 (Special Lower Manhattan District), which in conjunction with the related action would facilitate the development of a mixed-use building with 547,000 square feet of zoning floor area located at 250 Water Street (Block 98, Lot 1) in the South Street Seaport area of Lower Manhattan, Community District 1 (ULURP No. N 210439 ZRM), (the "Application");

WHEREAS, the City Planning Commission filed with the Council on October 22, 2021, its decision dated October 20, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to application C 210438(A) ZSM (L.U. No. 906), a zoning special permit to allow the distribution of total allowable floor area without regard to zoning lot lines; and to modify height, setback and street wall requirements, also subject to review and action by the Council; and other related applications not subject to review and action by the Council: N 210441 ZAM, a zoning authorization to provide a curb cut on a wide street; N 210445 ZAM, a zoning authorization to provide for modifications within a Waterfront Public Access Area related to permitted obstructions and bollards; N 210446 ZCM, zoning certification pursuant to ZR Section 62-12(c) related to proposed design changes to a Waterfront Public Access Area and the level of compliance; M 130053(B) ZSM, modifications to the previously approved South Street Seaport / Pier 17 LSGD;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 25, 2021;

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 Positive Declaration issued November 16, 2020 (CEQR No. 21DCP084M) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on October 8, 2021. The FEIS and the Notice of Completion were revised on October 10, 2021, in which the significant adverse impacts related to hazardous materials, air quality and noise would be avoided through the placement of (E) designation (E-621) on the Development Site (Block 98, Lot 1), and an equivalent mechanism on the City owned Museum Site at Block 74, Lot 1. The FEIS identified significant adverse impacts with respect to shadows, open space (due to shadows), historic and cultural resources (architectural resources), transportation (traffic and pedestrians), and construction activities related to traffic and noise. The FEIS also analyzed the amended application (C 210438 (A) ZSM), which identified the same impacts as the original application except that it would not result in significant adverse impacts with respect to historic and cultural resources or open space, and the shadows impact on one open space resource would be reduced but the impact would remain. Other commitments made related to the environmental review will be codified in a Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and

- (3) The adverse environmental impacts revealed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the Restrictive Declaration dated October 20, 2021, attached as an Exhibit, all as acceptable to Counsel to the Department of City Planning, is executed by 250 Seaport District, LLC, or its successors, and such Restrictive Declaration shall have been recorded and filed on the Office of Register of the City of New York, County of New York, those project components related to the environment and mitigation measures that were identified as practicable; and by the placement of (E) Designations (E-621) on the Development Site (Block 98, Lot 1), and an equivalent mechanism on the city owned Museum Site (Block 74, Lot 1).
- (4) No development pursuant to this resolution shall be permitted until the Restrictive Declaration attached as an Exhibit, as same may be modified with any necessary administrative or technical changes, all as acceptable to Counsel to the Department of City Planning, is executed by 250 Seaport District, LLC, or its successor, and such Restrictive Declaration shall have been recorded and filed in the Office of the Register of the City of New York, County of New York.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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, N 210439 ZRM, 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

* * *

**ARTICLE IX
SPECIAL PURPOSE DISTRICTS**

**Chapter 1
Special Lower Manhattan District**

**91-60
REGULATIONS FOR THE SOUTH STREET SEAPORT SUBDISTRICT**

* * *

**91-62
Definitions**

For purposes of this Section, matter in italics is defined in Section 12-10 (DEFINITIONS) or within this Section.

* * *

Receiving lot

Within the South Street Seaport Subdistrict, a “receiving lot” is a #zoning lot# identified on the map of transfer areas (Map 6 in Appendix A) to which #development rights# may be added. Such “receiving lots” are identified on the map as Parcels 1, 2, 8, 15, 16, 20, 21 and 22.

* * *

91-68

Designated Pedestrian Ways

Within the South Street Seaport Subdistrict, the volume situated above the subsurface #streets# shown on the City Map, and listed in this Section are designated pedestrian ways and are governed by paragraph (b) of the definition of #street# as set forth in Section 91-62 (Definitions):

- (a) Fulton Street, between Water and South Streets
- (b) Water Street, between Fulton and Beekman Streets
- (c) Front Street, between Fulton and Beekman Streets, and between John and Fulton Streets
- (d) South Street (the 18-foot-wide strip located on the northwesterly side), between Beekman and John Streets.

In addition, the designated pedestrian ways referenced in paragraphs (a), (b) and (c) of this Section may be considered a single #zoning lot# for purposes of the definition of #large-scale general development# in Section 12-10 (Definitions).

* * *

Appendix A

Lower Manhattan District Plan Maps

* * *

~~(12/11/01)~~ [date of adoption]

Map 6 - South Street Seaport Subdistrict (91-A6)

[EXISTING MAP TO BE DELETED]



— South Street Seaport Subdistrict

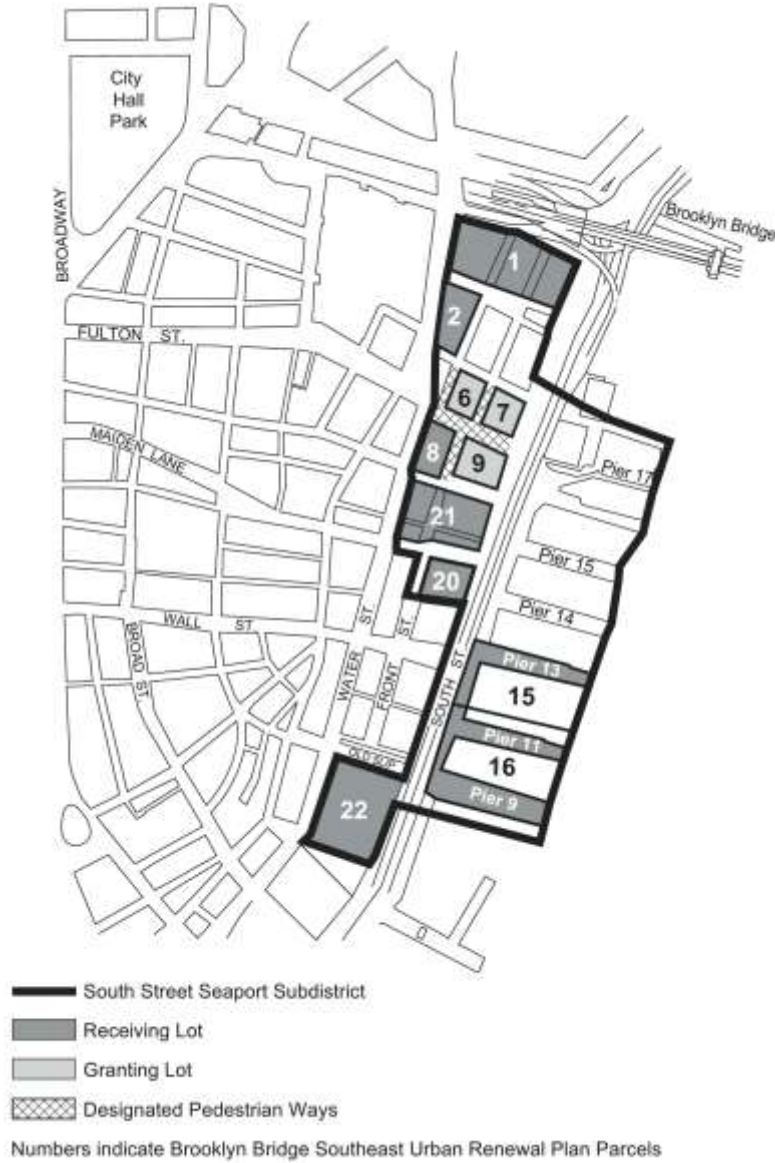
■ Receiving Lot

■ Granting Lot

▨ Designated Pedestrian Ways

Numbers indicate Brooklyn Bridge Southeast Urban Renewal Plan Parcels

[PROPOSED MAP TO BE ADDED]



* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, DIANA AYALA, FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 9, 2021 (Hybrid Hearing).

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

Report for L.U. No. 914 & Res. No. 1887

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210462 ZMK (Special Brooklyn Navy Yard District) submitted by Building 77 QALICB, Inc. and the NYC Small Business Services pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d, changing from an R6B District to an M2-1 District, changing from an M1-2 District to an M2-1 District, changing from an M3-1 District to an M2-1 District, and establishing a Special Brooklyn Navy Yard District (BNY), Borough of Brooklyn Community District 2, Council District 33.

The Committee on Land Use, to which the annexed Land Use item was referred on November 10, 2021 (Minutes, page 3115) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3615), respectfully

REPORTS:

SUBJECT

BROOKLYN CB-2 – TWO APPLICATIONS RELATED TO SPECIAL BROOKLYN NAVY YARD DISTRICT

C 210462 ZMK (Pre. L.U. No. 914)

City Planning Commission decision approving an application submitted by Building 77 QALICB, Inc. and the NYC Small Business Services, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d:

1. changing from an R6B District to an M2-1 District property bounded by the following courses:
 - (i) a line 400 feet northeasterly of Navy Street;
 - (ii) a line perpendicular to the last named course at a point 400 feet southeasterly (as measured on such named course) from the point of intersection of the southerly street line of Evans Street and the easterly street line of Little Street;
 - (iii) a line passing through a point along the northeasterly street line of Navy Street, 95 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Navy Street and the easterly prolongation of a line 100 feet northerly of York Street and proceeding northerly at an angle 138 degrees to the northeasterly street line of Navy Street;
 - (iv) a line passing through a point along the last named course, 170 feet northerly of the northeasterly street line of Navy Street (as measured along the last named course), proceeding easterly at an angle 92 degrees to the last named course; and
 - (v) a line passing through a point along the last named course, 131 feet easterly of the intersection of the last named course and Course 1(iii) above (as measured along the last named course), proceeding northeasterly at an angle 117 degrees to the last named course;

2. changing from an M1-2 District to an M2-1 District property bounded by:

- a. a line 400 feet northeasterly and easterly of Navy Street, the easterly centerline prolongation of Sands Street, Navy Street, and Course 1(ii); and
 - b. a line 400 feet northerly of Flushing Avenue, the northerly centerline prolongation of North Oxford Street, Flushing Avenue, and a line 680 feet easterly of Navy Street;
3. changing from an M3-1 District to an M2-1 District property bounded by:
- a. a line 400 feet northerly of Flushing Avenue, a line 3,515 feet easterly of Navy Street, Flushing Avenue, and the northerly centerline prolongation of North Oxford Street; and
 - b. the following courses:
 - (i) Kent Avenue;
 - (ii) the southwesterly prolongation of the northwesterly street line of Clymer Street;
 - (iii) a line passing through the intersection of the southwesterly prolongation of the northwesterly street line of Clymer Street and the southwesterly street line of Kent Avenue and proceeding southerly at an angle 46 degrees from the southwesterly street line of Kent Avenue;
 - (iv) the southwesterly centerline prolongation of Taylor Street;
 - (v) a line passing through a point along the last named course 311 feet southwesterly (as measured along the last named course) of the intersection of the last named course and Course 3b(iii), proceeding northwesterly at an angle 100 degrees to the last named course;
 - (vi) the U.S. Pierhead and Bulkhead Line;
 - (vii) a line passing through a point along Course 3b(v) distant 919 feet northwesterly (as measured along Course 3b(v)) from the intersection of Course 3b(v) and Course 3b(iv), proceeding northeasterly at an angle 90 degrees to Course 3b(v);
 - (viii) a line passing through two points, the first being a point along the last named course 350 feet northeasterly of the intersection of the last named course and **Course 3b(vi)** and the second being a point on the U.S. Pierhead and Bulkhead Line distant 149 feet southerly (as measured along the US Pierhead and Bulkhead Line) from the point of intersection of the U.S. Pierhead and Bulkhead Line and a southerly boundary line of the NYC Pierhead Line;
 - (ix) the U.S. Pierhead and Bulkhead Line; and
 - (x) the easterly prolongation of the NYC Pierhead Line; and
 - c. the following courses:
 - (i) a line 400 feet northeasterly and easterly of Navy Street;
 - (ii) a line passing through the point of intersection of the last named course and Course 1(v) proceeding easterly at an angle 115 degrees to Course 1(v);
 - (iii) a line passing through a point along the last named course 540 feet easterly (as measured along the last named course) from the intersection of the last named course and Course 1(v) proceeding southerly at an angle 90 degrees to the last named course; and
 - (iv) a line passing through a point along the last named course 294 feet southerly (as measured along the last named course) from the intersection of the last named course

and Course 3c(ii) proceeding southwesterly at an angle 141 degrees to the last named course;

4. establishing a Special Brooklyn Navy Yard District (BNY) bounded by the following courses:
- (i) the U.S. Pierhead and Bulkhead Line;
 - (ii) the NYC Pierhead Line and its easterly prolongation;
 - (iii) Kent Avenue;
 - (iv) the northerly centerline prolongation of Classon Avenue;
 - (v) Williamsburg Street West;
 - (vi) Flushing Avenue;
 - (vii) a line 680 feet easterly of Navy Street;
 - (viii) a line 350 feet northerly of Flushing Avenue;
 - (ix) a line passing through a point on the last named course 272 feet westerly of the intersection of the last named course and Course 4(vii) proceeding northwesterly at an angle 135 degrees to the last named course;
 - (x) a line 34 feet southerly of the easterly centerline prolongation of Sands Street;
 - (xi) a line 132 feet easterly of Navy Street;
 - (xii) a line 50 feet southerly of the easterly centerline prolongation of Sands Street;
 - (xiii) Navy Street;
 - (xiv) Course 1(iii)
 - (xv) Course 1(iv)
 - (xvi) Course 1(v)
 - (xvii) Course 3c(ii)
 - (xviii) the northerly prolongation of Course 3c(iii)

as shown on a diagram (for illustrative purposes only) dated June 7, 2021.

N 210463 (A) ZRK (Pre. L.U. No. 915)

City Planning Commission decision approving an application submitted by Building 77 QALICB, Inc. and NYC Small Business Services, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York establishing the Special Brooklyn Navy Yard District (Article XIV, Chapter 4) and modifying related sections.

INTENT

To approve the amendment to rezone the project area to change an R6B, M1-2, and M3-1 district to an M2-1 district and to establish the Special Brooklyn Navy Yard District (BNY); and amend zoning text amendment to establish the Special Brooklyn Navy Yard District (Article XIV, Chapter 4) and modify underlying regulations with regards to use, bulk, signage, ground floor streetscape, open space, parking and loading, and the waterfront area to facilitate a 4.6 million square foot expansion of the Brooklyn Navy Yard with new industrial, commercial, and community facility uses throughout the waterfront campus, located in Brooklyn, Community District 2.

PUBLIC HEARING**DATE:** October 25, 2021**Witnesses in Favor:** Twelve**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** December 2, 2021

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on Pre. L.U. No. 914 and approve with modifications the decision of the City Planning Commission on Pre. L.U. No. 915.

In Favor:

Moya
Levin
Reynoso
Grodenchik
Ayala
Rivera
Borelli

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** December 7, 2021

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Gibson
Barron
Koo
Levin
Reynoso
Treyger
Grodenchik
Diaz, Sr.
Riley
Brooks-Powers
Feliz
Borelli

Against:

None

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated _____, 2021, with the Council on _____, 2021, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 1887

Resolution approving the decision of the City Planning Commission on ULURP No. C 210462 ZMK, a Zoning Map amendment (Preconsidered L.U. No. 914).

By Council Members Salamanca and Moya.

WHEREAS, Building 77 QALICB, Inc. and the NYC Small Business Services, 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, changing from an R6B District to an M2-1 District, changing from an M1-2 District to an M2-1 District, changing from an M3-1 District to an M2-1 District, establishing a Special Brooklyn Navy Yard District (BNY), which in conjunction with the related action would facilitate a 4.6 million square foot expansion of the Brooklyn Navy Yard with new industrial, commercial, and community facility uses throughout the waterfront campus, located in Brooklyn, Community District 2 (ULURP No. C 210462 ZMK) (the "Application");

WHEREAS the City Planning Commission filed with the Council on October 22, 2021, its decision dated October 20, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 210463 (A) ZRK (Pre. L.U. No. 915), a zoning text amendment to establish the Special Brooklyn Navy Yard District (Article XIV, Chapter 4) and modify underlying regulations with regards to use, bulk, signage, ground floor streetscape, open space, parking and loading, and the waterfront 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 October 25, 2021;

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 Revised Negative Declaration issued August 18, 2021, which supersedes the Negative Declaration issued June 7, 2021, and Revised Environmental Assessment Statement issued August 18, 2021 (CEQR No. 19DME011K);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Revised Environmental Assessment Statement and Revised 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 210462 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 No.12d:

1. changing from an R6B District to an M2-1 District property bounded by the following courses:
 - (i) a line 400 feet northeasterly of Navy Street;
 - (ii) a line perpendicular to the last named course at a point 400 feet southeasterly (as measured on such named course) from the point of intersection of the southerly street line of Evans Street and the easterly street line of Little Street;
 - (iii) a line passing through a point along the northeasterly street line of Navy Street, 95 feet southeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Navy Street and the easterly prolongation of a line 100 feet northerly of York Street and proceeding northerly at an angle 138 degrees to the northeasterly street line of Navy Street;
 - (iv) a line passing through a point along the last named course, 170 feet northerly of the northeasterly street line of Navy Street (as measured along the last named course), proceeding easterly at an angle 92 degrees to the last named course; and
 - (v) a line passing through a point along the last named course, 131 feet easterly of the intersection of the last named course and Course 1(iii) above (as measured along the last named course), proceeding northeasterly at an angle 117 degrees to the last named course;

2. changing from an M1-2 District to an M2-1 District property bounded by:
 - a. a line 400 feet northeasterly and easterly of Navy Street, the easterly centerline prolongation of Sands Street, Navy Street, and Course 1(ii); and
 - b. a line 400 feet northerly of Flushing Avenue, the northerly centerline prolongation of North Oxford Street, Flushing Avenue, and a line 680 feet easterly of Navy Street;

3. changing from an M3-1 District to an M2-1 District property bounded by:
 - a. a line 400 feet northerly of Flushing Avenue, a line 3,515 feet easterly of Navy Street, Flushing Avenue, and the northerly centerline prolongation of North Oxford Street; and
 - b. the following courses:
 - (i) Kent Avenue;
 - (ii) the southwesterly prolongation of the northwesterly street line of Clymer Street;
 - (iii) a line passing through the intersection of the southwesterly prolongation of the northwesterly street line of Clymer Street and the southwesterly street line of Kent Avenue and proceeding southerly at an angle 46 degrees from the southwesterly street line of Kent Avenue;
 - (iv) the southwesterly centerline prolongation of Taylor Street;
 - (v) a line passing through a point along the last named course 311 feet southwesterly (as measured along the last named course) of the intersection of the last named course and

Course 3b(iii), proceeding northwesterly at an angle 100 degrees to the last named course;

- (vi) the U.S. Pierhead and Bulkhead Line;
- (vii) a line passing through a point along Course 3b(v) distant 919 feet northwesterly (as measured along Course 3b(v)) from the intersection of Course 3b(v) and Course 3b(iv), proceeding northeasterly at an angle 90 degrees to Course 3b(v);
- (viii) a line passing through two points, the first being a point along the last named course 350 feet northeasterly of the intersection of the last named course and **Course 3b(vi)** and the second being a point on the U.S. Pierhead and Bulkhead Line distant 149 feet southerly (as measured along the US Pierhead and Bulkhead Line) from the point of intersection of the U.S. Pierhead and Bulkhead Line and a southerly boundary line of the NYC Pierhead Line;
- (ix) the U.S. Pierhead and Bulkhead Line; and
- (x) the easterly prolongation of the NYC Pierhead Line; and

c. the following courses:

- (i) a line 400 feet northeasterly and easterly of Navy Street;
- (ii) a line passing through the point of intersection of the last named course and Course 1(v) proceeding easterly at an angle 115 degrees to Course 1(v);
- (iii) a line passing through a point along the last named course 540 feet easterly (as measured along the last named course) from the intersection of the last named course and Course 1(v) proceeding southerly at an angle 90 degrees to the last named course; and
- (iv) a line passing through a point along the last named course 294 feet southerly (as measured along the last named course) from the intersection of the last named course and Course 3c(ii) proceeding southwesterly at an angle 141 degrees to the last named course;

4. establishing a Special Brooklyn Navy Yard District (BNY) bounded by the following courses:

- (i) the U.S. Pierhead and Bulkhead Line;
- (ii) the NYC Pierhead Line and its easterly prolongation;
- (iii) Kent Avenue;
- (iv) the northerly centerline prolongation of Classon Avenue;
- (v) Williamsburg Street West;
- (vi) Flushing Avenue;
- (vii) a line 680 feet easterly of Navy Street;
- (viii) a line 350 feet northerly of Flushing Avenue;
- (ix) a line passing through a point on the last named course 272 feet westerly of the intersection of the last named course and Course 4(vii) proceeding northwesterly at an angle 135 degrees to the last named course;
- (x) a line 34 feet southerly of the easterly centerline prolongation of Sands Street;
- (xi) a line 132 feet easterly of Navy Street;
- (xii) a line 50 feet southerly of the easterly centerline prolongation of Sands Street;
- (xiii) Navy Street;
- (xiv) Course 1(iii)
- (xv) Course 1(iv)
- (xvi) Course 1(v)
- (xvii) Course 3c(ii)
- (xviii) the northerly prolongation of Course 3c(iii)

Borough of Brooklyn, Community District 2, as shown on a diagram (for illustrative purposes only) dated June 7, 2021.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, VANESSA L. GIBSON, INEZ D. BARRON, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, RUBEN DIAZ, Sr., KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 7, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Council Member Rose.*

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

Report for L.U. No. 915 & Res. No. 1888

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 210463(A) ZRK (Special Brooklyn Navy Yard District) submitted by Building 77 QALICB, Inc. and NYC Small Business Services, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York establishing the Special Brooklyn Navy Yard District (Article XIV, Chapter 4) and modifying other related Sections, Borough of Brooklyn Community District 2, Council District 33.

The Committee on Land Use, to which the annexed Land Use item was referred on November 10, 2021 (Minutes, page 3115) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3619), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 914 & Res. No. 1887 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 1888

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 210463 (A) ZRK, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 915).

By Council Members Salamanca and Moya.

WHEREAS, Building 77 QALICB, Inc. and NYC Small Business Services, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, establishing the Special Brooklyn Navy Yard District (Article XIV, Chapter 4) and modifying related sections in the Borough of Brooklyn, Community District 2, which in conjunction with the related action would facilitate the expansion of the Brooklyn Navy Yard through the construction of an additional 4.6 million square feet for a total of 11 million square feet of industrial, commercial, and community facility uses along the waterfront in Brooklyn, Community District 2 (Application No. N 210463 (A) ZRK) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on October 22, 2021, its decision dated October 20, 2021 (the “Decision”), on the Application;

WHEREAS, the Application is related to application C 210462 ZMK (Pre. L.U. No. 914), a zoning map amendment to change an R6B, M1-2, and M3-1 district to an M2-1 district and to establish the Special Brooklyn Navy Yard District (BNY);

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on October 25, 2021;

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 Revised Negative Declaration issued August 18, 2021, which supersedes the Negative Declaration issued June 7, 2021, and Revised Environmental Assessment Statement issued August 18, 2021 (CEQR No. 19DME011K);

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Revised Environmental Assessment Statement and Revised 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 210463 (A) 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

* * *

ARTICLE I

GENERAL PROVISIONS

Chapter 1

Title, Establishment of Controls and Interpretation of Regulations

* * *

11-12

Establishment of Districts

* * *

11-122

Districts established

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

* * *

Special Purpose Districts

* * *

Establishment of the Special Bay Street Corridor District

In order to carry out the special purposes of this Resolution as set forth in Article XIII, Chapter 5, the #Special Bay Street Corridor District# is hereby established.

Establishment of the Special Brooklyn Navy Yard District

In order to carry out the special purposes of this Resolution as set forth in Article XIV, Chapter 4, the #Special Brooklyn Navy Yard District# is hereby established.

Establishment of the Special City Island District

In order to carry out the special purposes of this Resolution as set forth in Article XI, Chapter 2, the #Special City Island District# is hereby established.

* * *

Chapter 2

Construction of Language and Definitions

* * *

12-10

Definitions

* * *

Special Bay Street Corridor District (6/26/19)

The “Special Bay Street Corridor District” is a Special Purpose District designated by the letters “BSC” in which special regulations set forth in Article XIII, Chapter 5, apply.

Special Brooklyn Navy Yard District ([date of adoption])

The “Special Brooklyn Navy Yard District” is a Special Purpose District designated by the letters “BNY” in which special regulations set forth in Article XIV, Chapter 4, apply.

Special City Island District (2/2/11)

The “Special City Island District” is a Special Purpose District designated by the letters “CD” in which special regulations set forth in Article XI, Chapter 2, apply.

* * *

Chapter 4

Sidewalk Café Regulations

* * *

14-44

Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

* * *

Brooklyn	#Enclosed Sidewalk Café#	#Unenclosed Sidewalk Café#
* * *	* * *	* * *
#Bay Ridge District#	Yes	Yes
#Brooklyn Navy Yard District#	Yes	Yes
#Coney Island District#	Yes	No
* * *	* * *	* * *

ARTICLE VI

SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS

Chapter 2

Special Regulations Applying in the Waterfront Area

* * *

62-13

Applicability of District Regulations

* * *

The provisions of this Chapter shall not apply to the following Special Purpose Districts unless expressly stated otherwise in the special district provisions:

#Special Battery Park City District#

#Special Brooklyn Navy Yard District#

#Special Governors Island District#

* * *

ARTICLE XIV

SPECIAL PURPOSE DISTRICTS

* * *

Chapter 4

Special Brooklyn Navy Yard District (BNY)

144-00

GENERAL PURPOSES

The “Special Brooklyn Navy Yard District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These goals include, among others, the following specific purposes:

- (a) to encourage investment in the Brooklyn Navy Yard and facilitate the expansion of the Brooklyn Navy Yard as a modern manufacturing complex;
- (b) to promote job growth;
- (c) to allow for a mix of office, community facility, retail, and other commercial uses to complement the industrial and manufacturing facilities at the Brooklyn Navy Yard;
- (d) to use traffic management planning to meet loading and parking needs including through alternate means of travel
- (e) to better integrate the Brooklyn Navy Yard with the urban fabric of surrounding residential and mixed-use communities and to introduce publicly accessible open space areas within the perimeter of the Yard; and
- (f) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect the City's tax revenues.

144-01

Definitions

Definitions specifically applicable to this Chapter are set forth in this Section and may modify definitions set forth in Section 12-10 (DEFINITIONS). Where a term in italics is defined in both Section 12-10 and in this Chapter, the definitions in this Chapter shall govern. The terms #pier#, #platform#, and #floating structure# shall have the meaning set forth in Section 62-11 (Definitions).

Barge Basin

#Barge Basin# shall mean that inlet from the East River identified on Map 2 in the Appendix to this Chapter as the Barge Basin.

Shoreline

The definition of #shoreline# set forth in Section 12-10 is modified for the purposes of this Chapter to mean the shoreline on a survey available on the Department of City Planning website.

144-02**General Provisions**

The provisions of this Chapter shall apply within the #Special Brooklyn Navy Yard District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented, or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, in #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Zones), the provisions of Article VI, Chapter 4 shall control.

144-03**District Plan and Maps**

The regulations of this Chapter are designed to implement the #Special Brooklyn Navy Yard District# Plan. The district plan includes the following maps in the Appendix to this Chapter:

<u>Map 1</u>	<u>Special Brooklyn Navy Yard District and Subdistricts</u>
<u>Map 2</u>	<u>Barge Basin Subareas</u>
<u>Map 3</u>	<u>Navy Street Central Subarea</u>
<u>Map 4</u>	<u>Flushing Avenue Subareas and View Corridors</u>
<u>Map 5</u>	<u>Street Line Locations in the Barge Basin Subdistrict</u>

Map 6 Primary Street Frontages

The maps are hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

144-04

Subdistricts and Subareas

In order to carry out the purposes and provisions of this Chapter, four subdistricts are established within the #Special Brooklyn Navy Yard District# comprised of three perimeter subdistricts and one core subdistrict for the remainder of the Yard. In addition, one subarea is established in the Navy Street Subdistrict, two subareas are established within the Flushing Subdistrict and two subareas are established within the Barge Basin Subdistrict.

Perimeter Subdistricts

Navy Street Subdistrict

Navy Street Central Subarea

Flushing Subdistrict

Flushing West Subarea

Flushing East Subarea

Barge Basin Subdistrict

Barge Basin East Subarea

Barge Basin West Subarea

Core Subdistrict

The boundaries of the Subdistricts are shown in Map 1 and the boundaries of the Subareas are shown on Maps 2 through 4 in the Appendix to this Chapter.

144-05

Applicability of Special Regulations Applying in the Waterfront Area

The provisions of Article VI, Chapter 2 (Special Regulations Applying in the Waterfront Area) shall not apply in the #Special Brooklyn Navy Yard District# except as expressly provided in this Chapter.

144-06

Single Zoning Lot

For all purposes of this Chapter, the #Special Brooklyn Navy Yard District# shall be deemed to be a single #zoning lot# except where expressly provided otherwise in this Chapter. #Floor area# attributable to the #zoning lot# may be located anywhere on the #zoning lot# without regard to Subdistrict boundary lines, and all #floor area# located within a Subdistrict shall be subject to the #use# and #bulk# requirements of such Subdistrict.

144-10

SPECIAL USE REGULATIONS

Within the #Special Brooklyn Navy Yard District, the #use# provisions of Article IV, Chapter 2 are modified by the provisions of this Section, inclusive.

144-11**Additional Uses Permitted in All Districts**

In all districts, the underlying #use# regulations are modified as follows:

(a) Alcoholic beverages and breweries

The manufacture of alcoholic beverages and breweries, as specified in Section 42-15 (Use Group 18), shall be permitted, subject to the applicable performance standards, except that the provisions of Section 42-27 (Performance Standards Regulating Fire and Explosive Hazards) shall not apply.

(b) Water-dependent #uses#

The provisions of Section 62-21 (Classification of Uses in the Waterfront Area), Section 62-22 (Commercial Docking Facilities), Section 62-24 (Uses on Piers and Platforms), and Section 62-25 (Uses on Floating Structures) shall apply, provided that all #uses# existing on #piers# and #platforms# as of [date of adoption] shall be deemed conforming #uses#.

[Removing provisions relating to physical culture establishments because they have been superseded by the CPC-approved Health and Fitness Citywide Text Amendment (N 210382 ZRY).]

144-12**Additional Uses Permitted in M2-1 Districts**

The provisions of Section 42-10 (USES PERMITTED AS-OF-RIGHT) shall be modified to permit the following uses in M2-1 Districts, subject to the requirements of Section 144-212 (Floor area limitations on additional uses):

(a) all Use Group 3A #uses#, as set forth in Section 22-13, not otherwise permitted by the underlying regulations other than #uses# containing sleeping accommodations; and

(b) all Use Groups 6C, 9A, 10A and 12B #uses#, as set forth in Sections 32-15, 32-18, 32-19 and 32-21, respectively, not otherwise permitted by the underlying regulations.

144-13**Additional Uses in M3-1 Districts**

Within M3-1 Districts, the City Planning Commission may allow, by authorization, #schools#, colleges or universities, without sleeping accommodations, as listed in Use Group 3A, provided that the Commission finds that:

- (a) such #school#, college or university has an academic program compatible with a tenant or industrial operation in the #Brooklyn Navy Yard Special District#; and
- (b) the location of the #school#, college or university will not interfere with any #manufacturing use# or alter the essential industrial character of the #Special Brooklyn Navy Yard District#.

The Commission may impose appropriate conditions and safeguards to minimize adverse impacts effects on the character of the surrounding area.

144-14**Special Sign Regulations**

In the #Special Brooklyn Navy Yard District#, the underlying #sign# regulations of Section 42-50 (SIGN REGULATIONS) shall apply, except as modified by the provisions of Section 144-141 (Illuminated non-flashing signage) through Section 144-143 (Special provisions near certain parks).

144-141**Illuminated non-flashing signage**

The provisions of Section 42-533 (Illuminated or flashing signs) shall be modified to allow one #accessory# non-#flashing illuminated sign# to have a #surface area# of 750 square feet in each of the following Subareas: the Navy Street Central Subarea, the Flushing East Subarea, between Clinton Avenue and Washington Avenue, the Barge Basin East Subarea, and the Barge Basin West Subarea. All other #illuminated signs# shall comply with the requirements of Section 42-533 (Illuminated or flashing signs).

144-142**Special provisions along district boundaries**

The provisions of Section 42-56 (Special Provisions Applying Along District Boundaries) shall be modified as follows:

- (a) within the Flushing East Subarea, the provisions of Section 42-561 (Restrictions along the district boundary located in a street) shall not apply to any #sign# provided in accordance with Section 144-141 (Illuminated non-flashing signage); and
- (b) within the Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin Subdistrict, the orientation provisions of Section 42-562 (Restriction on angle and height above curb level) shall not apply to #signs# provided in accordance with Section 144-141 (Illuminated non-flashing signage).

144-143**Special provisions near certain parks**

The provisions of Section 42-55 (Additional Regulations for Signs Near Certain Parks and Designated Arterial Highways) shall not apply to any #signs# provided in accordance with Section 144-141 (Illuminated non-flashing signage) within the Barge Basin East Subarea.

144-20**SPECIAL BULK REGULATIONS**

Within the #Special Brooklyn Navy Yard District, the #bulk# provisions of Article IV, Chapter 3 are modified by the provisions of this Section, inclusive.

144-21**Floor Area Regulations**

The underlying #floor area# regulations of Section 43-10 (FLOOR AREA REGULATIONS), inclusive, are modified by the provisions of Sections 144-211 (Floor area ratio) through 144-213 (Floor area limitations on additional uses).

144-211**Floor area ratio**

In all districts, the maximum #floor area ratio# for all #uses# shall be 2.0.

144-212**Floor area ratio calculations**

For the purposes of calculating #floor area# on #waterfront zoning lots#, the provisions of Section 62-31 (Bulk Computations on Waterfront Zoning Lots) shall apply.

144-213**Floor area limitations on additional uses**

The additional #uses# allowed pursuant to Section 144-11 (Additional Uses Allowed in M2 Districts) shall be limited to 300,000 square feet of #floor area# within each Subdistrict where such additional #uses# are allowed, and the total #floor area# allocated to such additional #commercial uses# shall not exceed 100,000 square feet in each Subdistrict where the additional #uses# are allowed.

144-22**Yards and Shoreline Setback**

The underlying #yards# regulations of Section 43-20 (YARD REGULATIONS), inclusive, and Section 43-31 (Other Special Provisions for Rear Yards) shall not apply. In lieu thereof, the provisions of this Section shall apply.

In all districts, no #building# shall be located closer to the #shoreline# than 30 feet, except for #buildings# used for water dependent #uses#, as set forth in 62-21 (Classification of Uses in the Waterfront Area), or #buildings# containing not more than 5,000 square feet of #floor area#.

The #shoreline# setback requirement shall be reduced in dimension, or eliminated, where the Chair of the City Planning Commission certifies to the Commissioner of the Department of Buildings or the Commissioner of the Department of Small Business Services, as applicable, that either:

- (a) a #building# proposed to be located within such 30-foot setback area incorporates flood protection measures for the immediate area of the #building# that protect the #building# to a level that is fifty-eight inches above the mean high water line existing on [date of adoption]; or
- (b) a district-wide resiliency plan for the #Special Brooklyn Navy Yard# has been adopted and the measures to be incorporated in connection with the #development# or already in place are in furtherance of the district-wide plan.

Measures shall be deemed protective if they alone or together with other measures in place at the time of construction protect the #building# from flooding to the elevation set forth in paragraph (a) of this Section or if they would support protection of the entire #Special Brooklyn Navy Yard District# to such elevation without further improvement of the portion of area directly seaward of the proposed #building#.

The Chairperson shall certify the application within 45 days of receipt of a complete application. Failure to certify within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

144-23

Height and Setback Regulations

The underlying height and setback regulations of Section 43-40 (HEIGHT AND SETBACK REGULATIONS) are modified by the provisions of this Section, inclusive.

144-231**Flushing East Subarea**

In the Flushing East Subarea, the following height and setback modifications shall apply.

(a) Wide street designation

For purposes of applying the height and setback controls, Flushing Avenue shall be deemed a #wide street#.

(b) Street wall location

The #street wall# of any #development# or horizontal #enlargement# within the Flushing East Subarea shall be located at least 50 feet from the Flushing Avenue #street line#. The area between such #development# or horizontal #enlargement# and the adjoining #street# shall be improved as publicly accessible space in accordance with Section 144-30 (SPECIAL PUBLIC ACCESS AREA REGULATIONS).

(c) View corridors

View corridors with a minimum width of 50 feet shall be provided:

- (1) within the Vanderbilt Avenue view corridor; and
- (2) within one of the Clinton Avenue or Waverly Avenue view corridors.

The locations of such required view corridors are designated on Map 4 in the Appendix to this Chapter.

No #development# or #enlargement# may be located in the required view corridors, provided that gates and fencing, entry signage, sentry booths, and other entry and security measures may be located within such areas. Any gates or fencing shall be designed to allow for views into the #Special Brooklyn Navy Yard District#.

144-232**Barge Basin Subdistrict**

In the Barge Basin Subdistrict, as shown on Map 5 in the Appendix to this Chapter, the height and setback regulations set forth in Section 43-40 (HEIGHT AND SETBACK REGULATIONS), inclusive, shall apply, as modified by the provisions of this Section.

For purposes of applying the height and setback provisions of this Section, the #street walls# of #abutting# #building# shall be considered a single #building# #street wall#.

(a) Sidewalk widening

A sidewalk widening shall be provided along Kent Avenue to the extent necessary so that a minimum width of 15 feet is achieved, including portions within and beyond the #zoning lot#. Such sidewalk widening shall be:

- (i) improved as a sidewalk to Department of Transportation standards;
- (ii) at the same level as the adjoining public sidewalk; and
- (iii) accessible to the public at all times.

The interior boundary of the sidewalk widening shall be considered the #street line# for the purposes of this Section.

(b) Establishing #street lines# along #Barge Basin#

For the purposes of applying the height and setback regulations of this Section to portions of #buildings# fronting #Barge Basin# and prolongations thereof, the following shall be considered #street lines# along a #wide street#.

(1) Along the long dimension of the #Barge Basin#

Along the long dimension of the #Barge Basin# a line offset 40 feet northeast from the northeastern boundary of the #Barge Basin# in the Barge Basin East Subarea, and a line offset 50 feet southwest from the southwestern boundary of the #Barge Basin# in the Barge Basin West Subarea, shall be considered #street lines#.

The area between the #Barge Basin# and such #street lines# shall be improved as publicly accessible areas in accordance with the applicable provisions of Section 144-30 (SPECIAL PUBLIC ACCESS AREA REGULATIONS), inclusive.

(2) Along the short dimension of the #Barge Basin#

Along the short dimension of the #Barge Basin#, the southeasterly boundaries of the Barge Basin Subdistrict, including the boundary extending from the centerline prolongation of Taylor Street, and the boundary constructed from an offset of the southeastern terminus of the #Barge Basin#, shall be considered #street lines#.

Within the area between the #Barge Basin# and such #street lines# shall be an area adjacent to the short dimension of the #Barge Basin# that connects the Barge Basin east pedestrian esplanade and the Barge Basin west pedestrian esplanade that shall be:

- (i) improved as a sidewalk to Department of Transportation standards;
- (ii) shall be at the same level as the adjoining public sidewalk; and
- (iii) shall be accessible to the public at all times the public access areas are required to be open to the public, pursuant to Section 144-33 (Hours of Operation).

The locations of these #street lines#, are shown on Map 5 in the Appendix to this Chapter.

(c) #Street wall# location, and articulation

At least 70 percent of the #aggregate width of street walls# facing #Barge Basin# shall be located within eight feet of the #street line# and shall extend to at least a minimum base height of 30 feet, or two #stories#, whichever is lower. The remaining #aggregate width of street walls# may be recessed beyond eight feet of the #street line#, provided that any recesses deeper than 10 feet are located within an #outer court#.

Any open area between a #street wall# and the #street lines# along #Barge Basin# that is within eight feet of such #street line# shall be improved as publicly accessible areas in accordance with the applicable provisions of Section 144-30, inclusive. Open areas between the #street line# and #street walls# that are beyond eight feet of such #street line# may be publicly accessible areas, as needed, to achieve the minimum percentage of public access area required by each Subarea pursuant to Section 144-31 (Required Public Access Area).

For those portions of #buildings# facing #Barge Basin# with a #street wall# width exceeding 200 feet, a minimum of 20 percent of the surface area of such #street wall# up to the height of the second #story#, or 30 feet, whichever is lower, and a maximum of 50 percent of such surface area, shall either recess or project from the remaining surface area of the #street wall# by a minimum of three feet. #Building#

projections shall be a permitted obstruction within any open area between the #street wall# and #street line#, including publicly accessible areas, provided that the minimum percentage of public access area required by each Subarea pursuant to Section 144-31 remains open to the sky. Additional permitted obstructions are allowed in accordance with paragraph (a) of Section 144-32 (Design Requirements).

(d) Base heights, required setbacks, and dormers

The front setback provisions applicable to an M1-5 District set forth in Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks) shall apply, except as modified by the provisions of this Section. The alternate front setback regulations of Section 43-44 (Alternate Front Setbacks) shall not apply.

(1) Initial setback distances

The #initial setback distance# regulations shall be modified as follows:

- (i) along the #Barge Basin#, such #initial setback distance# shall have a depth of at least 30 feet from the #street line#;
- (ii) along all other #wide streets#, such #initial setback distance# shall have a depth of at least 15 feet from the #street line#; and
- (iii) such #initial setback distance# shall be provided at a height not lower than the minimum base height, where applicable, nor higher than a maximum base height of 85 feet, or six #stories#, whichever is lower.

(2) Dormers

Along the #Barge Basin# frontages, dormers shall be a permitted obstruction within an #initial setback distance#, provided that:

- (i) the depth of such dormers does not exceed 10 feet for #buildings# fronting along the northeastern boundary of the #Barge Basin# or 20 feet for #buildings# fronting along the southwestern boundary;
- (ii) the #street wall# width of such dormer does not exceed 30 percent of the #street wall# width of the #building# above the maximum base height; and
- (iii) the #street wall# width of such dormer along a single tower does not exceed 100 feet.

(e) Towers

The allowances for towers to penetrate a #sky exposure plane# applicable to an M1-5 District, as set forth in Section 43-45 (Tower Regulations), shall apply, except as modified by the provisions of this Section.

The tower allowances shall be modified as follows:

- (1) for the purposes of determining the #lot area# a tower may occupy, the Barge Basin East Subarea and the Barge Basin West Subarea shall each be considered an individual #zoning lot#;
- (2) the underlying setback provisions, including the aggregate area permitted within 40 feet of a #wide street#, shall not apply. In lieu thereof, the setbacks and dormer allowances set forth in paragraph (d) of this Section shall apply; and
- (3) the #street wall# width of a tower fronting #Barge Basin# shall not exceed 200 feet within 200 feet of the #street line# fronting #Barge Basin#.

144-24

Special Permit for Modification of Bulk Regulations

Within the #Special Brooklyn Navy Yard District# the City Planning Commission may, by special permit, allow modifications to the #bulk# regulations of this Chapter and the underlying #bulk# regulations, except #floor area# regulations, provided the Commission finds that:

- (a) such modifications further the needs and objectives of the #Special Brooklyn Navy Yard District#;
- (b) such #bulk# modifications will result in a better site plan and will benefit the occupants and users of the #Special Brooklyn Navy Yard District# and the residents of the surrounding neighborhood;
- (c) such #bulk# modifications will permit adequate access of light and air to surrounding public access areas, #streets# and properties; and
- (d) such distribution of #bulk# will not unduly increase the #bulk# of #buildings# in the #Special Brooklyn Navy Yard District# to the detriment of the occupants or users of #buildings# in the #Special Brooklyn Navy Yard District# or on nearby #blocks#.

The Commission may impose appropriate conditions and safeguards to assure that such modifications will not adversely affect the surrounding area.

144-30**SPECIAL PUBLIC ACCESS AREA REGULATIONS**

Within the #Special Brooklyn Navy Yard District#, public access areas shall be provided in connection with #developments# or #enlargements# located within the Subareas identified in this Section, inclusive, as applicable. For purposes of determining the amount of public access area required in the Navy Street Central Subarea, the Barge Basin East Subarea, and the Barge Basin West Subarea, each such Subarea shall be deemed a single #zoning lot#.

144-31**Required Public Access Areas**

Mandatory public access areas in connection with any #development# or #enlargement# shall be provided in accordance with the provisions of paragraphs (a) through (c) of this Section. The phasing of public access areas shall be permitted in accordance with paragraph (d). #Developments# or #enlargements# that are exempt from public access area requirements are set forth in paragraph (e).

(a) Navy Street Central Subarea

A public access area in an amount equal to at least 15 percent of the #lot area# of the Navy Street Central Subarea shall be provided within the boundaries of such Subarea. The required public access area shall have a minimum dimension, in all directions, of 50 feet for at least 80 percent of the public access area and shall have no dimension of less than 30 feet for the remainder of the required public access area.

(b) Flushing East Subarea

A public access area with a minimum depth of 50 feet, as measured perpendicular to the #street line# of Flushing Avenue, shall be provided within the boundaries of such Subarea along the entire length of the #street wall line# adjacent to the #development# or #enlargement#, and shall extend to the nearest view corridors depicted on Map 4 (Flushing Avenue Subareas and View Corridors) of this Chapter, and for #developments# or #enlargements# located east of the Waverly Avenue view corridor, to the boundary of the prolongation of Washington Avenue.

(c) Barge Basin East and West Subareas

A public access area in an amount of at least 30 percent of the #lot area# of Barge Basin East Subarea, and a public access area in an amount of at least 20 percent of the #lot area# of Barge Basin West Subarea shall be provided within such respective Subareas.

Such public access areas shall consist of:

- (1) in the Barge Basin East Subarea, a pedestrian esplanade with a seaward edge contiguous with the eastern edge of the #Barge Basin# and a minimum width of 40 feet, as measured perpendicular to such edge, and in the Barge Basin West Subarea, a pedestrian esplanade with a seaward edge contiguous with the western edge of the #Barge Basin# and a minimum width of 50 feet, as measured perpendicular to such edge;
- (2) in the Barge Basin East Subarea, a pedestrian connection with a minimum width of 30 feet located along the shared boundary between the Barge Basin East Subarea and the contiguous property to the northeast connecting the Kent Avenue and eastern portion of the pedestrian esplanade required by this Section;
- (3) in the Barge Basin East Subarea, a pedestrian connection with a minimum width of 60 feet, located within 150 feet of the southern boundary of the Barge Basin East Subarea and connecting Kent Avenue and the pedestrian esplanade required by this Section;
- (4) in the Barge Basin West Subarea, an esplanade entry area at the southern end of the Barge Basin West Subarea having a minimum width of 60 feet and a minimum length of 30 feet measured parallel to western edge of the #Barge Basin#; and
- (5) any supplemental publicly accessible space contiguous to one or more of the elements set forth above as may be required to achieve the required percentage of publicly accessible area.

(d) Public Access Area Phasing

Where the Navy Street, Barge Basin East and Barge Basin West Subareas are #developed# with more than one #building# or #enlarged# in phases, or there is an increase in #building# #lot coverage#, the mandatory public access area may be constructed in phases, provided that, at the completion of each phase by certification of the Chairperson of City Planning, the following criteria are met:

- (1) The square footage of public access area being provided in any phase shall be in proportion to the total public access requirement based on the area of the Subarea being #developed# or #enlarged# as compared to the #lot coverage# of the Subarea. Any public access area provided in an earlier phase in excess of the amount required for such phase may be applied to a later phase;

- (2) The public access area being proposed in any phase shall not prevent the total amount of public access area required for a Subarea from being achieved;
 - (3) Any phased portion of the required public access area shall comply with the minimum widths and other dimensions required for the public access areas;
 - (4) Any phased portion of the required public access area shall connect directly to either a #street# or an improved public access area;
 - (5) In the Barge Basin West Subarea:
 - (i) public access to be provided shall include the portion of the required public access area located between the #development# or #enlargement# and the #Barge Basin#; and
 - (ii) where any #development# or #enlargement# included in a phase is located within 100 feet the southern boundary of the Subarea, the public access area shall also include the required public access area between the southern boundary and the #development# or #enlargement#; and
 - (6) A proportionate amount of planting shall be included within each phase.
- (e) Exceptions to Public Access Area Requirements for Minor Developments

The public access area requirements of paragraphs (a) through (d) of this Section shall not apply to any #development# or #enlargement# where:

- (1) the additional #floor area# created through such #development# or #enlargement# in the respective Subarea, as compared to the #floor area# existing on [date of enactment], does not exceed: 10,000 square feet in either the Barge Basin East or the Navy Street Central Subareas; or 20,000 square feet in either the Barge Basin West or Flushing East Subareas;
- (2) such #floor area# is allocated exclusively to #uses# in Use Group 11, 16, 17, or 18; and
- (3) such #floor area# is not located within the boundaries of designated public access areas required pursuant to this Section, or if located in the Navy Street Central Subarea, is not within 50 feet of a #street#.

144-32**Design Requirements**

The required public access areas in each Subarea shall comply with the following provisions:

- (a) The required public access area shall be open to the sky, provided that #building# awnings, entrance canopies, solar shading devices, and similar structures attached to an adjoining #building# and extending over the public access area shall be permitted;
- (b) The required public access area shall include planted areas in an amount not less than 20% of the area of the required open space;
- (c) At least one linear foot of seating shall be provided for each 200 square feet of required public access areas, except that for the pedestrian connection required pursuant to paragraph (c)(2) of Section 144-31, at least 12 linear feet of seating for every 100 feet of pedestrian connection shall be provided.
- (d) Public access area signage complying with the requirements of Section 37-751 (Public space signage systems) shall be located at all entry points to the public access areas.
- (e) In the Barge Basin Subdistrict:
 - (1) The pedestrian esplanade around the #Barge Basin# and the pedestrian connections from Kent Avenue to the eastern pedestrian esplanade shall include a primary circulation path along the length of such elements with a minimum clear width of 10 feet; and
 - (2) At least three different types of seating shall be provided, which may include moveable seating, fixed individual seats, fixed benches with and without backs, and design-feature seating such as seat walls, planter ledges, or seating steps.

Additional amenities including pathways, seating steps, entrances to adjoining #buildings#, artwork, maritime or industrial elements, tables, seating above the required minimum, lighting fixtures, litter receptacles, kiosks, children play areas, railings, drinking fountains, water features, planting and trees may be included in the public access areas and shall be permitted obstructions.

144-33**Hours of Operation**

All public access areas shall be open to the public from 6:00 a.m. to 10:00 p.m. from April 15th to October 31st and from 7:00 a.m. to 8:00 p.m. from November 1st to April 14th, except when required to be closed for repairs.

144-34**Maintenance**

The owner of each applicable portion of a Subarea, or a ground tenant if the applicable portion is subject to a ground lease, shall be responsible for the maintenance and operation of the required public access area. Maintenance shall include, but not be limited to, necessary repairs, litter control and the care and replacement of vegetation. The owner or ground tenant of a public access area may temporarily close the smallest portion reasonably necessary for the shortest period of time reasonably necessary to make repairs or to mitigate hazardous or emergency conditions, or in connection with construction on adjacent areas.

144-35**Chairperson Certification of Waterfront Compliance and Phasing**

No excavation or building permit shall be issued for any #development# or #enlargement# requiring the provision of public access area in the Navy Street Central Subarea, the Barge Basin East Subarea, or the Barge Basin West Subarea until the Chairperson of the City Planning Commission certifies to the Department of Buildings or Department of Small Business Services, as applicable, that a complete application has been submitted showing compliance with the applicable provisions of Section 144-30, inclusive. Within 45 days of submission of such complete application, the Chairperson shall either certify that the proposed public access area complies with the requirements of this Section or disapprove such complete application in writing, citing the nature of any failure to comply. Failure to certify or disapprove such complete application within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

144-36**Certificates of Occupancy for Developments or Enlargements in Public Access Areas**

No temporary certificate of occupancy shall be issued by the Department of Buildings or Department of Small Business Services for #floor area# in a #development# or #enlargement# resulting in a public access area requirement under Section 144-31 (Required Public Access Areas) without the substantial completion of the public access area required for such #development# or #enlargement#, and no final certificate of occupancy shall be issued prior to the final completion of the required public access area.

Notwithstanding the provisions above, the Department of Buildings or the Department of Small Business Services, as applicable, may issue a temporary certificate of occupancy allowing for -#floor area# allocated to #uses# in Use Groups 11, 16, 17, or 18 without the substantial completion of the required public access area, in which case the public access area shall be completed within one year of the issuance of the first such certificate of occupancy. Following such one-year period, no additional #floor area# within the #development# or #enlargement# shall receive a certificate of occupancy until the substantial completion of the required public access area.

144-40**MANDATORY DISTRICT PLAN ELEMENTS**

Within the #Special Brooklyn Navy Yard District#, mandatory district plan elements shall be provided in connection with #developments# or #enlargements# in the Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin Subdistrict.

144-41**Ground Floor Level Streetscape Provisions**

The provisions of this Section shall apply to #developments# and #ground floor level# #enlargements#.

For the purposes of applying to this Chapter the special #ground floor level# streetscape provisions set forth in Section 37-30 (SPECIAL GROUND FLOOR LEVEL STREETSCAPE PROVISIONS FOR CERTAIN

AREAS), inclusive, a #ground floor level# #street# frontage designated on Map 6 in the Appendix to this Chapter shall be considered a #primary street frontage#, and any #ground floor level# frontage within 50 feet of a #primary street frontage# shall be considered a #secondary street frontage#. #Primary street frontages# shall also include Priority Zones, which are also designated on Map 6.

Any #primary# or #secondary street frontages# shall be considered #streets# for the purposes of applying the provisions of this Section. For the purposes of this Section, defined terms shall include those in Sections 12-10 and 37-311.

(a) Along #primary street frontages#

(1) Minimum frontage width

For portions of #buildings# fronting a #primary street frontage#, at least 50 percent of the #street wall# width of the #ground floor level# of such #primary street frontage# shall be occupied by #floor area#.

In addition, for portions of #buildings# fronting a Priority Zone of a #primary street frontage#, at least 50 percent of the #street wall# width of the #ground floor level# of such Priority Zone shall be occupied by #floor area#. #Floor area# provided within a Priority Zone may be counted towards the #floor area# requirement along the #primary street frontage#.

(2) Minimum depth

The #floor area# provided to meet the requirements of paragraph (a)(1) of this Section shall extend to the minimum depth set forth in Section 37-32 (Ground Floor Depth Requirements for Certain Uses) within the Priority Zone, and outside of a Priority Zone, shall extend to a minimum depth of 15 feet.

(3) Transparency requirement

The portion of the #ground floor level street wall# along a #primary street frontage# allocated to such minimum #floor area# requirements of paragraph (a)(1) of this Section shall be glazed in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements). However, where such minimum #floor area# is attributed to #uses# in Use Groups 11, 16, 17 or 18, the minimum percentage to fulfill the minimum transparency requirement shall be reduced to 25 percent and the maximum width of a portion of the ground floor level street wall without transparency may exceed 10 feet provided that any portion of the ground floor level street wall without transparency shall be the subject to the provisions for Type 1 blank walls.

(b) Blank wall provisions along #primary# and #secondary street frontages#

Along both #primary# and #secondary street frontages#, any #street wall# width of 50 feet or more with no transparent elements on the #ground floor level# shall provide visual mitigation elements in accordance with the provisions for Type 1 blank walls set forth in Section 37-361 (Blank wall thresholds).

144-50

SPECIAL PARKING AND LOADING REGULATIONS

Within the #Special Brooklyn Navy Yard District, the #accessory# off-street parking and loading regulations of Article IV, Chapter 4 shall not apply, except as specifically set for the in this Section.

144-51

Permitted Accessory Parking

In all districts, #accessory# off-street parking spaces shall be permitted in #group parking facilities# without a limitation in the overall number of spaces.

144-52

Required Accessory Off-street Parking

In all districts, the requirements of Section 44-21 (General Provisions) shall apply, except that, in the event that a Transportation Management Plan has been prepared in accordance with Section 144-56 (Transportation Management Planning), no parking shall be required.

144-53**Loading Berths**

In all districts, loading berths are not required, but are permitted. Any loading berths provided shall be deemed required loading berths for purposes of determining the amount of #floor area# in any #building#.

144-54**Curb Cuts**

Access to any #accessory# off-street loading berth and off-street parking areas for a #development# or #enlargement within the Navy Street Central Subarea, the Flushing East Subarea, and the Barge Basin East Subarea shall be limited to one curb cut from the adjoining #street#.

An additional curb cut may be added in the Barge Basin East Subarea upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings or the Department of Small Business Services, as applicable, that an additional curb cut has been

approved by the Commissioner of the Department of Transportation.

In addition, where the Chairperson of the City Planning Commission certifies such an additional curb cut, the Chairperson may certify a reduction in the ground floor level streetscape provisions of paragraph (a) of Section 144-41, to the minimum extent necessary, where the applicant demonstrates that the reduction is necessary to accommodate the proposed loading configuration on the ground floor. For such portions of the #ground floor level#, the provisions of paragraph (b) of Section 144-41 shall continue to apply.

The Chairperson shall issue the certification within 45 days of receipt of a communication from the Department of Transportation approving an additional curb cut or receipt of application materials demonstrating the proposed loading configuration, as applicable. Failure to certify within the 45-day period will release the Department of Buildings or the Department of Small Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

144-55**Bicycle Parking**

The requirements of Section 44-60 (BICYCLE PARKING) shall apply, provided that up to half of the required spaces may be provided as unenclosed bicycle parking spaces, and may be located anywhere on the #zoning lot#.

144-56**Transportation Management Planning**

In lieu of the requirements of Section 44-21 (General Provisions), a Transportation Management Plan may be prepared for the #Special Brooklyn Navy Yard District# that documents: (i) existing parking within the Special District; (ii) parking and bicycle parking utilization rates; (iii) transportation mode choice; (iv) plans, if any, for additional parking within the Special District; (v) public transportation options in and around the Special District; (vi) indoor and outdoor bicycle parking facilities, including any covered outdoor bicycle spaces, and (vii) measures being employed and planned to incentivize alternate means of transportation. Any Transportation Management Plan shall be filed with the Department of City Planning and made available to the public via a website. The Transportation Management Plan shall be updated not less than every three years with surveys or other data collection undertaken not less than annually to document changes in parking facilities and utilization; the average number of employees and visitors arriving at the #Special Brooklyn Navy Yard District# and their modes of arrival; bike parking availability and utilization of both open and enclosed facilities; transit options, and new technologies and strategies for managing the number of private vehicles accessing the #Special Brooklyn Navy Yard District#. Such updates shall be submitted to the Department of City Planning and made available to the public via a website and the submission to the Department of City Planning shall be accompanied by an affidavit from the owner or ground tenant stating that the Transportation Management Plan remains in effect, or if it is no longer in effect the date that the Transportation Management Plan terminated.

Any #development# or #enlargement# occurring after the date a Transportation Management Plan has terminated will be subject to the requirements of Section 44-21 (General Provisions).

144-57**Reporting Requirements**

No later than April 1 of every other calendar year, beginning April 1, 2023, the Brooklyn Navy Yard Development Corporation shall submit to the Chairperson of the City Planning Commission and to the Speaker of the City Council a report on the #development# and #enlargement# of #buildings#, and the types of #uses# contained within the #Special Brooklyn Navy Yard District#. Such report shall include, but shall not be limited to:

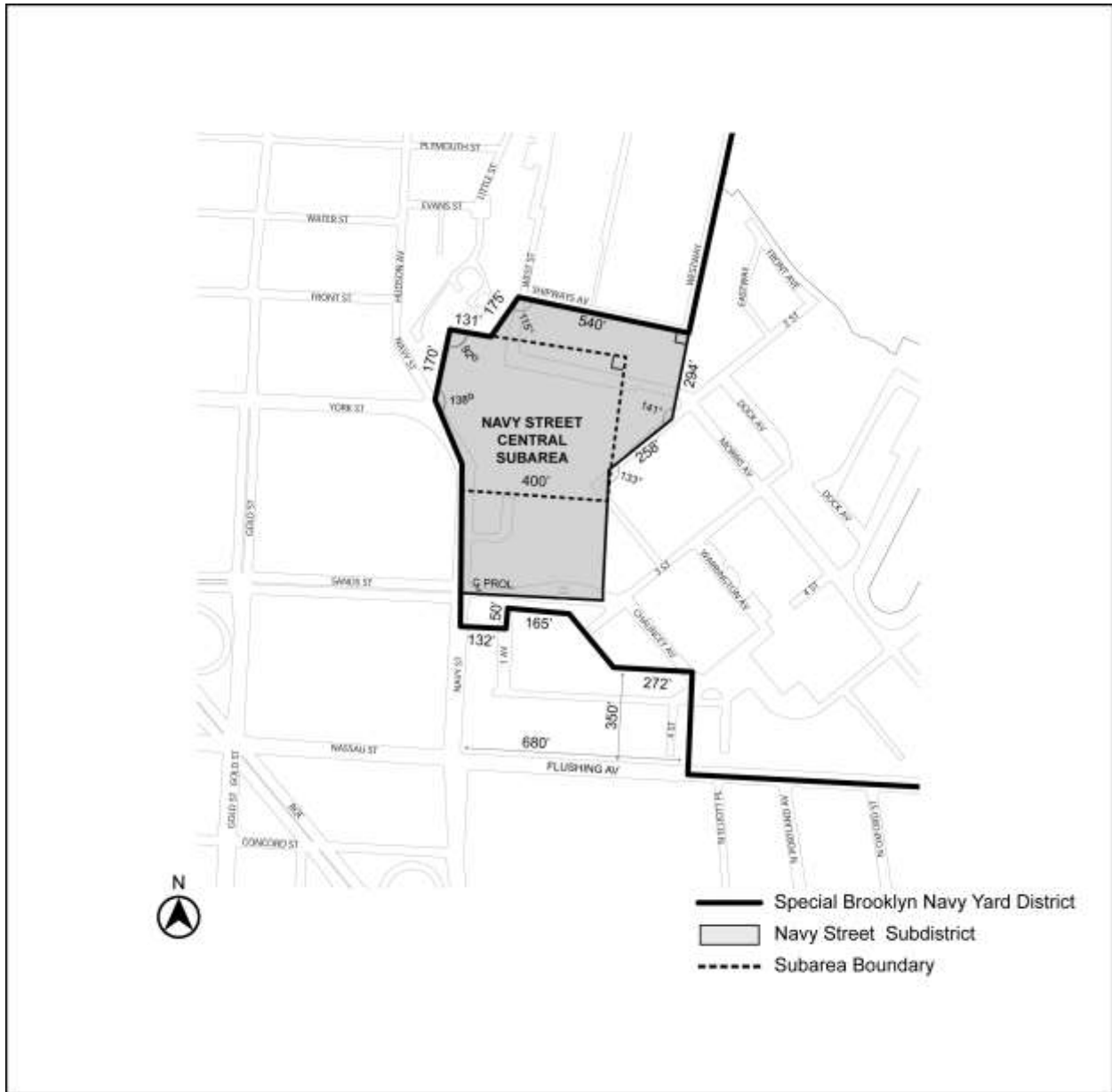
- (a) the name of each business establishment existing in the #Special Brooklyn Navy Yard District#. For each business establishment, the address or building number and floor, type of business, size, and lease duration;
- (b) new leases executed during the reporting period, categorized by tenant name, type of business, size, and lease duration;
- (c) the amount of #floor area# in #developments# and #enlargements# created after [date of adoption] in each of the following Use Groups, subgroups and specific #use# as listed in this Resolution:
 - (1) #community facility uses# in Use Groups 3 and 4;
 - (2) retail #uses# in Use Groups 6A, 6C, 9A, 10A and 12B;
 - (3) office #uses# in Use Group 6B;
 - (4) art, music, dancing or theatrical studios in Use Group 9;
 - (5) photographic or motion picture production studios, or radio or television studios in Use Group 10;
 - (6) #manufacturing uses# in Use Groups 11, 16A, 16D, 17, and 18; and
 - (7) any other #uses#; and
- (d) the number of #buildings developed# or enlarged# during the reporting period and the amount of #floor area# and #uses# contained within such #development# or #enlargement#.

APPENDIX A

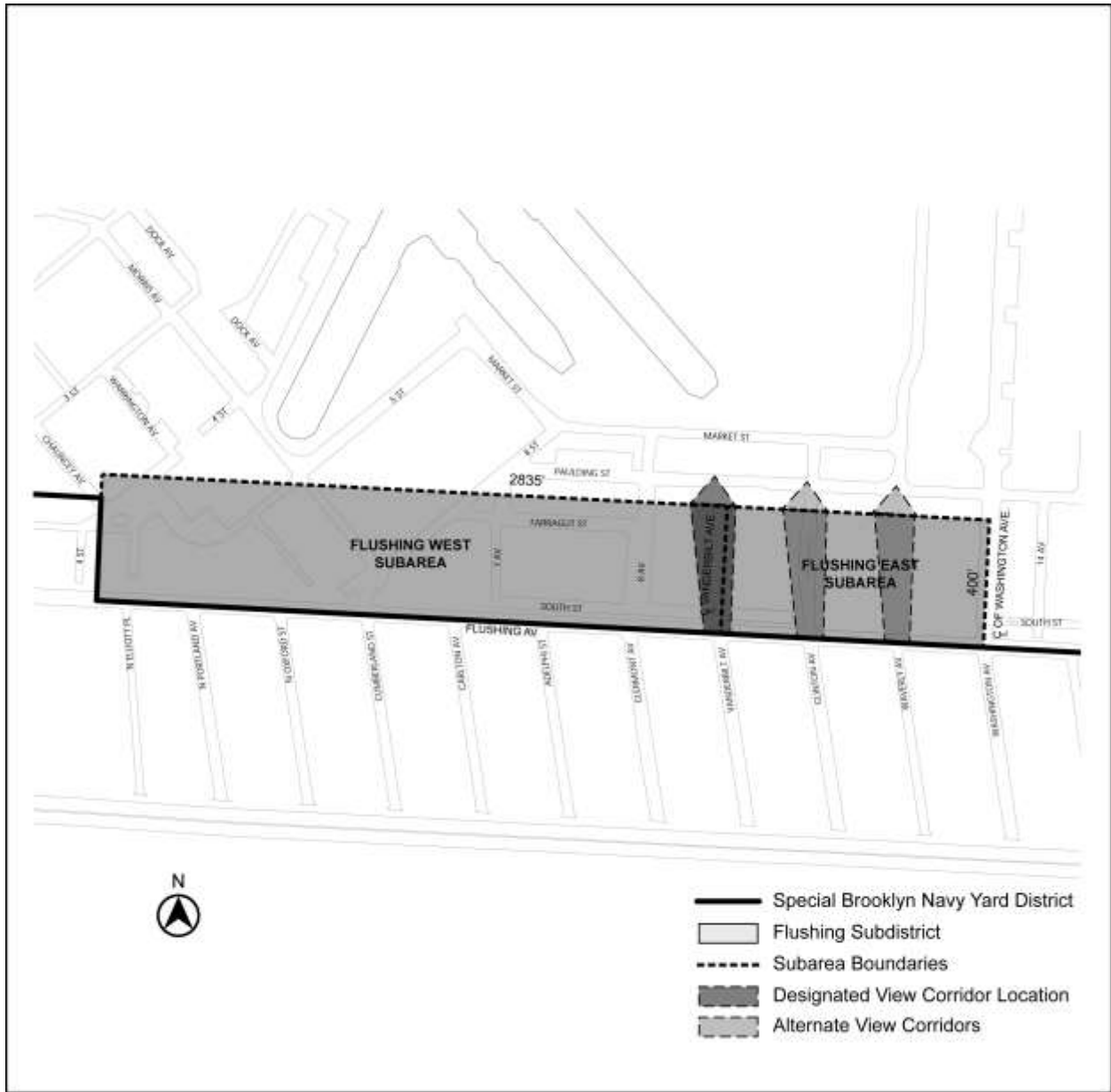
Special Brooklyn Navy Yard District Plan

Map 1 - Special Brooklyn Navy Yard District and Subdistricts

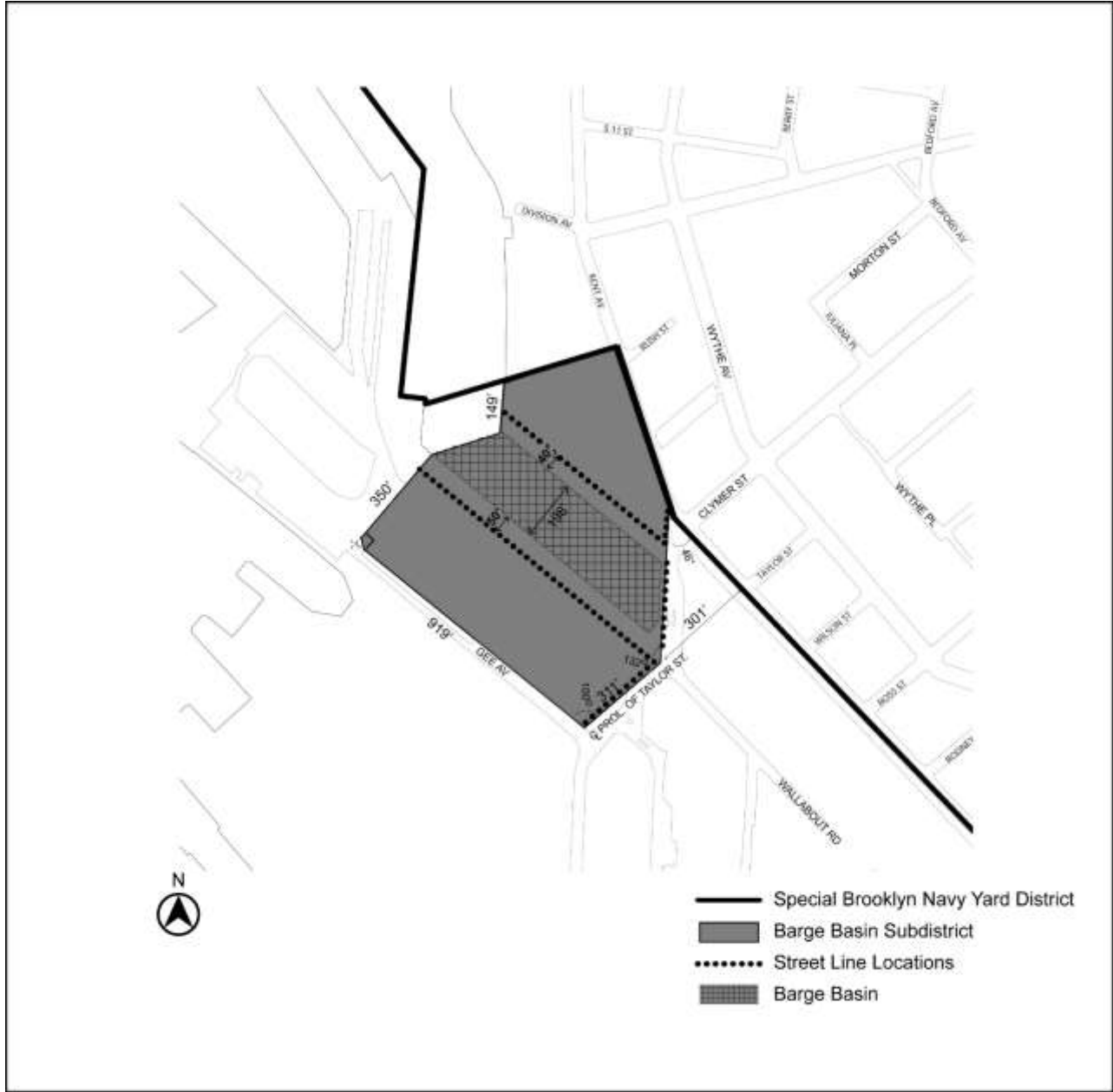




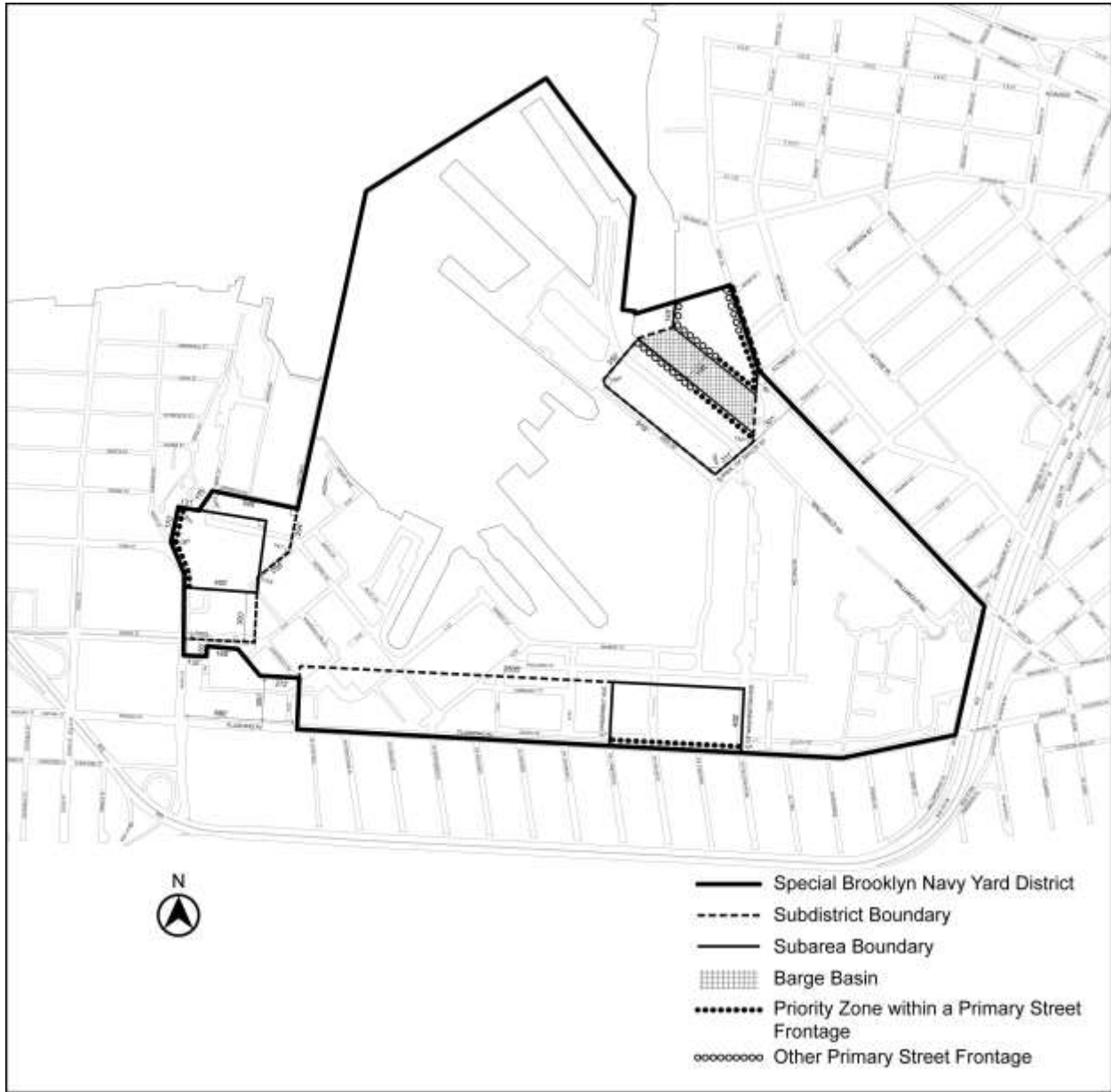
Map 4 - Flushing Avenue Subareas and View Corridors



Map 5 Street Line Locations in the Barge Basin Subdistrict



Map 6 Primary Street Frontages



* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, VANESSA L. GIBSON, INEZ D. BARRON, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, RUBEN DIAZ, Sr., KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 7, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Council Member Rose.*

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

Report for L.U. No. 918 & Res. No. 1889

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210422 ZMM (SoHo/NoHo Neighborhood Plan) submitted by New York City Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos.12a & 12c: changing from an M1-5A District to an M1-5/R7X District, changing from an M1-5B District to an M1-5/R7X District, changing from an M1-5A District to an M1-5/R9X District, changing from an M1-5B District to an M1-5/R9X District, changing from an M1-5A District to an M1-6/R10 District, changing from an M1-5B District to an M1-6/R10 District, and establishing a Special SoHo-NoHo Mixed Use District (SNX), Borough of Manhattan, Community District 2, Council Districts 1 and 2.

The Committee on Land Use, to which the annexed Land Use item was referred on November 10, 2021 (Minutes, page 3116) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3619), respectfully

REPORTS:

SUBJECT

MANHATTAN CB-2 – TWO APPLICATIONS RELATED TO SOHO/NOHO NEIGHBORHOOD PLAN

C 210422 ZMM (L.U. No. 918)

City Planning Commission decision approving an application submitted by New York City Department of City Planning (DCP), pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 12a and 12c, changing from an M1-5A District to an M1-5/R7X District, changing from an M1-5B District to an M1-5/R7X District, changing from an M1-5A District to an M1-5/R9X District, changing from an M1-5B District to an M1-5/R9X District, changing from an M1-5A District to an M1-6/R10 District, changing from an M1-5B District to an M1-6/R10 District, establishing a Special SoHo-NoHo Mixed Use District (SNX) in Manhattan, Community District 2.

N 210423 ZRM (L.U. No. 919)

City Planning Commission decision approving an application submitted by the Department of City Planning for an amendment of the Zoning Resolution of the City of New York, establishing the Special SoHo-NoHo Mixed Use District (Article XIV, Chapter 3) and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, and modifying related Sections, Manhattan, Community District 2.

INTENT

To approve the amendment to rezone the project area to change M1-5A and M1-5B districts to M1-5/R7X, M1-5/R9X, M1-6/R10 districts and establish the Special SoHo-NoHo Mixed Use District and to approve

the amendment to establish the Special SoHo-NoHo Mixed Use District in Zoning Resolution (ZR) Section 14-03 and establish a Mandatory Inclusionary Housing (MIH) area.

PUBLIC HEARING

DATE: November 9, 2021

Witnesses in Favor: Thirty-Nine

Witnesses Against: Ninety-Six

SUBCOMMITTEE RECOMMENDATION

DATE: December 9, 2021

The Subcommittee recommends that the Land Use Committee approve with modifications the decisions of the City Planning Commission on L.U. Nos. 918 and 919.

In Favor:

Moya
Levin
Reynoso
Grodenschik
Ayala
Rivera
Borelli

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: December 9, 2021

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Gibson
Koo
Miller
Reynoso
Treyger
Grodenschik

Against:

Barron

Abstain:

None

Adams
 Ayala
 Moya
 Rivera
 Riley
 Brooks-Powers
 Feliz
 Borelli

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated _____, 2021, with the Council on _____, 2021, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 1889

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 210422 ZMM, a Zoning Map amendment (L.U. No. 918).

By Council Members Salamanca, Jr. and Moya.

WHEREAS, New York City Department of City Planning (DCP), 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. 12a and 12c, changing from an M1-5A District to an M1-5/R7X District, changing from an M1-5B District to an M1-5/R7X District, changing from an M1-5A District to an M1-5/R9X District, changing from an M1-5B District to an M1-5/R9X District, changing from an M1-5A District to an M1-6/R10 District, changing from an M1-5B District to an M1-6/R10 District, establishing a Special SoHo-NoHo Mixed Use District (SNX), which in conjunction with the related action would facilitate land use changes for a 56-block area to implement the SoHo/NoHo Neighborhood Plan in Manhattan, Community District 2 (ULURP No. C 210422 ZMM) (the "Application");

WHEREAS the City Planning Commission filed with the Council on October 22, 2021 its decision dated October 20, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 210423 ZRM (L.U. No. 919), a zoning text amendment to establish the Special SoHo-NoHo Mixed Use District in Zoning Resolution (ZR) Section 14-03 and establish a Mandatory Inclusionary Housing (MIH) area;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on November 9, 2021;

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 Positive Declaration issued October 28, 2020 (CEQR No. 21DCP059M). Significant adverse impacts related to hazardous materials, air quality and noise would be avoided through the placement of (E) designations (E-619) on selected projected and potential development sites as specified in Chapters 10, 15 and 17, respectively of the Final Environmental Impact Statement (FEIS). The FEIS determined that the proposed actions would have identified significant adverse impacts, which along with proposed mitigation measures, are summarized in Chapter 21, “Mitigation” of the FEIS. The Council has also considered the Technical Memorandum dated_____;

RESOLVED:

Having considered the FEIS and Technical Memorandum with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
2. The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the actions that are set forth in this report; and
3. Consistent with social, economic, and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and

The Decision, together with the FEIS and Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 210422 ZMM, 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 Nos.12a and 12c:

1. changing from an M1-5B to an M1-5/R7D District property bounded by Prince Street, Lafayette Street, Broome Street, and Crosby Street;
- 2~~4~~. changing from an M1-5A District to an M1-5/R7X District property bounded by West Houston Street, Mercer Street, Broome Street, a line midway between West Broadway and Wooster Street, a line perpendicular to the easterly street line of West Broadway distant 70 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of West Broadway and the

northerly street line of Canal Street, West Broadway, Broome Street, and a line midway between Thompson Street and West Broadway;

- ~~32.~~ changing from an M1-5B District to an M1-5/R7X District property bounded by:
- a. ~~Great Jones Street, a line 230 feet easterly of Lafayette Street, East 4th Street, a line 140 feet easterly of Lafayette Street, a line 130 feet northerly of East 4th Street, a line 100 westerly of Bowery, Bleecker Street, Lafayette Street, a line 122 feet southerly of Bond Street, and a line 140 feet easterly of Broadway;~~
 - b. a line passing through two points: one on the easterly street line of Lafayette Street distant 120 feet southerly (as measured along the street line) from the point of intersection of the southerly street line of Jersey Street and the easterly street line of Lafayette Street and the other on the westerly street line of Mulberry Street distant 100 feet southerly (as measured along the street line) from the point of intersection of the southerly street line of Jersey Street and the westerly street line of Mulberry Street, Mulberry Street, Prince Street, and Lafayette Street;
 - c. ~~Prince Street, Lafayette Street,~~ Broome Street, Centre Street, Grand Street, a line 100 feet easterly of Crosby Street, Howard Street, and Crosby Street; and
 - d. Broome Street, Mercer Street, the westerly centerline prolongation of Howard Street, Greene Street, a line perpendicular to the easterly street line of Wooster Street distant 150 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Wooster Street and the northerly street line of Canal Street, Wooster Street, a line perpendicular to the easterly street line of West Broadway distant 70 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of West Broadway and the northerly street line of Canal Street, and a line midway between West Broadway and Wooster Street;
- ~~43.~~ changing from an M1-5A District to an M1-5/R9X District property bounded by a line perpendicular to the easterly street line of West Broadway distant 70 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of West Broadway and the northerly street line of Canal Street, a line midway between West Broadway and Wooster Street, Canal Street, and West Broadway;
- ~~5.~~ changing from an M1-5B District to an M1-5/R9A District property bounded by Astor Place, Lafayette Street, a line 100 feet southerly of Astor Place, a line 100 feet westerly of Fourth Avenue, a line 100 feet westerly of Bowery, a line 130 feet northerly of East 4th Street, a line 140 feet easterly of Lafayette Street, East 4th Street, a line 230 feet easterly of Lafayette Street, a line 105 feet northerly of Great Jones Street, Lafayette Street, Great Jones Street, a line 140 feet easterly of Broadway, a line 122 feet southerly of Bond Street, Lafayette Street, Bleecker Street, Mulberry Street, East Houston Street, and Broadway;
- ~~64.~~ changing from an M1-5B District to an M1-5/R9X District property bounded by:
- a. ~~a line 105 feet northerly of Great Jones Street, a line 230 feet easterly of Lafayette Street, Great Jones Street and Lafayette Street;~~
 - b. ~~Astor Place, Lafayette Street, a line 100 feet southerly of Astor Place, a line 100 feet westerly of Fourth Avenue, a line 100 feet westerly of Bowery, Great Jones Street, a line 140 feet easterly of Broadway, a line 122 feet southerly of Bond Street, Lafayette Street, Bleecker Street, Mulberry Street,~~ East Houston Street, Lafayette Street, Prince Street, Crosby Street, Howard Street, the southerly prolongation of a line 100 feet easterly of Crosby Street, a line perpendicular to the northerly street line of Canal Street distant 110 feet westerly (as measured

along the street line) from the point of intersection of the northerly street line of Canal Street and the westerly street line of Lafayette Street, Canal Street, a line midway between West Broadway and Wooster Street, a line perpendicular to the easterly street line of West Broadway distant 70 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of West Broadway and the northerly street line of Canal Street, Wooster Street, a line perpendicular to the easterly street line of Wooster Street distant 150 feet northerly (as measured along the street line) from the point of intersection of the easterly street line of Wooster Street and the northerly street line of Canal Street, Greene Street, the westerly centerline prolongation of Howard Street, and Mercer Street, ~~West Houston Street, and Broadway;~~

~~75.~~ changing from an M1-5A District to an M1-5/R10 District property bounded by Broome Street, West Broadway, Canal Street, and a line midway between West Broadway and Thompson Street;

~~8.~~ changing from an M1-5B District to an M1-5/R10 District property bounded by:

a. Grand Street, Baxter Street, Canal Street, a line perpendicular to the northerly street line of Canal Street distant 110 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of Canal Street and the westerly street line of Lafayette Street, and a line 100 feet easterly of Crosby Street and its southerly prolongation;

b. a line 200 feet northerly of Broome Street, a line midway between Thompson Street and West Broadway, Canal Street, Avenue of the Americas, Grand Street, and Thompson Street;

~~96.~~ changing from an M1-5B District to an M1-6/R10 District property bounded by:

a. a line 100 feet southerly of Astor Place, Fourth Avenue, Bowery, Great Jones Street, 100 feet westerly of Bowery, and a line 100 feet westerly of Fourth Avenue; and

~~b. a line 200 feet northerly of Broome Street, a line midway between Thompson Street and West Broadway, Canal Street, Avenue of the Americas, Watt Street, and Thompson Street, Grand Street, and Avenue of the Americas; and~~

~~e. Grand Street, Baxter Street, Canal Street, a line perpendicular to the northerly street line of Canal Street distant 110 feet westerly (as measured along the street line) from the point of intersection of the northerly street line of Canal Street and the westerly street line of Lafayette Street, and a line 100 feet easterly of Crosby Street and its southerly prolongation; and~~

~~107.~~ establishing a Special SoHo-NoHo Mixed Use District (SNX) bounded by Astor Place, Lafayette Street, a line 100 feet southerly of Astor Place, Fourth Avenue, Bowery, Great Jones Street, a line 100 feet westerly of Bowery, Bleecker Street, Mulberry Street, East Houston Street, Lafayette Street, a line passing through two points: one on the easterly street line of Lafayette Street distant 120 feet southerly (as measured along the street line) from the point of intersection of the southerly street line of Jersey Street and the easterly street line of Lafayette Street and the other on the westerly street line of Mulberry Street distant 100 feet southerly (as measured along the street line) from the point of intersection of the southerly street line of Jersey Street and the westerly street line of Mulberry Street, Mulberry Street, Prince Street, Lafayette Street, Broome Street, Centre Street, Grand Street, Baxter Street, Canal Street, Avenue of the Americas, Watts Street, Thompson Street, a line 200 northerly of Broome Street, a line midway between Thompson Street and West Broadway, West Houston Street, and Broadway;

Borough of Manhattan, Community District 2, as shown on a diagram (for illustrative purposes only) dated May 17, 2021, and subject to the conditions of CEQR Declaration of E-619.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, DIANA AYALA, FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 9, 2021 (Hybrid Hearing).

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

Report for L.U. No. 919 & Res. No. 1890

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 210423 ZRM (SoHo/NoHo Neighborhood Plan) submitted by New York City Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York establishing the Special SoHo-NoHo Mixed Use District (Article XIV, Chapter 3), and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area and other related Sections, Borough of Manhattan, Community District 2, Council Districts 1 and 2.

The Committee on Land Use, to which the annexed Land Use item was referred on November 10, 2021 (Minutes, page 3116) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3621), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 918 & Res. No. 1889 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 1890

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 210423 ZRM, for an amendment of the text of the Zoning Resolution (L.U. No. 919).

By Council Members Salamanca and Moya.

WHEREAS, New York City Department of City Planning, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, establishing the Special SoHo-NoHo Mixed Use District (Article XIV, Chapter 3) and modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, and modifying related Sections, which in conjunction with the related action would facilitate land use changes for a 56-block area to implement the SoHo/NoHo Neighborhood Plan in Manhattan, Community District 2 (Application No. N 210423 ZRM) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on October 22, 2021, its decision dated October 20, 2021 (the “Decision”), on the Application;

WHEREAS, the Application is related to application C 210422 ZMM (L.U. No. 918), a zoning map amendment to change M1-5A and M1-5B districts to M1-5/R7X, M1-5/R9X, M1-6/R10 districts and establish the Special SoHo-NoHo Mixed Use 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 November 9, 2021;

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 Positive Declaration issued October 28, 2020 (CEQR No. 21DCP059M). Significant adverse impacts related to hazardous materials, air quality and noise would be avoided through the placement of (E) designations (E-619) on selected projected and potential development sites as specified in Chapters 10, 15 and 17, respectively of the Final Environmental Impact Statement (FEIS). The FEIS determined that the proposed actions would have identified significant adverse impacts, which along with proposed mitigation measures, are summarized in Chapter 21, “Mitigation” of the FEIS. The Council has also considered the Technical Memorandum dated____;

RESOLVED:

Having considered the FEIS and Technical Memorandum with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
2. The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the actions that are set forth in this report; and
3. Consistent with social, economic, and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and

The Decision, together with the FEIS and Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 210423 ZRM, 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

**ARTICLE I
GENERAL PROVISIONS**

**Chapter 1
Title, Establishment of Controls and Interpretation of Regulations**

* * *

11-10

**ESTABLISHMENT AND SCOPE OF CONTROLS, ESTABLISHMENT OF DISTRICTS AND
INCORPORATION OF MAPS**

* * *

**11-12
Establishment of Districts**

* * *

**11-122
Districts established**

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

* * *

Special Purpose Districts

* * *

Establishment of the Special Sheepshead Bay District

In order to carry out the special purposes of this Resolution as set forth in Article IX, Chapter 4, the #Special Sheepshead Bay District# is hereby established.

Establishment of the Special SoHo-NoHo Mixed Use District

In order to carry out the special purposes of this Resolution as set forth in Article XIV, Chapter 3, the #Special SoHo-NoHo Mixed Use District# is hereby established.

Establishment of the Special South Richmond Development District

In order to carry out the special purposes of this Resolution as set forth in Article X, Chapter 7, the #Special South Richmond Development District# is hereby established.

* * *

**Chapter 2
Construction of Language and Definitions**

* * *

**12-10
DEFINITIONS**

* * *

Accessory use, or accessory

An “accessory use”

* * *

(2) Living or sleeping accommodations for caretakers in connection with any #use# listed in Use Groups 3 through 18 inclusive, provided that:

* * *

(iv) in C6-2M, C6-4M, M1-5M, M1-6M, ~~M1-5A~~ and M1-5B Districts, no living or sleeping accommodation for caretakers is permitted in any #building# which contains a #residential use# or a #joint living-work quarters for artists#; and

* * *

Joint living-work quarters for artists

A “joint living-work quarters for artists” consists of one or more #rooms# in a #non-residential building#, on one or more floors, with lawful cooking space and sanitary facilities meeting the requirements of the Housing Maintenance Code, occupied:

- (a) and arranged and designed for use by, and is used by, not more than four non-related #artists#, or an #artist# and the #artist’s# household, and including adequate working space reserved for the #artist#, or #artists# residing therein;
- (b) by any household residing therein on September 15, 1986 whose members are all unable to meet the #artist# certification qualifications of the Department of Cultural Affairs that registers with the Department of Cultural Affairs prior to nine months from January 8, 1987; or
- (c) by any person who is entitled to occupancy by any other provision of law.

Regulations governing #joint living-work quarters for artists# are set forth in Article I, Chapter 5, Sections 42-14, paragraph D. (Use Group 17 - Special Uses in ~~M1-5A~~ and M1-5B Districts), 42-141 (Modification by certification of the Chairperson of the City Planning Commission of uses in ~~M1-5A~~ and M1-5B Districts), 43-17 (Special Provisions for Joint Living-Work Quarters for Artists in ~~M1-5A~~ and M1-5B Districts) and 74-78 (Conversions of Non-residential Floor Area).

* * *

Special Sheepshead Bay District

The “Special Sheepshead Bay District” is a Special Purpose District designated by the letters “SB” in which special regulations set forth in Article IX, Chapter 4, apply.

Special SoHo-NoHo Mixed Use District [date of adoption]

The “Special SoHo-NoHo Mixed Use District” is a Special Purpose District designated by the letters “SNX” in which special regulations set forth in Article XIV, Chapter 3, apply.

Special South Richmond Development District

The “Special South Richmond Development District” is a Special Purpose District designated by the letters “SR” in which special regulations set forth in Article X, Chapter 7, apply.

* * *

**Chapter 4
Sidewalk Cafe Regulations**

* * *

**14-41
Locations Where Certain Sidewalk Cafes Are Not Permitted**

No #enclosed# or #unenclosed sidewalk cafes# shall be permitted on any of the following #streets#, portions of #streets# and areas, except that #small sidewalk cafes# may be permitted pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

Citywide:

All #streets# with elevated rail transit lines, unless specifically permitted in Section 14-43.

Manhattan:

All #streets# bounded by 38th Street on the south, 59th Street on the north, Third Avenue on the east and Eighth Avenue on the west

All #streets# within ~~the M1-5A and M1-5B Districts~~ and the #Special SoHo-NoHo Mixed Use District#, south of Houston Street

Bowery — from East Broadway to Canal Street

* * *

**14-44
Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted**

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

Manhattan	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
-----------	--------------------------	----------------------------

* * *

Manhattanville Mixed-Use District	No ³	Yes
SoHo-NoHo Mixed Use District	<u>No</u>	<u>Yes</u> ⁶

Transit Land Use District	Yes	Yes
---------------------------	-----	-----

* * *

⁶ #Unenclosed sidewalk cafes# are not permitted south of Houston Street, except for #small sidewalk cafes# in locations designated in Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted)

* * *

Chapter 5

Residential Conversion within Existing Buildings

* * *

15-01

Applicability

* * *

15-012

Applicability within C6-1G, C6-2G, ~~M1-5A~~, M1-5B or M1-6D Districts

#Conversions# in #buildings#, or portions thereof, in C6-1G or C6-2G Districts shall be permitted only by special permit pursuant to Section 74-782 (Residential conversion in C6-1G, C6-2G, C6-2M, C6-4M, ~~M1-5A~~, M1-5B, M1-5M and M1-6M Districts).

Except as specifically set forth in Sections 15-013 and 15-024, the provisions of this Chapter are not applicable in ~~M1-5A~~ or M1-5B Districts.

In M1-6D Districts, the conversion to #dwelling units# of #non-residential buildings# erected prior to January 1, 1977, or portions thereof, shall be permitted, subject to Sections 15-11 (Bulk Regulations), 15-12 (Open Space Equivalent) and 15-30 (MINOR MODIFICATIONS), paragraph (b), except as superseded or modified by the provisions of Section 42-481 (Residential use).

* * *

15-02

General Provisions

* * *

15-021

Special use regulations

* * *

(e) In C6-1G and C6-2G Districts, in all #manufacturing# and #commercial buildings# except police stations, courthouses and fire houses, or portions thereof, erected prior to December 15, 1961, #residential use# shall not be permitted unless the Commission has granted a special permit pursuant to Section 74-782 (Residential conversion in C6-1G, C6-2G, C6-2M, C6-4M, ~~M1-5A~~, M1-5B, M1-5M and M1-6M Districts). However, if the Chairperson determines that #floor area# in such #buildings# was occupied for #residential use# on April 1, 1984, such #residential use# shall be permitted to remain and no special permit shall be required, provided that a complete application for determination of occupancy is filed by the owner of the #building# or the occupant of a #dwelling unit# in such #building# not later than April 17, 1985.

* * *

15-50

SPECIAL PERMIT

* * *

15-51

Residential Conversion in C6-1G, C6-2G, C6-2M, C6-4M, M1-5M and M1-6M Districts

In C6-1G, C6-2G, C6-2M, C6-4M, M1-5M and M1-6M Districts, the City Planning Commission may permit modification of the requirements of Sections 15-021 paragraph (e), or 15-21 in accordance with the provisions of Sections 74-711 (Landmark preservation in all districts) or 74-782 (Residential conversion in C6-1G, C6-2G, C6-2M, C6-4M, ~~M1-5A~~, M1-5B, M1-5M and M1-6M Districts).

* * *

ARTICLE II

RESIDENCE DISTRICT REGULATIONS

Chapter 3

Residential Bulk Regulations in Residence Districts

* * *

23-03

Street Tree Planting in Residence Districts

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the following shall provide #street# trees in accordance with Section 26-41 (Street Tree Planting):

- (a) #developments#, or #enlargements# that increase the #floor area# on a #zoning lot# by 20 percent or more. However, #street# trees shall not be required for #enlargements# of #single-# or #two-family residences#, except as provided in paragraphs (b) and (c) of this Section;
- (b) #enlargements# of #single-# or #two-family residences# by 20 percent or more within the following special purpose districts:

* * *

#Special Ocean Parkway District# ;

#Special SoHo-NoHo Mixed Use District# ;

#Special South Richmond Development District# ;

* * *

ARTICLE IV

MANUFACTURING DISTRICT REGULATIONS

Chapter 1

Statement of Legislative Intent

* * *

41-10

PURPOSES OF SPECIFIC MANUFACTURING DISTRICTS

* * *

41-11

M1 Light Manufacturing Districts (High Performance)

These districts are designed for a wide range of manufacturing and related uses which can conform to a high level of performance standards. Manufacturing establishments of this type, within completely enclosed buildings, provide a buffer between Residence (or Commercial) Districts and other industrial uses which involve more objectionable influences. New residences are excluded from these districts, except for:

- (a) joint living-work quarters for artists in ~~M1-5A~~ and M1-5B Districts;
- (b) dwelling units in M1-5M and M1-6M Districts;

* * *

Chapter 2

Use Regulations

* * *

42-10

USES PERMITTED AS-OF-RIGHT

* * *

42-11

Use Groups 4A, 4B, 4C, 5, 6C, 6E, 7A, 9A and 12B

* * *

42-111

Special provisions for hotels in M1 Districts

In M1 Districts, #transient hotels# shall be permitted only as set forth in this Section. The City Planning Commission may permit transient hotels in an M1 District pursuant to a special permit set forth in another Section of this Resolution, or pursuant to Section 74-803 (Transient hotels within M1 Districts), as applicable.

* * *

(c) ~~Within M1-5A and~~ M1-5B Districts

Within an ~~M1-5A or~~ M1-5B District, a special permit pursuant to Section 74-803 shall be required in conjunction with a special permit pursuant to Section 74-781 (Modifications by special permit of the City Planning Commission of uses in ~~M1-5A and~~ M1-5B Districts) except that a permit pursuant to Section 74-781 shall not be required for a #transient hotel# located above the ground floor level, where the #floor area# used for such #use# on the ground floor does not exceed an amount minimally necessary to access and service such #transient hotel#.

* * *

42-13

Use Groups 6C, 9A and 12B

* * *

42-131

~~M1-5A and~~ M1-5B Districts

~~M1-5A~~ M1-5B

The regulations governing M1 Districts shall apply in ~~M1-5A and~~ M1-5B Districts except where the special #use# regulations set forth in Section 42-14, paragraph D. (Special Uses in ~~M1-5A and~~ M1-5B Districts) provide otherwise.

* * *

**42-14
Use Group 17**

M1 M2 M3

* * *

D. Special #uses# in ~~M1-5A and~~ M1-5B Districts

~~M1-5A~~ M1-5B

(1) #Joint living-work quarters for artists# in #buildings# in ~~M1-5A and~~ M1-5B Districts, provided:

(a) Such #building# was erected prior to December 15, 1961.

(b) The #lot coverage# of such #building# does not exceed 5,000 square feet except that in #buildings# with frontage along Broadway the #lot coverage# shall not exceed 3,600 square feet. However, such quarters may also be located in a #building# occupying more than 5,000 square feet of #lot area# if the entire #building# was held in cooperative ownership by #artists# on September 15, 1970. #Joint living-work quarters for artists# are permitted in other #buildings or other structures# only by special permit of the City Planning Commission pursuant to Section 74-782, by minor modification of the Chairperson of the City Planning Commission pursuant to Section 42-141 (Modification by certification of the Chairperson of the City Planning Commission of uses in ~~M1-5A and~~ M1-5B Districts), paragraph (e), or by authorization of the City Planning Commission pursuant to Section 42-142 (Modification by authorization of the City Planning Commission of use regulations in ~~M1-5A and~~ M1-5B Districts).

(c) In M1-5B Districts in #buildings# occupying less than 3,600 square feet of #lot area#, #joint living-work quarters for artists# may not be located below the floor level of the second #story# unless modified by the Chairperson of the City Planning Commission pursuant to Section 42-141, Section 74-781 (Modification by special permit of the City Planning Commission of uses in ~~M1-5A and~~ M1-5B Districts), or by authorization of the City Planning Commission pursuant to Section 42-142.

* * *

(2) #Commercial# and #manufacturing uses# below the floor level of the second #story# provided,

(a) ~~In M1-5A Districts, in #buildings# occupying more than 3,600 square feet of #lot area#, only #uses# listed in Use Groups 7, 9, 11, 16, 17A, 17B, 17C or 17E shall be allowed below the floor level of the second #story# of such #buildings#, unless modified by the Chairperson of the City Planning Commission, pursuant to Sections 42-141 or 74-781;~~

(b) ~~in M1-5B Districts, in any #buildings#, only #uses# listed in Use Groups 7, 9, 11, 16, 17A, 17B, 17C or 17E shall be allowed below the floor level of the second #story# of such #buildings# unless modified by the Chairperson of the City Planning Commission, pursuant to Sections 42-141 or 74-781;~~

(3) In addition to the above restrictions, the following #uses# are not permitted as of right in any #building or other structure# or on any tract of land in ~~M1-5A or~~ M1-5B Districts:

* * *

(4) (a) Any #use# which became #non-conforming# after April 27, 1976, shall be governed by Article V (Non-Conforming Uses and Non-Complying Buildings), except that in ~~M1-5A and~~ M1-5B Districts, Section 52-37 is hereby suspended and replaced by paragraph D.(4)(b) of this Section.

(b) In ~~M1-5A and~~ M1-5B Districts, any #non-conforming use# listed in Use Groups 5, 6, 8, 10, 12, 13, 14 or 15 may be changed, initially or in any subsequent change, only to a conforming #use# or a #use# listed in Use Group 6.

* * *

(5) Museums or non-commercial art galleries, subject to the #bulk# regulations applicable for #manufacturing uses#, and subject to the provisions of this Section.

(a) ~~As of right~~

In any #building#, a museum or non-commercial art gallery is permitted on the ground floor where a #use# in Use Group 6 is permitted pursuant to the provisions of paragraphs D.(2) or D.(4) of this Section and, above the ground floor where #joint living-work quarters for artists# are permitted, pursuant to paragraph D.(1) of this Section.

(b) ~~By authorization of the City Planning Commission~~

~~In an M1-5A District, the City Planning Commission may authorize a museum or non-commercial art gallery where it is not permitted as of right, provided that the Commission finds that:~~

- (i) ~~the #use# of such space as a museum or non-commercial art gallery will not harm #manufacturing uses# in the M1-5A District or the industrial sector of the City's economy;~~
- (ii) ~~any commercial or manufacturing tenants in such space were given the opportunity by the owner or predecessors in title to remain in the space at fair market rentals, and the property owners or predecessors in title did not cause the vacating of the space through harassment, non-renewal of leases, or the charging of rents in excess of the then fair market value; and~~
- (iii) ~~any such museum or non-commercial art gallery will be supportive of the local art industry.~~

~~The Commission may set such conditions on the grant of an authorization to allow such #uses# as it deems necessary to protect #manufacturing uses# or the industrial sector of the City's economy. In no case shall such museum or non-commercial art gallery occupy more than 65,000 square feet of #floor area#.~~

* * *

42-141

Modification by certification of the Chairperson of the City Planning Commission of uses in ~~M1-5A and~~ M1-5B Districts

~~In M1-5A and M1-5B Districts, the requirements of paragraphs D.(1)(b), D.(1)(c), D.(1)(d) and D.(1)(e) or D.(2) of Section 42-14 (Use Group 17) may be modified by certification of the Chairperson of the City Planning Commission as provided in this Section. A copy of any request for modification under this Section shall be sent by the applicant to the applicable Community Board at least 20 days prior to the next regularly scheduled Community Board meeting. If the Community Board elects to comment on such requests, it must do so within 31 days of such notification.~~

* * *

42-142

Modification by authorization of the City Planning Commission of use regulations in ~~M1-5A and~~ M1-5B Districts

~~In M1-5A and M1-5B Districts, the requirements of Section 42-14 (Use Group 17), paragraphs D.(1)(b), (c), and (d), may be modified by authorization of the City Planning Commission, provided that:~~

* * *

42-30

USES PERMITTED BY SPECIAL PERMIT

* * *

42-31

By the Board of Standards and Appeals

In the districts indicated, the following #uses# are permitted by special permit of the Board of Standards and Appeals, in accordance with standards set forth in Article VII, Chapter 3.

* * *

~~M1-5A~~ M1-5B

Eating and drinking establishments, with entertainment but not dancing, with a capacity of 200 persons or less [PRC-D]

~~M1-5A~~ M1-5B M1-5M M1-6M

Eating or drinking establishments, with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing [PRC-D]

* * *

42-32

By the City Planning Commission

In the districts indicated, the following #uses# are permitted by special permit of the City Planning Commission, in accordance with standards set forth in Article VII, Chapter 4.

* * *

M1

Indoor interactive entertainment facilities with eating and drinking* [PRC-D]

* * *

* In M1-1, ~~M1-5A~~, and M1-5B Districts, and in M1 Districts with a suffix "D," indoor interactive entertainment facilities with eating and drinking are not permitted

* * *

42-50

SIGN REGULATIONS

* * *

42-54

Permitted Projection or Height of Signs

* * *

42-541

Permitted projection

M1 M2 M3

In all districts, as indicated, except as otherwise provided in Section 42-542 (Additional regulations for projecting signs), no permitted #sign# shall project across a #street line# more than 18 inches for double- or multi-faceted #signs# or 12 inches for all other #signs#, except that:

- (a) in ~~M1-5A~~, M1-5B, M1-5M and M1-6M Districts, for each establishment located on the ground floor, non-#illuminated signs# other than #advertising signs# may project no more than 40 inches across a #street line#, provided that along each #street# on which such establishment fronts, the number of such #signs# for each establishment shall not exceed two two-sided #signs# separated at least 25 feet apart, and further provided that any such #sign# shall not exceed a #surface area# of 24 by 36 inches and shall not be located above the level of the first #story# ceiling.

* * *

Chapter 3

Bulk Regulations

* * *

43-10

FLOOR AREA REGULATIONS

* * *

43-17

Special Provisions for Joint Living-Work Quarters for Artists in ~~M1-5A and~~ M1-5B Districts

~~M1-5A~~ M1-5B

In the ~~districts~~ district indicated, no #building# containing #joint living-work quarters for artists# shall be #enlarged#.

Mezzanines are allowed within individual quarters, in #buildings# with an existing #floor area ratio# of 12.0 or less, and only between floors, or between a floor and a roof, existing on January 22, 1998, that are to remain, provided that such mezzanines do not exceed 33 and 1/3 percent of the gross #floor area# of such individual quarters. Such mezzanines shall not be included as #floor area# for the purpose of calculating minimum required size of a #joint living-work quarters for artists#.

In the ~~districts~~ district indicated no #building# containing #joint living-work quarters for artists# shall be subdivided into quarters of less than 1,200 square feet except where no #story# contains more than one #joint living-work quarters for artists# unless modified pursuant to Section 43-171.

However, the minimum size requirement may be replaced by the requirements of Section 15-024 for #joint living-work quarters for artists#:

* * *

ARTICLE VII

ADMINISTRATION

Chapter 3

Special Permits by the Board of Standards and Appeals

* * *

73-20

THEATERS

* * *

73-202

In ~~M1-5A or~~ M1-5B Districts

In ~~M1-5A or~~ M1-5B Districts, the Board of Standards and Appeals may permit theaters for a term not to exceed five years, provided that the following findings are made:

* * *

73-24**Eating or Drinking Places****73-241****In C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C3, C5, ~~M1-5A~~ or M1-5B Districts**

In C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C3, C5, ~~M1-5A~~ or M1-5B Districts, the Board of Standards and Appeals may permit eating or drinking establishments with entertainment but not dancing, with a capacity of 200 persons or less, for a term not to exceed five years, provided that the following findings are made:

- (a) that such #use# will not impair the character or the future use or development of the surrounding residential or mixed use neighborhood;
- (b) that such #use# will not cause undue congestion in local #streets#;
- (c) that in ~~M1-5A~~ and M1-5B Districts, eating and drinking places shall be limited to not more than 5,000 square feet of floor space;
- (d) that in C1-1, C1-2, C1-3, C1-4, C2-1, C2-2, C2-3, C2-4, C5, ~~M1-5A~~ and M1-5B Districts, such #use# shall take place in a #completely enclosed building#; and
- (e) that the application is made jointly by the owner of such #building# and the operators of such eating or drinking establishment.

* * *

73-60**MODIFICATIONS OF BULK REGULATIONS**

* * *

73-62

Modification of Bulk Regulations for Buildings Containing Residences

* * *

73-625

Modification of Affordable Housing Fund payment options in the SoHo NoHo Mixed Use District

Within the #Special SoHo-NoHo Mixed Use District#, for #conversions# from non-#residential# to #residential use# in #buildings# existing prior to [date of adoption] that are not otherwise subject to paragraph (d)(3)(v) of Section 23-154 (Inclusionary Housing), the Board of Standards and Appeals may permit a contribution to the #affordable housing fund# pursuant to such paragraph to satisfy the requirements of paragraph (d)(3), inclusive, of such Section, provided that the Board finds that:

- (a) the configuration of the #building# imposes constraints, including, but not limited to, deep, narrow or otherwise irregular #building# floorplates, limited opportunities to locate #legally required windows#, or pre-existing locations of vertical circulation or structural column systems, that would create practical difficulties in reasonably configuring the required #affordable floor area# into a range of apartment sizes and bedroom mixes serving a number of lower-income residents comparable to what such quantity of #affordable floor area# would serve in a more typical configuration, pursuant to the #guidelines# of the Inclusionary Housing Program. Before the Board issues a final determination on any application made pursuant to this Section, the Department of Housing Preservation and Development shall submit comment or appear before the Board regarding this finding.
- (b) the practical difficulties existed on [date of enactment].

For the purposes of this Section, defined terms include those set forth in Sections 12-10 and 23-911.

A copy of each application to the Board for a special permit under the provisions of this Section shall be provided by the applicant to the Department of Housing Preservation and Development concurrently with its submission to the Board.

The Board may prescribe such conditions and safeguards as it deems necessary to minimize adverse effects upon the surrounding area and the community at large.

* * *

Chapter 4

Special Permits by the City Planning Commission

* * *

74-40

USE PERMITS

* * *

74-46

Indoor Interactive Entertainment Facilities

In C4, C6, C7, C8 Districts and M1 Districts, except in M1-1, ~~M1-5A~~, M1-5B Districts and M1 Districts with a suffix "D," the City Planning Commission may permit, for a term not to exceed five years, indoor interactive entertainment facilities with eating and drinking, consisting of mechanical, electronic or computer-supported games subject to the following conditions:

- (a) there shall be a minimum of 1,000 square feet of #floor area# per game. This requirement shall not apply within the Theater Subdistrict of the #Special Midtown District#;
- (b) the entrance to such #use# shall be a minimum of 200 feet from the nearest #Residence District# boundary;
- (c) in C4 and C6 Districts, a minimum of four square feet of waiting area within the #zoning lot# shall be provided for each person permitted under the occupant capacity as determined by the New York City Building Code. The required waiting area shall be in an enclosed lobby and shall not include space occupied by stairs, corridors or restrooms;
- (d) parking shall be provided in accordance with the parking regulations for Use Group 12A (Parking Category D); and
- (e) the application is made jointly by the owner of the #building# and the operators of such indoor interactive entertainment facility.

* * *

74-71

Landmark Preservation

* * *

74-712**Developments in Historic Districts**

Within Historic Districts designated by the Landmarks Preservation Commission, the City Planning Commission may grant a special permit, in accordance with the following provisions:

- (a) In ~~M1-5A~~ and M1-5B Districts, on a #zoning lot# that, as of December 15, 2003, is vacant, is #land with minor improvements#, or has not more than 40 percent of the #lot area# occupied by existing #buildings#, the Commission may modify #use# regulations to permit #residential development# and, below the floor level of the second #story# of any #development#, #uses# permitted under Section 32-15 (Use Group 6), provided:
- (1) the #use# modifications shall meet the following conditions, that:
- (i) #residential development# complies with the requirements of Sections 23-47 (Minimum Required Rear Yards) and 23-86 (Minimum Distance Between Legally Required Windows and Walls or Lot Lines) pertaining to R8 Districts;
 - (ii) total #floor area ratio# on the #zoning lot# shall be limited to 5.0;
 - (ii) the minimum #floor area# of each #dwelling unit# permitted by this Section shall be 1,200 square feet;
 - (iii) all #signs# for #residential# or #commercial uses# permitted by this Section shall conform to the applicable regulations of Section 32-60 (SIGN REGULATIONS) pertaining to C2 Districts; and
 - (v) eating and drinking establishments of any size, as set forth in Use Groups 6A and 12A, are not permitted; and
- (2) the Commission shall find that such #use# modifications:
- (i) have minimal adverse effects on the conforming #uses# in the surrounding area;
 - (ii) are compatible with the character of the surrounding area; and

- (iii) for modifications that permit #residential use#, result in a #development# that is compatible with the scale of the surrounding area.
- (b) In all districts, the Commission may modify #bulk# regulations, except #floor area ratio# regulations, for any #development# on a #zoning lot# that is vacant or is #land with minor improvements#, and in ~~M1-5A~~ and M1-5B Districts, the Commission may make such modifications for #zoning lots# where not more than 40 percent of the #lot area# is occupied by existing #buildings# as of December 15, 2003, provided the Commission finds that such #bulk# modifications:
- (1) shall not adversely affect structures or #open space# in the vicinity in terms of scale, location and access to light and air; and
 - (2) relate harmoniously to #buildings# in the Historic District as evidenced by a Certificate of Appropriateness or other permit from the Landmarks Preservation Commission.

The City Planning Commission may prescribe appropriate additional conditions and safeguards in order to enhance the character of the #development# and to minimize adverse effects on the character of the surrounding area.

* * *

74-781

Modifications by special permit of the City Planning Commission of uses in ~~M1-5A~~ and M1-5B Districts

In ~~M1-5A~~ and M1-5B Districts, the City Planning Commission may, after public notice and hearing and subject to Board of Estimate approval, permit modification of Section 42-14, paragraphs D.(1)(c), D.(1)(d), D.(2)(a) or D.(2)(b), provided that the Commission finds that the owner of the space, or a predecessor in title, has made a good faith effort to rent such space to a mandated #use# at fair market rentals. Such efforts shall include but not be limited to: advertising in local and citywide press, listing the space with brokers and informing local and citywide industry groups. Such efforts shall have been actively pursued for a period of no less than six months for #buildings# under 3,600 square feet and one year for #buildings# over 3,600 square feet, prior to the date of the application for a special permit.

74-782

Residential conversion in C6-1G, C6-2G, C6-2M, C6-4M, ~~M1-5A~~, M1-5B, M1-5M and M1-6M Districts

In C6-1G, C6-2G, C6-2M, C6-4M, M1-5M and M1-6M Districts, the City Planning Commission may permit modification of the requirements of Sections 15-021, paragraph (e), or 15-21, and in ~~M1-5A~~ and M1-5B Districts, the Commission may permit modification of the requirements of Section 42-14, paragraph D.(1)(b), provided that the Commission finds that:

* * *

74-92**Use Groups 3A and 4A Community Facilities and Certain Large Retail Establishments in Manufacturing Districts****74-921****Use Groups 3A and 4A community facilities**

- (a) Use modifications for Use Groups 3A and 4A in M1 Districts

In M1 Districts, except for houses of worship and ambulatory diagnostic or treatment health care facilities, the City Planning Commission may permit uses listed in Use Group 4A - Community Facilities and, in M1-5 Districts, except in ~~M1-5A~~, M1-5B and M1-5M Districts, the Commission may permit museums and non-commercial art galleries as listed in Use Group 3A, provided that such community facility is located not more than 400 feet from the boundary of a district where such facility is permitted as-of-right and the Commission finds that:

* * *

ARTICLE XIV**SPECIAL PURPOSE DISTRICTS**

Chapter 3
Special SoHo-NoHo Mixed Use District

143-00
GENERAL PURPOSES

The “Special SoHo-NoHo Mixed Use District” established in this Resolution is designed to promote and protect public health, safety and general welfare. These general goals include, among others, the following specific purposes:

- (a) to enhance neighborhood economic diversity by broadening the range of housing choices for residents of varied incomes;
- (b) to reinforce the longstanding mixed-use character of the area by allowing a wider range of residential, commercial and community facility uses while retaining significant concentration of commercial and manufacturing space;

- (c) to ensure the development of buildings is compatible with existing neighborhood character;
- (d) to sustain SoHo/NoHo's cultural legacy and support New York City's creative economy with provisions that support arts, cultural and creative uses, organizations and their broader public audience;
- (e) to retain jobs within New York City; and
- (f) to promote the most desirable use of land in accordance with a well-considered plan and thus conserve the value of land and buildings, and thereby protect City tax revenues.

143-01 General Provisions

The provisions of this Chapter shall apply within the #Special SoHo-NoHo Mixed Use District#. The regulations of all other Chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

143-02 Definitions

Definitions specifically applicable to this Chapter are set forth in this Section. Other defined terms are set forth in Section 12-10 (DEFINITIONS).

Qualifying building

For the purposes of this Chapter, a "qualifying building" shall be any #building#, where, prior to [date of adoption]:

- (a) such #building# contained at least 60,000 square feet of #floor area#; and

- (b) at least 20 percent of the #floor area# within such #building# was allocated to non-#residential floor area#, as such term is utilized in Section 143-14.

SoHo-NoHo Arts Fund

For the purposes of this Chapter inclusive, the “SoHo-NoHo Arts Fund” (the “Arts Fund”) shall be a separate interest-bearing account established for the deposit of contributions made when converting #joint living-work quarters for artists# to #residences# through in accordance with the provisions of Section 143-13 (Joint Living-Work Quarters for Artists). Funds within the ~~The~~ Arts Fund shall be allocated by the New York City Department of Cultural Affairs, or a not-for-profit entity designated by the Department of Cultural Affairs, to support arts programming, projects, organizations, and facilities that promote the public presence of the arts within the Special District and surrounding neighborhoods and extend the cultural legacy of SoHo and NoHo generally. Such allocation should prioritize under-resourced organizations and under-served areas within Lower Manhattan neighborhoods south of 14th Street.

No later than June 30 of each year, the Department of Cultural Affairs shall submit a report to the Speaker detailing the amount of money deposited into the Arts Fund and any expenditure of funds.

143-03 District Plan and Map

In order to carry out the purposes and provisions of this Chapter, a district map is located in the Appendix to this Chapter and is hereby incorporated and made an integral part of this Resolution. It is incorporated for the purpose of specifying locations where special regulations and requirements, as set forth in the text of this Chapter, apply.

Appendix A

Map 1. Ground Floor Use Requirements

Such map is hereby incorporated and made part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in the text of this Chapter apply.

143-04

Applicability of the Inclusionary Housing Program

For the purposes of applying the Inclusionary Housing Program provisions set forth in Sections 23-154 and 23-90, inclusive, #Mandatory Inclusionary Housing areas# within the #Special SoHo-NoHo Mixed Use District# are shown on the maps in APPENDIX F of this Resolution. Such provisions are modified as follows:

- (a) #Conversions# from #joint living-work quarters for artists# to #residences#, as set forth in Section 143-13 (Joint Living-Work Quarters for Artists), shall not be subject to the provisions of paragraph (d)(1) of Section 23-154.
- (b) The provisions of paragraph (d)(4)(i) of Section 23-154 shall apply ~~only~~ :
- (1) in M1 districts paired with R7D districts, to #developments# or #enlargements# on #zoning lots# existing on [date of adoption] on which the maximum permitted #residential floor area#, less #floor area# equivalent to a #floor area ratio# of 0.6, does not exceed 12,500 square feet; and
 - (2) in all other districts, to #developments# or #enlargements# on ~~a~~ #zoning lots# existing on [date of adoption] on which the maximum permitted #residential floor area#, less the #lot area#, does not exceed 12,500 square feet ~~on [date of adoption]~~.
- (c) For #conversions# in #buildings# existing prior to [date of adoption] that are not otherwise subject to paragraph (d)(3)(v) of Section 23-154, the Board of Standards and Appeals may permit a contribution to the #affordable housing fund#, pursuant to the provisions of Section 73-625.

143-05

Applicability of Article VI, Chapters 4 and 6

In #flood zones#, or for #transit-adjacent sites# or #qualifying transit improvement sites#, as defined in Section 66-11 (Definitions), in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Zones), or Article VI, Chapter 6 (Special Regulations Applying Around Mass Transit Stations), the provisions of Article VI shall control.

143-06

Applicability of Article XII, Chapter 3

In the #Special SoHo-NoHo Mixed Use District#, M1 Districts are paired with a #Residence District#. In paired districts, the special #use#, #bulk#, and parking and loading provisions of Article XII, Chapter 3 (Special Mixed Use District) shall apply, except where modified by the provisions of this Chapter.

Notwithstanding the provisions of Section 123-10 (GENERAL PROVISIONS), in the event of a conflict between the provisions of this Chapter and the provisions of Article XII, Chapter 3, the provisions of this Chapter shall control.

143-07

Applicability of Quality Housing regulations

All #buildings# shall be #developed# or #enlarged# in accordance with the Quality Housing Program and the regulations of Article II, Chapter 8 shall apply. The #bulk# regulations of this Chapter shall be considered the applicable #bulk# regulations for #Quality Housing buildings#.

143-08

Applicability of Article I, Chapter 5

The provisions of Article I, Chapter 5 shall apply to the #conversion# of non-#residential floor area# to #residences#, except where such regulations are modified by the provisions of this Chapter. Where the regulations in effect prior to the establishment of this Chapter were utilized to provide #floor area# for #joint living-work quarters for artists# in a manner not otherwise permitted by Article I, Chapter 5, such provisions may continue to apply in order to #convert# such #floor area# to #residences#, provided that light and air provisions of Section 15-23, and #conversion# provisions of Section 143-13 are met.

143-10

SPECIAL USE REGULATIONS

Within the #Special SoHo-NoHo Mixed Use District#, the #use# provisions of Article XII, Chapter 3 are modified by the provisions of this Section.

143-11

Use Group 10A Modifications for certain uses

Within the #Special SoHo-NoHo Mixed Use District#, the following #use# modifications shall apply:

- (a) colleges or universities, including professional schools but excluding business colleges or trade schools and colleges or school student dormitories and fraternity or sorority student houses as listed in Use Group 3A, shall not be permitted;
- (b) eating or drinking establishments, as set forth in Use Groups 6A, 6C, 10A or 12A, shall be limited to 8,500 square feet of #floor area# per establishment; and
- (c) all #uses# listed in Use Group 10A shall be permitted, provided that retail #uses# do not exceed the following size limitations:
 - (1) For establishments with a #primary entrance# along a #wide street#, 25,000 square feet of #floor area# per establishment; and
 - (2) For all other establishments, 10,000 square feet of #floor area# per establishment.

However, the City Planning Commission may, by special permit, allow retail #uses# in Use Group 10A that exceed the size limitations of this Section, pursuant to Section 143-31 (Special Permit for Certain Retail #Uses#).

~~all #uses# listed in Use Group 10A shall be permitted. However, for #buildings# that do not contain #accessory# off street loading berths, no Certificate of Occupancy shall be issued by the Department of Buildings for a retail #use# listed in Use Group 10A with a size exceeding 25,000 square feet, until the Chairperson of the City Planning Commission certifies that a delivery plan has been submitted and accompanied by a letter of support from the Department of Transportation, that such loading plan:~~

- ~~(a) will incorporate sustainable best practices in loading, consolidating and retiming goods transport methods and procedures;~~
- ~~(b) is based upon a traffic and curbside management study prepared by a qualified professional, approved by the Department of Transportation, outlining and identifying the operational needs of the tenant as well as adjacent uses; and~~
- ~~(c) to the greatest extent feasible, will not create or contribute to serious safety concerns, unduly inhibit pedestrian, cyclist or vehicular movement adjacent to the site or generate excessive noise or other undue adverse effects;~~

The #home occupation# provisions of Section 12-10 (DEFINITIONS - Home occupation) shall apply, except that up to 49 percent of the total #floor area# of a #dwelling unit# may be used for a #home occupation#, and such #home occupation# may occupy more than 500 square feet of #floor area#.

In addition, in connection with such #home occupation#, up to three persons not residing in such #dwelling unit# may be employed, and a #home occupation# may include any permitted #commercial use#, subject to the limitations set forth in paragraph (b) of the definition of #home occupation#.

143-13 Joint Living-Work Quarters for Artists

#Conversions# to #joint living-work quarters for artists#, as listed in Use Group 17D, shall not be permitted after [date of adoption] within the #Special SoHo-NoHo Mixed Use District#.

For #developments#, #enlargements# or #conversions#, for the purposes of applying Section 123-21, Use Group 17D #joint living-work quarters for artists# shall not be considered an existing #manufacturing# or #commercial# use.

For #joint living-work quarters for artists# existing on [date of adoption], any #conversion# to a #residence# shall only be permitted upon certification by the Chairperson of the City Planning Commission to the Commissioner of the Department of Building that instruments in a form acceptable to the City are executed and recorded and that, thereafter, a contribution has been deposited in the #SoHo-NoHo Arts Fund#. The execution and recording of such instruments and the payment of such non-refundable contribution shall be a precondition to the filing for or issuing of any #building# permit allowing the #conversion# a #joint living-work quarters for artists# to a #residence#.

The contribution amount shall be \$100.00 per square foot of #floor area# to be #converted# from a #joint living-work quarters for artists# to a #residential use# as of [date of adoption], and shall be adjusted by the Chairperson annually. Such adjustment shall occur on August 1 of each calendar year, based on the percentage change in the Consumer Price Index for all urban consumers as defined by the U.S. Bureau of Labor Statistics for the 12 months ended on June 30 of that year. The contribution amount shall be determined based upon the rate which is in effect at the time the contribution is received.

143-14
Non-Residential Retention for Qualifying Buildings

For #developments#, #enlargements#, and #conversions# on #zoning lots# with #qualifying buildings# existing on [date of adoption], #residential uses# shall only be permitted upon certification by the Chairperson of the City Planning Commission to the Commissioner of the Department of Buildings that the #zoning lot#, as it existed on [date of adoption], will contain at least the amount of non-#residential floor area# that existed within such #qualifying buildings# on the #zoning lot# on [date of adoption] or where the #qualifying building# will be #converted# to #residences# that are exclusively #income-restricted housing units#. For the purposes of this Section, non-#residential floor area# shall not include #residences#, including #dwelling units# that are registered Interim Multiple Dwellings or are covered by the New York City Loft Board pursuant to Article 7-C of the New York State Multiple Dwelling Law or that the Loft Board determines were occupied for #residential use# on September 1, 1980, #joint living-work quarters for artists#, #community facility uses# with sleeping accommodations or #transient hotels#, where permitted.

A restrictive declaration acceptable to the Department of City Planning shall be executed and recorded, binding the owners, successors and assigns to provide the amount of non-#residential floor area# that existed within #qualifying buildings# on [date of adoption], on the #zoning lot#. Such restrictive declaration shall be recorded in the Office of the City Register.

143-15
Ground Floor Use Requirements

The provisions of this Section shall apply to #developments# and #ground floor level enlargements#.

For the purposes of applying the special #ground floor level# streetscape provisions set forth in Section 37-30 to this Chapter, any portion of a #ground floor level street# frontage along #streets# designated on Map 1 in the Appendix to this Chapter shall be considered #primary street frontages#. A #ground floor level street# frontage along any other #street# shall be considered a #secondary street frontage#. For the purposes of this Section, defined terms shall include those in Sections 12-10 and 37-311.

(a) Along #primary street frontages#

For #buildings#, or portions thereof, with #primary street frontage#, #uses# on the #ground floor level#, to the minimum depth set forth in Section 37-32 (Ground Floor Depth Requirements for Certain Uses), shall be limited to non-#residential uses#, except for Type 1 lobbies and entrances and exits to #accessory# parking spaces provided in accordance with the applicable provisions of Section 37-33 (Maximum Width of Certain Uses). #Ground floor level street walls# shall be glazed in accordance with the provisions set forth in Section 37-34 (Minimum Transparency Requirements).

(b) Along #secondary street frontages#

Any #street wall# width exceeding 50 feet with no transparent elements on the #ground floor level# shall provide visual mitigation elements in accordance with the provisions for Type 1 blank walls set forth in Section 37-361 (Blank wall thresholds).

[Removing provisions relating to physical culture establishments because they have been superseded by the CPC-approved Health and Fitness Text Citywide Amendment (N 210382 ZRY).]

[Removing provisions relating to hotels because they have been superseded by the CPC-approved Citywide Hotel Text Amendment (N 210406 ZRY).]

**143-20
SPECIAL BULK REGULATIONS**

Within the #Special SoHo-NoHo Mixed Use District#, the #bulk# provisions of Article XII, Chapter 3 are modified by the provisions of this Section.

**143-21
Special Floor Area Regulations**

The applicable #floor area# regulations shall be modified as follows:

- (a) the #floor area ratio# for #community facility uses# shall be 6.5; and
- ~~(b) in M1-5 Districts paired with an R9X District north of Howard Street, the #floor area ratio# for all other non #residential uses# shall be 6.0;~~
- ~~(c) in M1-6 Districts paired with an R10 District east of Broadway and south of Grand Street, the #floor area ratio# for #commercial uses# shall be 8.0; and~~
- ~~(d)~~(b) in M1-6 Districts paired with an R10 District east of Broadway and north of Great Jones Street, the #floor area ratio# for all other non-#residential uses# ~~#commercial uses#~~ shall be 7.0.

**143-22
Density**

For all #residential buildings#, or portions thereof, including those existing on December 15, 1961, the factor to determine the maximum number of #dwelling units# shall be 680.

Where a #joint living-work quarters for artists# has utilized the provisions of Section 15-024 as alternative density provisions, such provisions shall remain in effect for any subsequent #conversion# to #dwelling units#. However, in applying such provisions, the #dwelling unit# factor provisions of this Section shall apply in lieu of 15-111.

143-23 Special Yard Regulations

The applicable #rear yard# and #rear yard equivalent# regulations shall be modified as follows:

(a) Permitted obstructions

In any #rear yard# or #rear yard equivalent#, any #building# or portion of a #building# used for #commercial#, #manufacturing#, or #residential uses#, other than dwelling units, shall be a permitted obstruction, provided that the height of such #building# shall not exceed one #story#, excluding #basement#, nor in any event 23 feet above #curb level#.

In addition, in M1-5 Districts paired with an R9X District north of Howard Street, in any #rear yard#, any #building# or portion of a #building# used for any permitted non-#residential use#, shall be a permitted obstruction, provided that the height of such #building#, or portion thereof, shall not exceed two #stories#, excluding #basements#, nor in any event 30 feet above #curb level#.

Decks, parapet walls, roof thickness, skylights, vegetated roofs, and weirs, pursuant to Section 43-42 (Permitted Obstructions), shall be permitted above such height limitations.

(b) Required #rear yards#

For all #uses#, a #rear yard# with a depth of not less than 20 feet shall be provided at every #rear lot line# on any #zoning lot#, except as follows:

- (1) no #rear yard# shall be required within 100 feet of the point of intersection of two #street lines# intersecting at an angle of 135 degrees or less;
- (2) whenever a #front lot line# of a #zoning lot# coincides with all or part of a #street line# measuring less than 230 feet in length between two intersecting #streets#, no #rear yard# shall be required within 100 feet of such #front lot line#; and
- (3) for #interior lots# where the depth of such #zoning lot#, or a portion thereof, is less than 90 feet, and such shallow depth was in existence on December 15, 1961 and the date of application for a #building# permit, the required #rear yard# for such #interior lot#, or portion thereof, may be reduced by six inches for each foot by which the depth of a #zoning lot#, or portion thereof, is less than 90 feet. However, in no event shall the minimum depth of a #required yard#, or portion thereof, be reduced to less than 10 feet.

(c) Required #rear yard equivalents#

For #buildings#, or portions thereof, containing non-#residential uses#, no #rear yard equivalent# shall be required on any #through lot# or #through lot# portion of a #zoning lot#.

For #buildings#, or portions thereof, containing #residential# uses, on any #through lot# that is 110 feet or more in maximum depth from #street# to #street#, a #rear yard equivalent# consisting of an open area with a minimum depth of 40 feet midway, or within 10 feet of being midway, between the two #street lines# upon which such #through lot# fronts, shall be provided.

However, for #through lots# where the depth of such #zoning lot#, or a portion thereof, is less than 180 feet, and such shallow depth was in existence on December 15, 1961 and on the date of application for a building permit, the required #rear yard equivalent# for such #through lot#, or portion thereof, may be reduced by one foot for each foot by which the depth of a #zoning lot#, or portion thereof, is less than 180 feet. However, in no event shall the minimum depth of a #required yard#, or portion thereof, be reduced to less than 20 feet.

(d) Along district boundaries

The provisions of 43-30 (Special Provisions Applying Along District Boundaries), shall not apply along the district boundaries of two M1 Districts paired with #Residence Districts#.

143-24

Special Height and Setback regulations

For the purposes of this Section, Watts Street, West Broadway, Centre Street, and Great Jones Street shall be considered #wide streets#.

The applicable height and setback regulations are modified as follows:

(a) #Street wall# location

Along all #street# frontages, the #street wall# regulations applicable to #Quality Housing buildings# on a #wide street# in a C6 District, as set forth in Section 35-651 (Street wall location), shall apply. On #through lots#, the additional regulations set forth in paragraph (b) of Section 35-655 shall not apply.

For the purposes of applying such regulations, the minimum base height a #street wall# shall rise to, without setback, shall be those set forth in paragraph (b) of this Section.

(b) Base heights and maximum #building# heights

The table below sets forth the minimum and maximum base height, and maximum #building# height for all #buidings#.

A setback is required for all portions of a #building# that exceed the maximum base height specified for the applicable district, and shall be provided in accordance with paragraph (c) of this Section.

MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT,
AND MAXIMUM BUILDING HEIGHTS

<u>District</u>	<u>Minimum base height (in feet)</u>	<u>Maximum base height (in feet)</u>	<u>Maximum #building# height (in feet)</u>
<u>M1-5 / R7D</u>	<u>60</u>	<u>105</u>	<u>115</u>
<u>M1-5 / R7X</u>	<u>60</u>	<u>105</u>	<u>145</u>
<u>M1-5 / R9A</u>	<u>60</u>	<u>125</u>	<u>175</u>
<u>M1-5 / R9X, north of East Houston Street</u>	<u>60</u>	<u>125</u>	<u>195</u>
<u>M1-5 / R9X, south of East Houston Street</u>	<u>85</u>	<u>145</u>	<u>205</u>
<u>M1-6 / R10</u>	<u>125</u>	<u>155</u>	<u>275</u>

However, for any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the minimum and maximum base heights may be modified as follows:

- (1) the minimum base height of a #street wall# may vary between the minimum height set forth in the table above, and the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height; and
- (2) the maximum base height of a #street wall# may vary between the maximum base height set forth in the table above, and the height of the #street wall# of an adjacent #building# before setback, if such height is higher than the maximum base height.

(c) Setbacks

At a height not lower than the minimum base height or higher than the maximum base height specified for the applicable district in the table in paragraph (b) of this Section, a setback shall be provided in accordance with paragraph (c) of Section 23-662 (Maximum height of buildings and setback regulations) shall apply to such setbacks.

(d) Dormers

As an alternative to the dormer provisions of paragraph (c) of Section 23-621, dormers may be a permitted obstruction within a required front setback distance above a maximum base height, provided that the aggregate width of all dormers at the maximum base height does not exceed 40 percent of the width of the #street wall# of the highest #story# entirely below the maximum base height. Such dormers need not decrease in width as the height above the maximum base height increases.

143-25

Additional bulk modifications

For #buildings# containing #residences#, or portions thereof, the following additional #bulk# modifications shall apply.

(a) #Outer court# modifications

For #outer courts# containing #legally required windows#, if an #outer court# is less than 20 feet wide, the width of such #outer court# shall be at least equal to the depth of such #outer court#. If an #outer court# is 20 feet or more in width, it may extend to any depth.

(b) #Inner court# modifications

For #inner courts# containing #legally required windows#, the area shall not be less than 600 square feet, and the minimum dimension of such #inner court# shall not be less than 20 feet.

The minimum horizontal distance between a #legally required window# opening on an #inner court# and any wall opposite such window on the same #zoning lot# shall not be less than 20 feet.

(c) Distance between #legally required windows# and #lot lines#

The minimum distance between a #legally required window# and: any wall; a #rear lot line#, or vertical projection thereof; or a #side lot line#, or vertical projection thereof; shall be 20 feet, measured in a horizontal plane at the sill level of, and perpendicular to, such window for the full width of the rough window opening.

(d) Distance between #buildings#

The required minimum distance between the portion of a #building# containing #dwelling units# and any other #building# on the same #zoning lot# shall be 40 feet below a height of 125 feet. Portions

of #buildings# above 125 feet that exceed, in aggregate, a #lot coverage# of 40 percent, shall be spaced at least 80 feet apart.

143-30

Special Permits

143-31

Special Permit for Certain Retail #Uses#

Within the #Special SoHo-NoHo Mixed Use District#, the City Planning Commission may, by special permit, allow retail #uses# in Use Group 10A that exceed the size limitations of Section 143-11, provided that the conditions of paragraph (a) and the findings of paragraph (b) are met.

(a) Conditions

For #buildings# that do not contain #accessory# off-street loading berths, the application shall include a delivery plan for the retail #use#. Such loading plans shall be based upon a traffic and curbside management study prepared by a qualified professional, outlining and identifying the operational needs of the tenant as well as adjacent uses.

(b) Findings

The Commission shall find that:

- (1) In consultation with the Department of Transportation, where a loading plan is provided, such plan will incorporate sustainable best practices in loading, consolidating, timing of deliveries and other delivery methods and procedures;
- (2) such retail #use# will not create or contribute to serious safety concerns, unduly inhibit pedestrian, cyclist or vehicular movement adjacent to the site; and
- (3) such retail #use# will not impair the character or the future use or development of the surrounding mixed-use neighborhood.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

APPENDIX A

Special SoHo-NoHo Mixed Use District Plan

Map 1: Ground Floor Use Requirements



----- Special SoHo-NoHo Mixed Use District (SNX)
————— Type 1 Primary Street Frontage (143-15(a))



* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

MANHATTAN

* * *

Manhattan Community District 2

Map 1 – [date of adoption]



Portion of Community District 2, Manhattan

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, DIANA AYALA, FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 9, 2021 (Hybrid Hearing).

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

Report for L.U. No. 924 & Res. No. 1891

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 210380 ZRY (Fresh II Zoning Text Amendment) submitted by the Department of City Planning, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, to modify Article VI, Chapter 3 (Special Regulations Applying to FRESH Food Stores) and related Sections, to expand areas in which the program is applicable and to update various requirements, Citywide.

The Committee on Land Use, to which the annexed Land Use item was referred on November 10, 2021 (Minutes, page 3118) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3669), respectfully

REPORTS:

SUBJECT

CITYWIDE

N 210380 ZRY

City Planning Commission decision approving an application submitted by New York City Department of City Planning for an amendment of the text of the Zoning Resolution of the City of New York, for an amendment of the text of the Zoning Resolution of the City of New York, to modify Article VI, Chapter 3 (Special Regulations Applying to FRESH Food Stores) and related Sections, to expand areas in which the program is applicable and to update various requirements, all Community Districts, Citywide.

INTENT

To approve the amendment for an amendment of the text of the Zoning Resolution of the City of New York, to modify Article VI, Chapter 3 (Special Regulations Applying to FRESH Food Stores) and related Sections, to expand areas in which the program is applicable and to update various requirements, which would facilitate the expansion the FRESH program in areas of the Bronx, Brooklyn, Queens and Staten Island and

modification of related regulations in eligible areas that guide the development of FRESH food stores, all Community Districts, Citywide.

PUBLIC HEARING

DATE: November 18, 2021

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: December 9, 2021

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

In Favor:

Moya
Levin
Reynoso
Grodenschik
Ayala
Rivera
Borelli

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: December 9, 2021

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca
Gibson
Barron
Koo

Against:

None

Abstain:

None

Miller
 Reynoso
 Treyger
 Grodenchik
 Adams
 Ayala
 Moya
 Rivera
 Riley
 Brooks-Powers
 Feliz
 Borelli

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated _____, 2021, with the Council on _____, 2021, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 1891

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 210380 ZRY, for an amendment of the text of the Zoning Resolution (L.U. No. 924).

By Council Members Salamanca and Moya.

WHEREAS, the Department of City Planning, 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, to modify Article VI, Chapter 3 (Special Regulations Applying to FRESH Food Stores) and related Sections, to expand areas in which the program is applicable and to update various requirements, which would facilitate the expansion the FRESH program in areas of the Bronx, Brooklyn, Queens and Staten Island and modification of related regulations in eligible areas that guide the development of FRESH food stores, all Community Districts, Citywide (Application No. N 210380 ZRY) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on November 5, 2021, its decision dated October 20, 2021 (the “Decision”), on the Application;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on November 18, 2021;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued on May 17, 2021 (CEQR No. 21DCP182Y).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment.

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 210380 ZRY, 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, 37-311, 63-01, 97-01, 108-01 or 116-01;

* * * 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

ARTICLE II

RESIDENCE DISTRICT REGULATIONS

Chapter 3

Residential Bulk Regulations in Residence Districts

* * *

23-10

OPEN SPACE AND FLOOR REGULATIONS

* * *

23-15

Open Space and Floor Regulations in R6 Through R10 Districts

* * *

23-154

Inclusionary Housing

[text struck out in this Section is proposed to be relocated to Section 63-21]

* * *

(b) #Inclusionary Housing designated areas#

The #residential floor area# of a #zoning lot# may not exceed the base #floor area ratio# set forth in the table in this paragraph (b), except that such #floor area# may be increased on a #compensated zoning lot# by 1.25 square feet for each square foot of #low income floor area# provided, up to the maximum #floor area ratio# specified in the table, as applicable. However, the amount of #low income floor area# required to receive such #floor area compensation# need not exceed 20 percent of the total #floor area#, exclusive of ground floor non-#residential floor area#, ~~or any #floor area# increase for the provision of a #FRESH food store#,~~ on the #compensated zoning lot#.

* * *

ARTICLE IV

MANUFACTURING DISTRICT REGULATIONS

Chapter 2

Use Regulations

* * *

42-10

USES PERMITTED AS-OF-RIGHT

* * *

42-12

Use Groups 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16

M1 M2 M3

Use Group 3A shall be limited to museums that are ancillary to existing motion picture production studios or radio or television studios, provided they are located within 500 feet of such studios and do not exceed 75,000 square feet of #floor area#.

Use Groups 6A except that food stores, including supermarkets, grocery stores or delicatessen stores, shall be limited to 10,000 square feet of #floor area# per establishment, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14 and 16 as set forth in Sections 32-15 to 32-23, inclusive, and Section 32-25. However, in Community District 1, in the Borough of the Bronx, in M1-4 Districts, food stores, including supermarkets, grocery stores or delicatessen stores, shall be limited to 30,000 square feet of #floor area# per establishment. In addition, the regulations of this Section are modified, where applicable, by the regulations of Section 63-11 (Special Use Regulations for FRESH Food Stores in M1 Districts).

* * *

ARTICLE VI**SPECIAL REGULATIONS APPLICABLE TO CERTAIN AREAS****Chapter 3****Special Regulations Applying to FRESH Food Stores****63-00****GENERAL PURPOSES**

The provisions of this Chapter establish special regulations that guide the development of FRESH food stores to promote and protect public health, safety and general welfare. These general goals include, among others, the following purposes:

- (a) encourage a healthy lifestyle by facilitating the development of FRESH food stores that sell a healthy selection of food products;
- (b) provide greater incentives for FRESH food stores to locate in neighborhoods underserved by such establishments;
- (c) encourage FRESH food stores to locate in locations that are easily accessible to nearby residents; and
- (d) strengthen the economic base of the City, conserve the value of land and buildings, and protect the City's tax revenues.

63-01**Definitions**

FRESH food store

A "FRESH food store" is a food store #use# as listed in Section 32-15 (Use Group 6), where at least 6,000 square feet of #floor area#, or #cellar# space utilized for retailing, is ~~utilized for~~ allocated to the sale of a general line of food and non-food grocery products, such as dairy, canned and frozen foods, fresh fruits and vegetables, fresh and prepared meats, fish and poultry, intended for home preparation; and consumption ~~and utilization~~. Such retail space ~~utilized for the sale of a general line of food and non food grocery products~~ shall be distributed as follows:

- (a) ~~at least 3,000 square feet or 50 percent of such retail space, whichever is greater, shall be utilized for the sale of a general line of food products intended for home preparation, consumption and utilization; and~~
- (b)(a) ~~at least 2,000 square feet or 30.25 percent of such retail space, whichever is greater, shall be utilized for~~ allocated to the sale of perishable goods that shall include dairy, fresh produce, frozen foods and fresh meats, of which at least 500 square feet of such retail space shall be designated for the sale of fresh produce;
- (b) at least 35 percent of such retail space shall be allocated to the sale of non-perishable food; and
- (c) at least 6,000 square feet of such retail space shall be located on one #story#.

A food store shall be certified as a #FRESH food store# by the Chairperson of the City Planning Commission, pursuant to Section 63-30 (CERTIFICATION FOR A FRESH FOOD STORE).

63-02

Applicability

The regulations of all other chapters of this Resolution are applicable, except as superseded, supplemented or modified by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

63-021

Areas permitting FRESH food stores

(a) The provisions of this Chapter shall apply to all #Commercial# and #Manufacturing Districts# in the following #FRESH food store# designated areas, except as provided in ~~paragraph (b) of this Section~~ Sections 63-022 (Special Purpose Districts where regulations for FRESH food stores are not applicable) and 63-023 (Limitation on location of FRESH food stores):

- (1) ~~in the Borough of the Bronx, Community Districts 1, 2, 3, 4, 5, 6 and 7, except portions of Community District 7, as shown on Map 1 in Appendix A of this Chapter;~~
- (2) ~~in the Borough of Brooklyn, Community Districts 3, 4, 5, 8, 9, 16 and 17, except portions of Community District 8, as shown on Map 2 in Appendix A;~~
- (3) ~~in the Borough of Manhattan, Community Districts 9, 10, 11 and 12, except portions of Community District 9 and 12, as shown on Maps 3 and 4 in Appendix A; and~~
- (4) ~~in the Borough of Queens, the #Special Downtown Jamaica District#; portions of Community District 12 outside of the #Special Downtown Jamaica District#, except those portions shown on Maps 5 and 6 in Appendix A; and those portions in Community District 1 shown on Map 1 in Appendix B of this Chapter.~~

all of Manhattan Community District 10;

all of Bronx Community Districts 1, 4, 5, 6, 7 and 9; and

all of Brooklyn Community Districts 3, 4, 5, 9, 16 and 17.

Portions of other Community Districts in which FRESH food stores are permitted are shown on the maps in Appendix A of this Chapter.

63-022

Special Purpose Districts where regulations for FRESH food stores are not applicable

(b) The provisions of this Chapter shall not apply to the following Special Purpose Districts:

#Special Madison Avenue Preservation District#;

~~#Special Manhattanville Mixed Use District#; and~~

~~#Special Park Improvement District#; and~~

~~#Special Hunts Point District#.~~

63-023

Limitation on location of FRESH food stores

After [date of adoption], no certification shall be issued for increased #residential floor area# for a #FRESH food store# where the sum of the increased #residential floor area# generated pursuant to Section 63-21 (Special Floor Area Regulations) by all #FRESH food stores# within a half-mile radius of the #zoning lot# that is the subject of such certification would exceed 40,000 square feet.

Such calculation shall include increased #residential floor area# on all #zoning lots# containing #FRESH food stores# that have been certified by the Chairperson of the City Planning Commission pursuant to Section 63-30 (CERTIFICATION FOR A FRESH FOOD STORE), including those issued prior to [date of adoption], provided that such certification has not expired, or has not been superseded by a certification pursuant to Section 63-40 (CERTIFICATION FOR CHANGE OF USE OF A FRESH FOOD STORE) or an authorization pursuant to Section 63-50 (AUTHORIZATION FOR BULK AND PARKING MODIFICATIONS).

However, for any area that has a sum of more than 40,000 square feet of increased #residential floor area# generated pursuant to Section 63-21, the Chairperson may certify a #FRESH food store# that was previously certified pursuant to Section 63-30, provided such certification has not lapsed and that there shall be no increase in the amount of increased #residential floor area# beyond what was previously certified for such #FRESH food store#.

63-10

SPECIAL USE REGULATIONS

* * *

63-20

SPECIAL BULK AND PARKING REGULATIONS

63-21

Special Floor Area Regulations

63-211

~~For mixed buildings and zoning lots containing both residential and commercial or community facility uses in Commercial Districts with FRESH food stores~~

~~Where a #FRESH food store# is provided on a #zoning lot#, the maximum #residential floor area# permitted on the #zoning lot# shall be increased by one square foot for each square foot of #FRESH food store floor area# provided, up to 20,000 square feet. the provisions of Section 35-31 (Maximum Floor Area Ratio) relating to the maximum permitted #floor area ratio# on a #zoning lot# for each permitted #use# shall apply as modified in this Section.~~

~~Where all non-#residential uses# on a #zoning lot# have a permitted #floor area ratio# equal to or less than that permitted for a #residential use# and for #zoning lots# containing #Quality Housing buildings#, the total #floor area# permitted for such #zoning lot# may be increased by one square foot of #residential floor area# for each square foot of #FRESH food store floor area#, up to 20,000 square feet.~~

~~However, for #zoning lots# that do not contain a #Quality Housing building#, Where any non-#residential use# on such #zoning lot# has a permitted #floor area ratio# greater than that permitted for a #residential use#, the total #residential floor area# permitted for such #zoning lot# may be increased by one square foot for each square foot of #FRESH food store floor area#, up to 20,000 square feet, provided the total #floor area ratio# of the #building# does #zoning lot# shall not exceed the maximum permitted #floor area ratio# for a such non-#residential use#.~~

~~For #height factor# and #open space ratio# calculations, where applicable, the increased #residential floor area# generated pursuant to this Section shall be exempt from such calculations.~~

~~For #compensated developments# or #MIH developments#, as defined in Section 23-911 (General definitions), the requirements of Section 23-154 (Inclusionary Housing) shall not apply to the increased #residential floor area# generated pursuant to this Section.~~

[text struck out in the Section below is proposed to be included in revisions to Section 63-21 above]

~~63-212~~

~~For mixed buildings and zoning lots containing both residential and commercial or community facility uses in Special Mixed Use Districts with FRESH food stores~~

~~Where a #FRESH food store# is provided on a #zoning lot#, the provisions of Section 123-64 (Maximum Floor Area Ratio and Lot Coverage Requirements for Zoning Lots Containing Mixed Use Buildings) relating to the~~

~~maximum permitted #floor area ratio# on a #zoning lot# for each permitted #use# shall apply, as modified in this Section.~~

~~Where all non #residential uses# on a #zoning lot# have a permitted #floor area ratio# equal to or less than that permitted for a #residential use# and for #zoning lots# containing #Quality Housing buildings#, the total #floor area# permitted for such #zoning lot# may be increased by one square foot of #residential floor area# for each square foot of #FRESH food store floor area#, up to 20,000 square feet.~~

~~Where any non #residential use# on such #zoning lot# has a permitted #floor area ratio# greater than that permitted for a #residential use#, the total #residential floor area# permitted for such #zoning lot# may be increased by one square foot for each square foot of #FRESH food store floor area#, up to 20,000 square feet, provided the total #floor area# of the #building# does not exceed the maximum permitted #floor area# for a non-#residential use#.~~

* * *

63-22

Authorization to Modify Maximum Building Height

For #zoning lots# #buildings# containing a #FRESH food store# and #residences#, the City Planning Commission may authorize modifications to Sections 35-65 (Height and Setback Requirements for Quality Housing Buildings), ~~and 123-66 (Height and Setback Regulations)~~ or to the height and setback regulations of any Special Purpose District where maximum height limits apply, to allow the applicable maximum #building# height to be increased by up to 15 feet and by up to one #story#, provided that the portion of the first #story# occupied by a #FRESH food store# has a minimum finished floor to finished ceiling height of 14 feet, and provided that such finished ceiling height is at least 14 feet above the #base plane# or #curb level#, as applicable.

In order to grant such authorizations, the Commission shall find that:

- (a) such modifications are necessary to accommodate a first #story# utilized as a #FRESH food store#;
- (b) the proposed modifications shall not adversely affect the essential scale and character of the adjacent #buildings# and any adjacent historic resources; and
- (c) the proposed modifications will not unduly obstruct access to light and air of adjacent properties.

The Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

63-23

Special Transparency Requirements

For all ~~#developments#~~ containing #FRESH food stores#, or #ground floor level enlargements# containing #FRESH food stores#, the following provisions shall apply. For the portion of the #building# containing a #FRESH food store#, the ground floor level of the #street wall# fronting upon a #primary street frontage#, as defined in Section 37-311, shall be glazed in accordance with the provisions of Section 37-34 (Minimum Transparency Requirements).

Furthermore, for ~~#buildings#~~ #FRESH food stores# with frontage on two or more #streets#, the Chairperson of the City Planning Commission may certify that the glazing requirements of this Section shall only be applicable to the #street wall# fronting upon the principal #street#, as determined by the Chairperson.

In addition, the Chairperson may, by certification, allow a reduction in the glazing requirements of this Section, provided that the Chairperson finds that such ~~#mixed building#, or #mixed use building#, as defined in Section 123-11,~~ #building# is a recipient of #public funding# ~~as defined in Section 23-911 (General definitions).~~ For the purposes of this Section, defined terms shall include those in Sections 12-10, 23-911 and 37-311.

63-24

Required Accessory Off-street Parking Spaces in Certain Districts

For #FRESH food stores# provided as part of a #development# or #enlargement#, for any portion of such #FRESH food store# subsequently changed to any other #use# pursuant to Section 63-40 (CERTIFICATION FOR CHANGE OF USE OF A FRESH FOOD STORE) or Section 63-50 (AUTHORIZATION FOR BULK AND PARKING MODIFICATIONS), if such change of #use# occurs less than 25 years after the initial issuance of a certificate of occupancy for such #FRESH food store#, #accessory# off-street parking regulations shall apply to such changed #use# as if the #use# is at that time occurring as part of a #development# or #enlargement#. Application may be made for an authorization pursuant to Section 63-50.

- (a) In C1-1, C1-2, C1-3, C2-1, C2-2, C2-3 Districts mapped within R6, R7, R8, R9 and R10 Districts and in C4-2 and C4-3 Districts, ~~the #accessory# off-street parking regulations in Section 36-20 (REQUIRED ACCESSORY OFF-STREET PARKING SPACES FOR COMMERCIAL OR COMMUNITY FACILITY USES)~~ applicable to a C1-4 District shall apply to any #FRESH food

~~store#~~ a #FRESH food store# shall provide one parking space per 1,000 square feet of #floor area# or #cellar# space utilized for retailing. The provisions of Section 36-23 (Waiver of Requirements for Spaces Below Minimum Number) shall not apply to #FRESH food stores#. In lieu thereof, no #accessory# off-street parking spaces shall be required for the #FRESH food store# if the #floor area# of such #use# is less than 40,000 square feet. In cases where there is more than one #commercial use# or #community facility use# on the #zoning lot#, the total number of #accessory# off-street parking spaces required pursuant to the provisions of Section 36-23 shall not include off-street parking spaces #accessory# to #FRESH food stores#.

- (b) In C1-1, C1-2, C1-3, C2-1, C2-2, C2-3 Districts mapped within R3, R4 and R5 Districts and in C4-1 Districts, a #FRESH food store# shall provide one parking space per 400 square feet of #floor area# or #cellar# space utilized for retailing. The provisions of Section 36-23 shall not apply to #FRESH food stores#. In lieu thereof, no #accessory# off-street parking spaces shall be required for the #FRESH food store# if the #floor area# of such #use# is less than 10,000 square feet. In cases where there is more than one #commercial use# or #community facility use# on the #zoning lot#, the total number of #accessory# off-street parking spaces required pursuant to the provisions of Section 36-23 shall not include off-street parking spaces #accessory# to #FRESH food stores#.
- (b) ~~In the Borough of Brooklyn, in those portions of Community District 5 located south of Flatlands Avenue and east of the centerline prolongation of Schenck Avenue, and in the Borough of Queens, where applicable in Community District 12 outside of the #Special Downtown Jamaica District#, a #FRESH food store# shall provide #accessory# off-street parking spaces as required for #uses# in parking requirement category B in the applicable #Commercial# and #Manufacturing Districts#.~~
- (c) In C8-1, C8-2, M1-1, M1-2 and M1-3 Districts, a #FRESH food store# shall provide one parking space per 1,000 square feet of #floor area# or #cellar# space utilized for retailing, up to a maximum of 15,000 square feet. The underlying off-street parking regulations in Sections 36-20 or 44-20 shall apply to the #floor area# or #cellar# space, in excess of 15,000 square feet, utilized for retailing in such #FRESH food store#.
- (d) The provisions of this Section shall not apply to:
- (1) ~~in the Borough of the Bronx, portions of Community District 7 and in the Borough of Manhattan, portions of Community District 12, as shown on Map 1 in Appendix C of this Chapter;~~
 - (2)(1) in the Borough of Brooklyn, to M1 Districts in portions of Community Districts 5, 16 and 17, as shown on Maps 1 and 2 in Appendix C-Appendix B of this Chapter; and
 - (3) ~~in the Borough of Brooklyn, portions of Community Districts 16 and 17, as shown on Map 3 in Appendix C; and~~

(4)(2) in the Borough of Queens, to the #Special Downtown Jamaica District#.

63-30

CERTIFICATION FOR A FRESH FOOD STORE

Upon application, the Chairperson of the City Planning Commission shall certify that a food store #use# is a #FRESH food store#, provided that:

- (a) drawings have been submitted to the Chairperson that clearly specify:
 - (1) all #floor area# or #cellar# space utilized as a #FRESH food store#, showing in the form of an illustrative layout that such designated space is designed and arranged to meet the requirements for perishable and non-perishable food ~~and non-food-grocery~~ products, pursuant to Section 63-01;
 - (2) all #floor area# that will result from any permitted increase in #floor area#, pursuant to Section 63-21, including the location of such #floor area#;
 - (3) the size, format and location of the required #sign#, pursuant to Section 63-12, including detailed information about dimensions of the #sign#, lettering, color and materials; and
 - (4) the location of the ground floor level #street wall# fronting upon a ~~principal #street#~~ #primary street frontage#, pursuant to Section 63-23;
- (b) a signed lease or written commitment from the prospective operator of the #FRESH food store# has been provided in a form acceptable to the Chairperson for utilization of such #floor area# or #cellar# space and its operation as a #FRESH food store#; and
- (c) for #zoning lots# containing increased #residential floor area# generated pursuant to Section 63-21 (Special Floor Area Regulations), a legal commitment, in the form of a declaration of restrictions has been executed, in a form acceptable to the Department of City Planning, binding upon the owner and its successor and assigns, and providing for continued utilization of all #floor area# or #cellar# space as a #FRESH food store#, the operation of which shall commence within a reasonable period following

the issuance of a temporary certificate of occupancy for the #floor area# or #cellar# space to be utilized by the #FRESH food store#.

Such declaration of restrictions shall provide that the legal commitment for continued occupancy of the #floor area# or #cellar space# as a #FRESH food store# shall not apply during any:

- (1) six (6) month period from the date such #floor area# or #cellar# space is vacated by the operator, provided that the owner timely notifies the Department of City Planning of such vacancy in accordance with the requirements of the restrictive declaration; or
- (2) event of force majeure, as determined by the Chairperson.

The filing and recordation of the declaration of restrictions in the Office of the City Register of the City of New York against all tax lots comprising the #FRESH food store#, and receipt of proof of recordation of such declaration in a form acceptable to the Department, shall be a precondition to certification by the Chairperson ~~the issuance of any building permit, including any foundation or alteration permit, for any #development# or #enlargement# under this Chapter.~~

Certification by the Chairperson shall be a precondition to the issuance of any building permit, including any foundation or alteration permit, for any #development#, #enlargement# or change of #use# under this Chapter.

~~In granting the certification, the Chairperson may specify that minor changes in store layout consistent with the definition of a #FRESH food store# shall not warrant further certification pursuant to this Section.~~

Changes to the store layout of a #FRESH food store# that has been constructed pursuant to a previous certification under this Section, where such changes result in a #FRESH food store# that continues to comply with the requirements of this Chapter, shall not require subsequent certification by the Chairperson under this Section. #FRESH food stores# certified prior to [date of adoption] that do not comply with paragraph (c) of the definition of #FRESH food store# may change the floor layout provided that there is no increase in the degree of non-compliance with such requirement.

~~No later than the date on which an application for certification is first submitted, a copy of the drawings submitted pursuant to paragraph (a) of this Section shall be submitted by the applicant to the affected Community Board, which shall have 45 days to review said application. The Chairperson shall not issue a certification for an application during the Community Board review period, unless the Community Board has submitted to the Chairperson comments regarding such proposal or informed the Chairperson that the Community Board has no comments.~~

A copy of an application for certification pursuant to this Section shall be sent by the Department of City Planning to the affected Community Board, which may review such proposal and submit comments to the

Chairperson. If the Community Board elects to comment on such application, it must be done within 45 days of receipt of such application. The Chairperson will not act on such application until the Community Board's comments have been received, or the 45-day comment period has expired, whichever is earlier.

For #zoning lots# containing increased #residential floor area# generated pursuant to Section 63-21 (Special Floor Area Regulations), if a #development# or horizontal #enlargement# fails to comply with the provisions of Section 11-331 (Right to construct if foundations completed) with respect to completion of foundations within four years of the date of certification pursuant to this Section, such certification and such building permit shall lapse, and any new building permit will require a new certification pursuant to this Section.

63-31

Requirements for Certificate of Occupancy

No certificate of occupancy shall be issued for any portion of the #development# or #enlargement# identified in the drawings submitted pursuant to paragraph (a)(2) of Section 63-30 until a temporary certificate of occupancy has been issued for the #FRESH food store# space. No final certificate of occupancy shall be issued for any such portion of the #development# or #enlargement# identified in such drawings until the #FRESH food store# space has been completed in accordance with the drawings submitted pursuant to paragraph (a)(1) of Section 63-30 and a final certificate of occupancy has been issued for the #FRESH food store# space. The declaration of restrictions, where required pursuant to paragraph (c) of Section 63-30, shall be noted on any temporary or final certificate of occupancy for the #building#.

63-40

CERTIFICATION FOR CHANGE OF USE OF A FRESH FOOD STORE

A #FRESH food store# for which a certification has been issued pursuant to Section 63-30 may be changed to any #use# permitted by the underlying district upon certification by the Chairperson of the City Planning Commission that such change of #use# would not create a new #non-compliance#, increase the degree of #non-compliance# of #buildings# on the #zoning lot#, or result in ~~reduction in the number of required~~ fewer #accessory# off-street parking spaces than required by the new #use# pursuant to Section 63-24 (Required Accessory Off-street Parking Spaces in Certain Districts) ~~under the applicable district regulations.~~

If a certification pursuant to this Section is granted, a notice of cancellation, in a form acceptable to the Department of City Planning, of the declaration of restrictions recorded pursuant to Section 63-30 shall be executed and recorded in the Office of the City Register of the City of New York against all tax lots comprising the former #FRESH food store#.

63-50

AUTHORIZATION FOR BULK AND PARKING MODIFICATIONS

The City Planning Commission may, by authorization, permit modifications to the #bulk# and #accessory# off-street parking requirements of the applicable zoning districts when a change of #use# of a #FRESH food store# for which a certification has been issued, pursuant to Section 63-30, would create a new #non-compliance#, increase the degree of #non-compliance# of #buildings# on the #zoning lot#, or result in ~~a reduction in the number of required~~ fewer #accessory# off-street parking spaces than required by the new #use# pursuant to Section 63-24 (Required Accessory Off-street Parking Spaces in Certain Districts) under the applicable district regulations, provided that such #use# is permitted by the underlying districts.

* * *

63-60

COMPLIANCE

No later than June 30th of the year, beginning in the ~~first~~ second calendar year following the calendar year in which certification was made, and at three-year intervals thereafter, the Chairperson of the City Planning Commission shall be provided with an affidavit, in a form acceptable to the Department of City Planning, regarding compliance with the requirements of the declaration of restrictions and the regulations of this Chapter, as of a date of inspection which shall be no earlier than June 1st of the year in which the affidavit is filed. Such affidavit shall be provided by the owner(s) of the tax lot(s) on which the #FRESH food store# is located. Such affidavit shall include, without limitation:

* * *

Appendix A

FRESH Food Store Designated Areas: ~~Excluded Portions~~

The #FRESH food store# designated areas are: ~~listed by community district and borough in Section 63-02 (Applicability). Excluded portions of community districts are shown on the following maps:~~

all of Manhattan Community District 10;

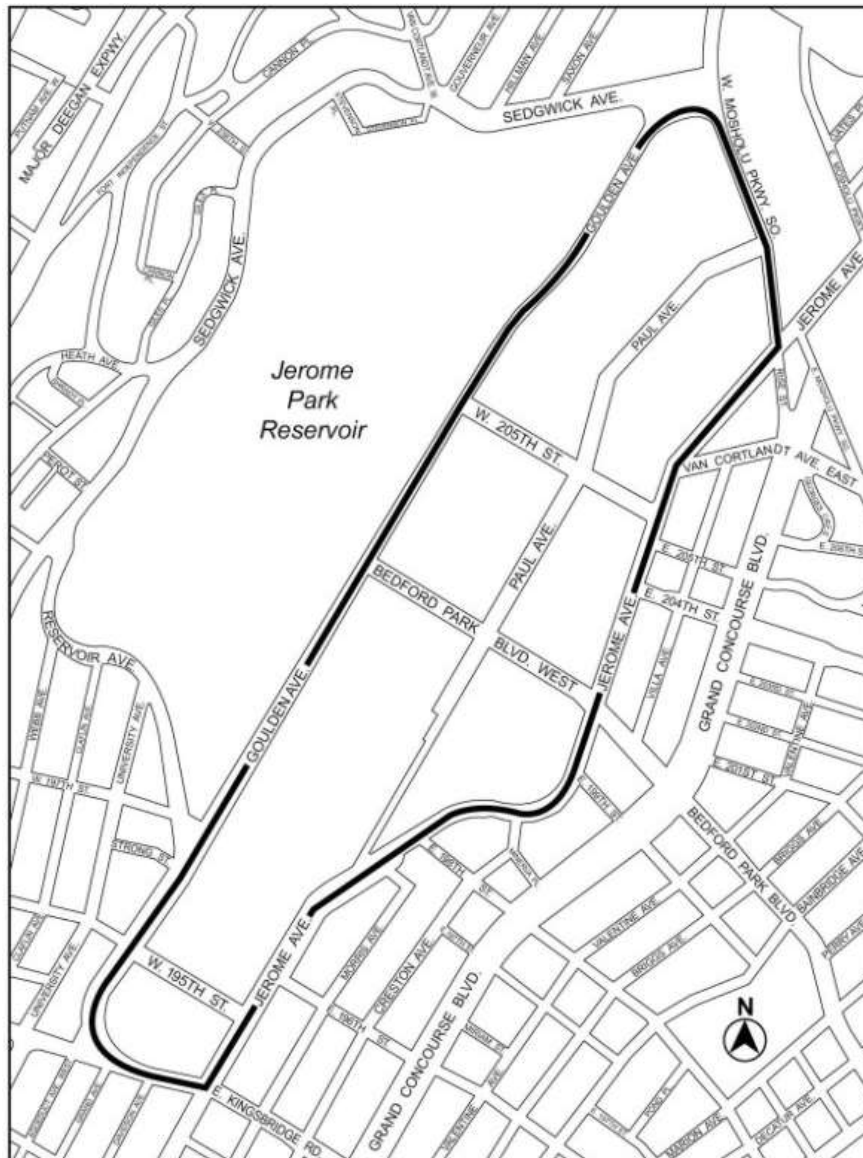
all of Bronx Community Districts 1, 4, 5, 6, 7 and 9; and

all of Brooklyn Community Districts 3, 4, 5, 9, 16 and 17.

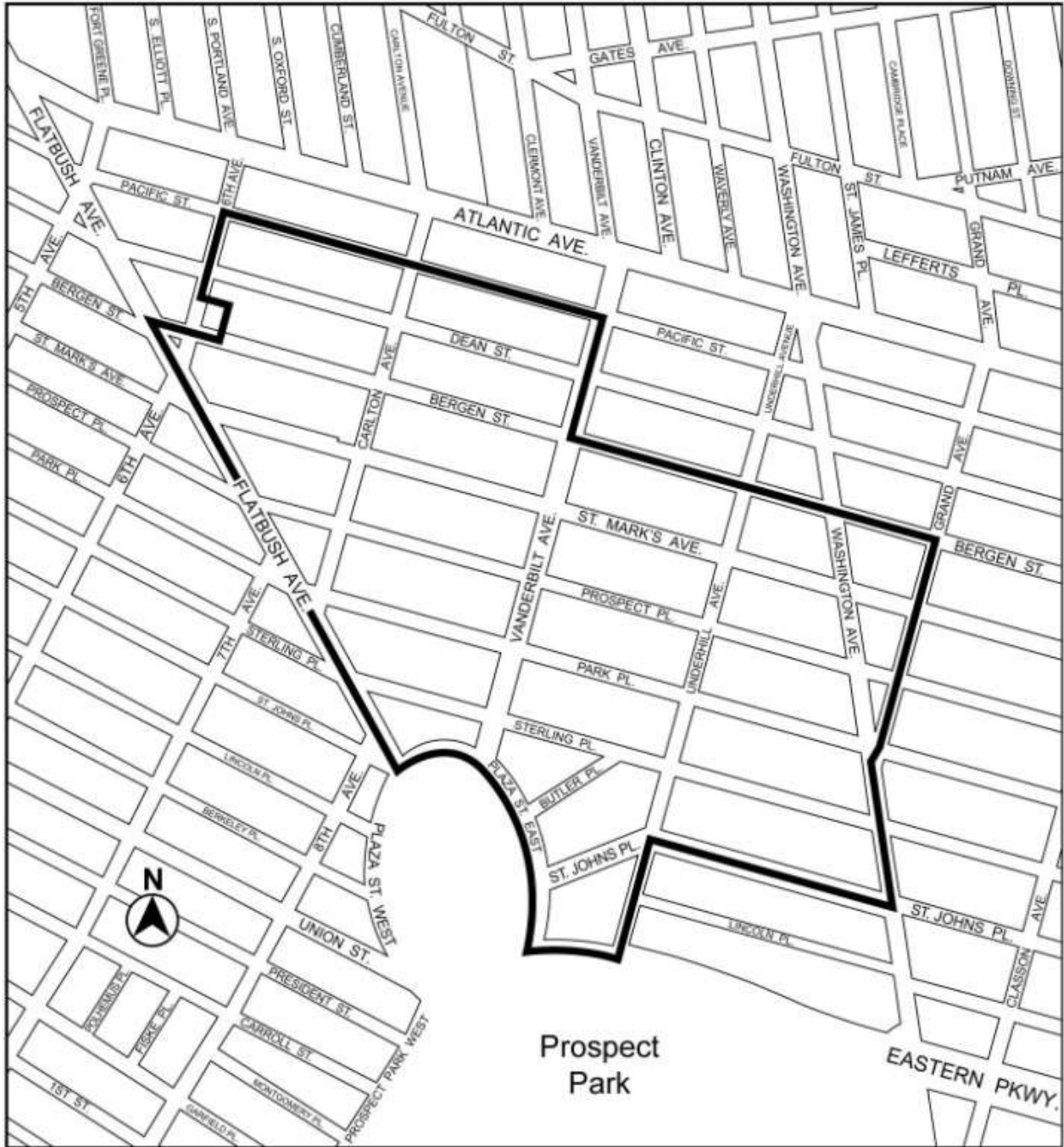
Portions of other Community Districts are shown on Maps 1 through 16 in this Appendix A.

[EXISTING MAPS – TO BE DELETED]

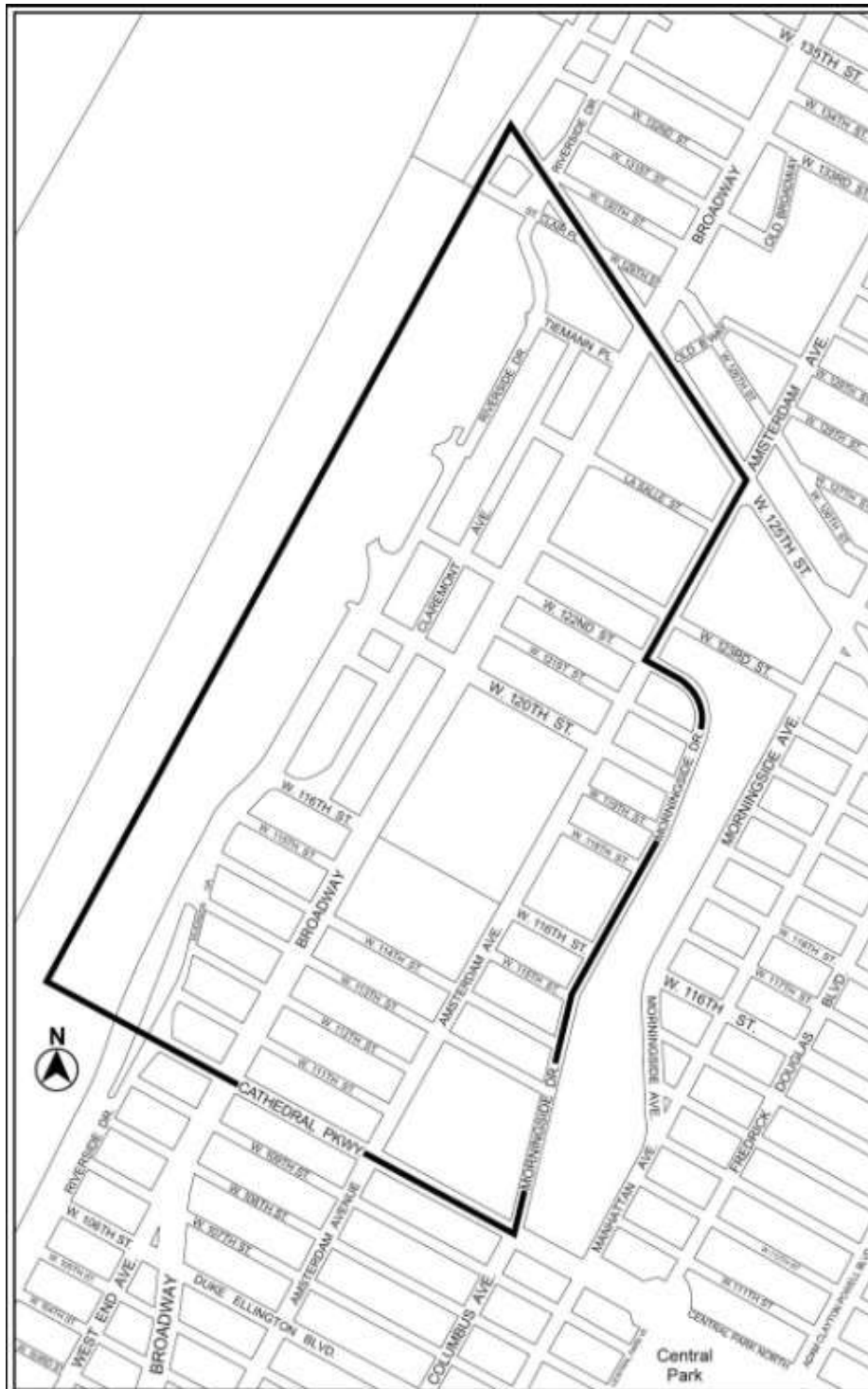
Map 1. Excluded portions of Community District 7, the Bronx



Map 2. Excluded portions of Community District 8, Brooklyn



Map 3. Excluded portions of Community District 9, Manhattan



Map 4. Excluded portions of Community District 12, Manhattan



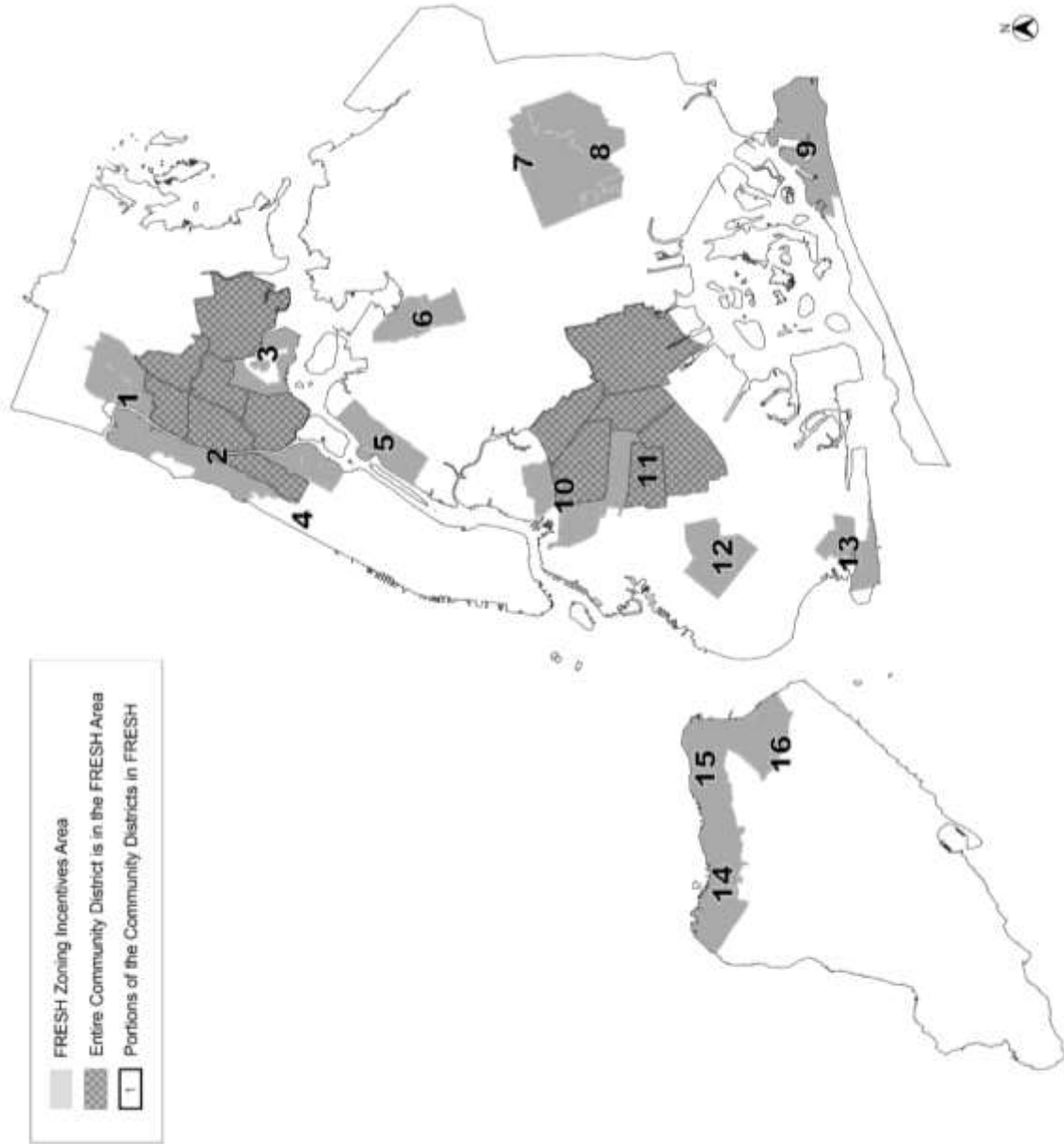
Map 5. Excluded portions of Community District 12, Queens



Map 6. Excluded portions of Community District 12, Queens

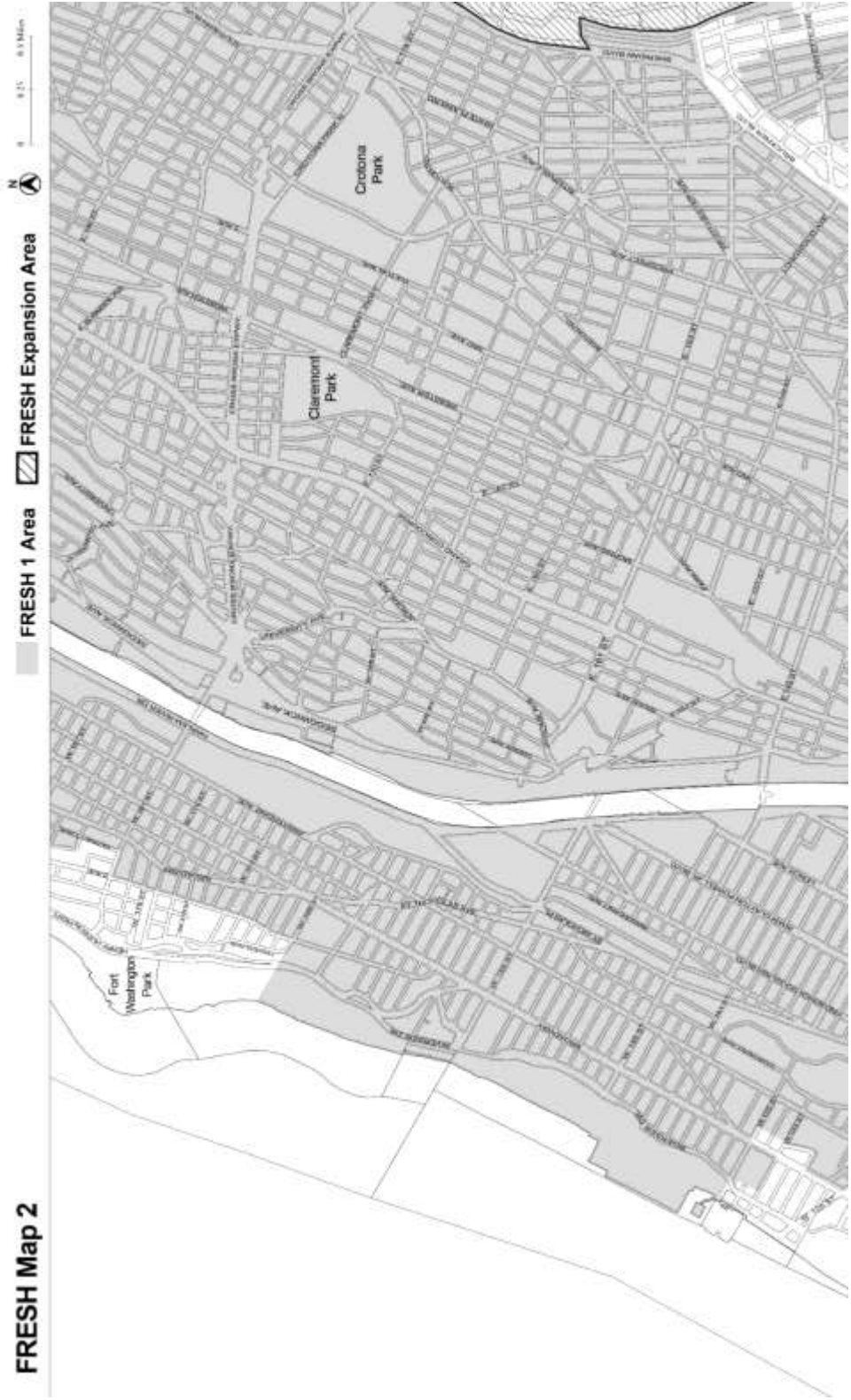


[PROPOSED MAPS]

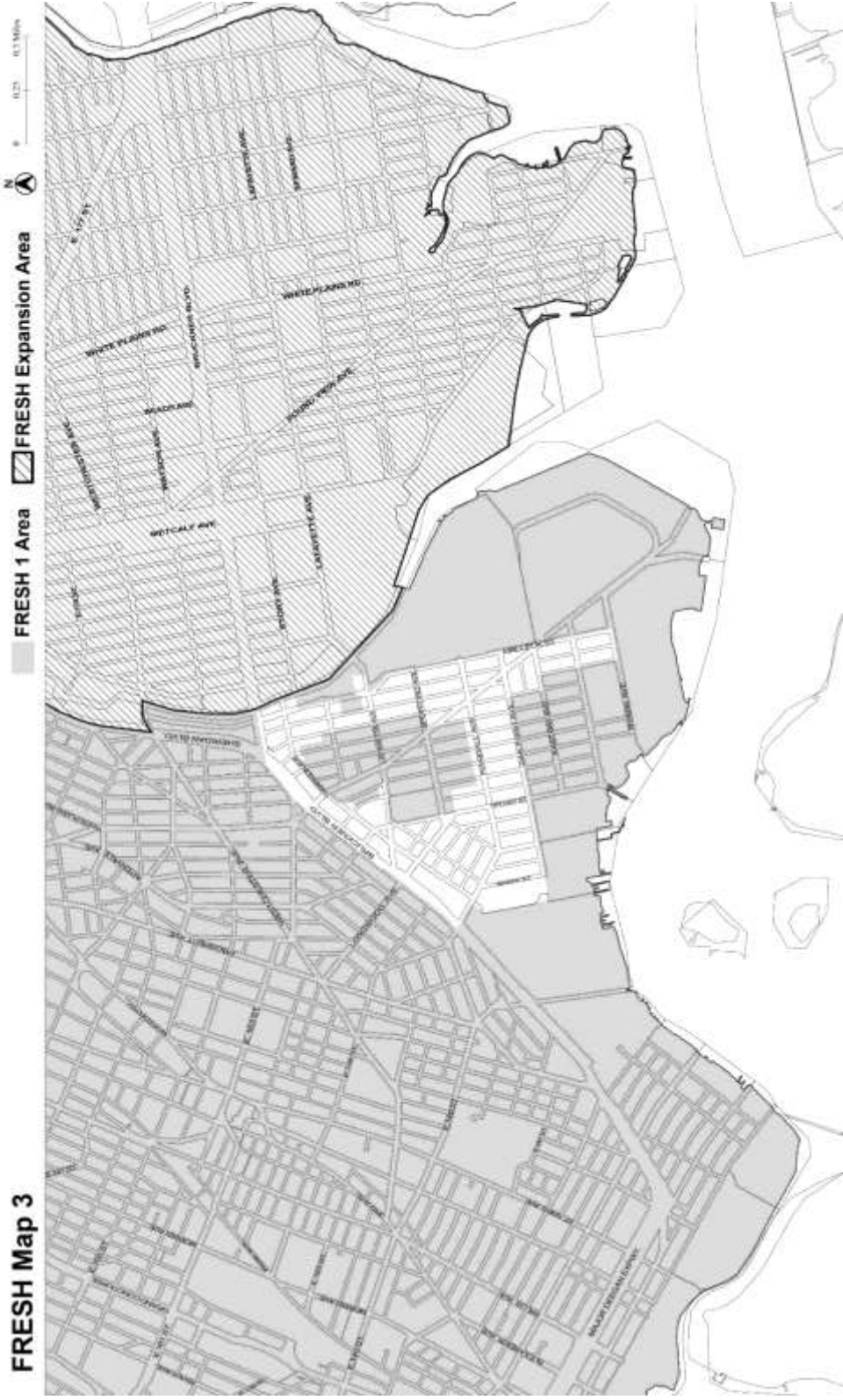




FRESH Map 2



FRESH Map 3

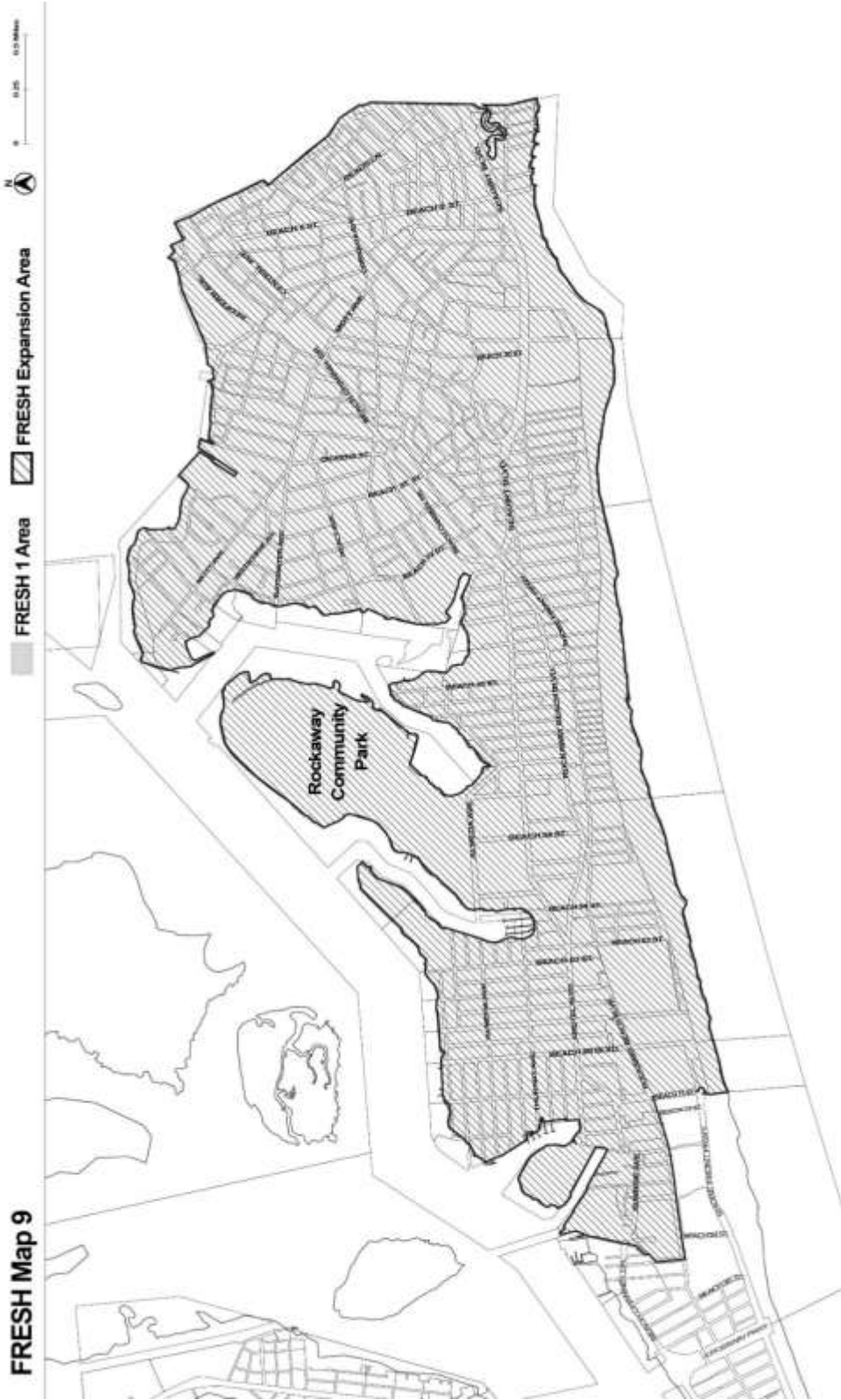
















[ORIGINAL PROPOSED MAP]



FRESH Map 12

[COUNCIL MODIFIED MAP]



FRESH Map 14

 FRESH 1 Area  FRESH Expansion Area



 FRESH Expansion Area



0 0.25 0.50 Miles

FRESH Map 15



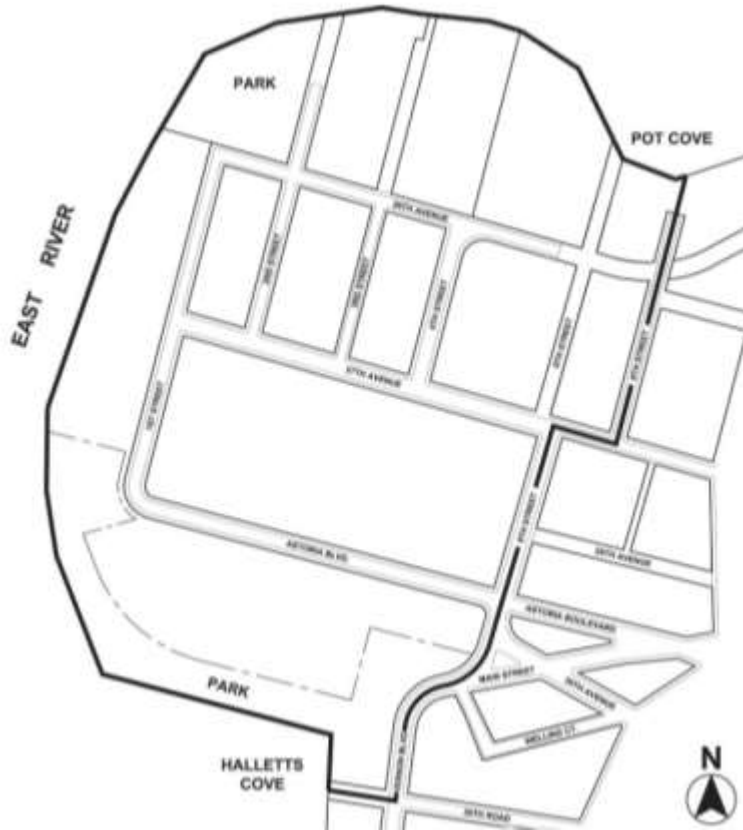


FRESH Food Store Designated Areas: Included Portions

The FRESH food store designated areas are listed by community district and borough in Section 63-02 (Applicability). When a FRESH food store designated area occupies only a portion of a community district, the included portions of such community districts are shown on the following maps:

Map 1. Included portions of Community District 1, Queens

[EXISTING MAP – TO BE DELETED]

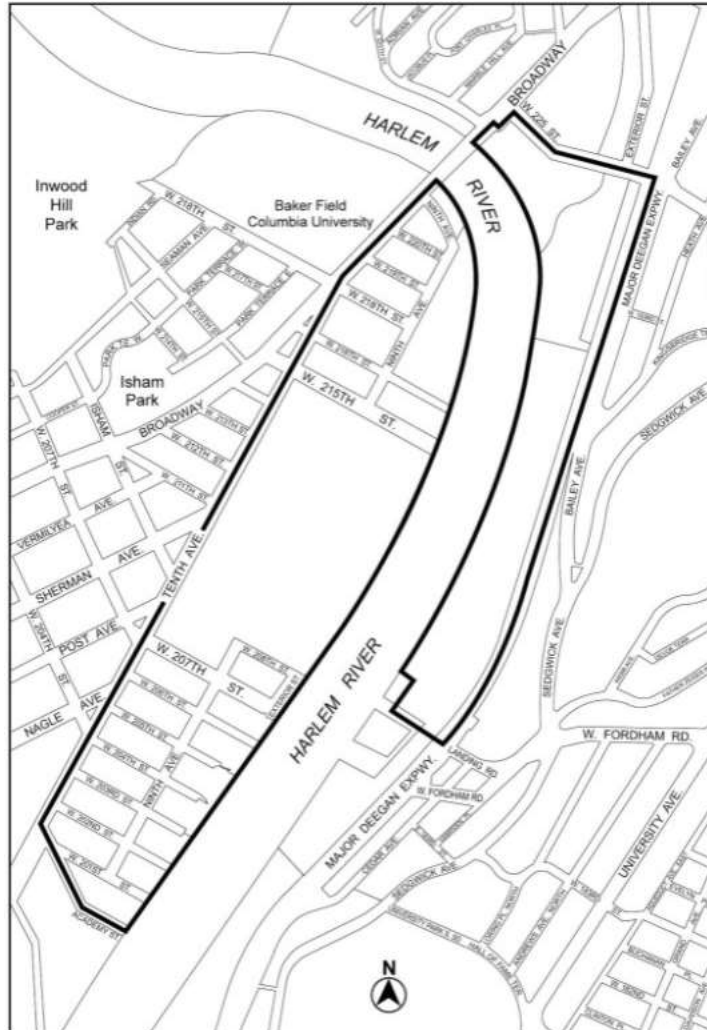


Appendix C Appendix B

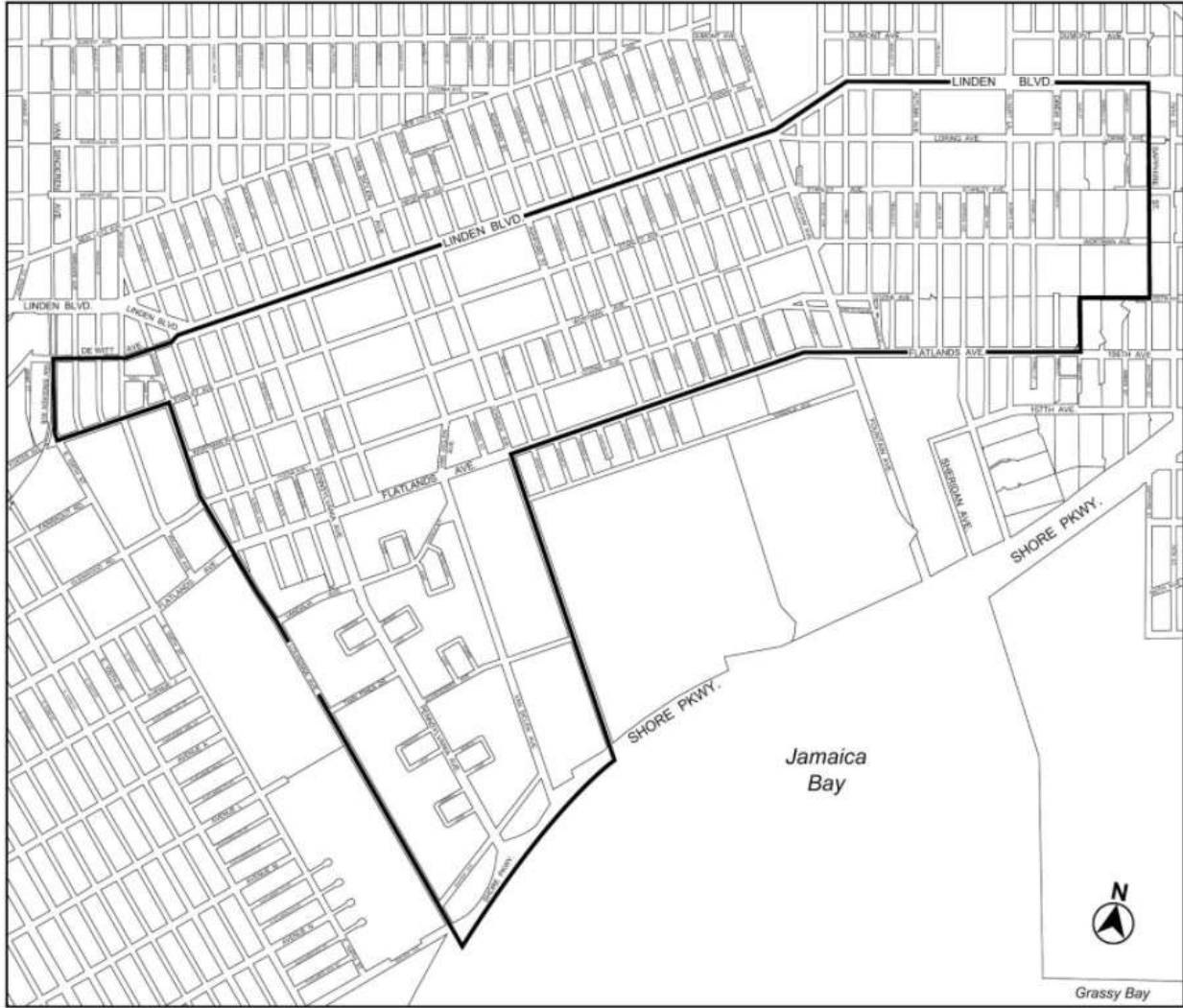
Required Off-Street Accessory Parking Exceptions

Map 1. Excluded portions of Community District 12, Manhattan and a portion of Community District 7, the Bronx

[EXISTING MAP 1 – TO BE DELETED]



Map 2. Map 1. Excluded portions of Community District 5, Brooklyn



~~Map 3.~~ Map 2. Excluded portions of Community District 16 and 17, Brooklyn



* * *

ARTICLE IX

SPECIAL PURPOSE DISTRICTS

Chapter 7

Special 125th Street District

* * *

97-40**SPECIAL BULK REGULATIONS**

* * *

97-41**Special Floor Area Regulations**

* * *

97-412**Maximum floor area ratio in the Park Avenue Hub Subdistrict**

Within the Park Avenue Hub Subdistrict, as shown on Map 1 in Appendix A of this Chapter, the maximum #floor area ratio# for #zoning lots# is set forth in paragraph (a) of this Section, and is modified for certain #zoning lots# in accordance with paragraph (b) of this Section.

(a) Maximum #floor area ratio#

The maximum #floor area ratio# shall be 12.0. Where a #development# or #enlargement# contains #residential floor area#, such #zoning lot# shall satisfy the provisions of either:

- (1) a minimum non-#residential floor area ratio# of 2.0 shall be provided on such #zoning lot#. Such #floor area# shall not include any #floor area# containing a #transient hotel# pursuant to the provisions of Section 97-14 (Transient Hotels Within the Park Avenue Hub Subdistrict); or
- (2) a minimum #floor area ratio# of 0.5, or a minimum amount of floor space equivalent to such 0.5 #floor area ratio#, shall be provided on such #zoning lot#. Such #floor area# or equivalent floor space shall be exclusively used for those visual or performing arts #uses#, designated in paragraph (b) of Section 97-11 (Special Arts and Entertainment Uses), and shall be certified by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the conditions set forth in Section 97-423 (Certification for floor area bonus for visual or performing arts uses) have been met.

Where the provisions of Article VI, Chapter 3 (Special Regulations Applying to FRESH Food Stores) apply, the total #floor area# permitted for such #zoning lot# may be increased by one square foot of #residential floor area# for each square foot of #floor area# of a #FRESH food store#, as defined by Article VI, Chapter 3, up to 20,000 square feet.

(b) Modified maximum #floor area ratio# for certain #zoning lots#

For #zoning lots# existing on or before November 30, 2017, with a #lot area# of less than 5,000 square feet, or for #zoning lots# subject to the provisions of paragraph (d)(4) of Section 23-154 (Inclusionary Housing), the maximum #floor area ratios# set forth in paragraph (a) of this Section shall be modified, as follows:

- (1) the minimum non-#residential floor area# requirements set forth in paragraph (a) of this Section shall be optional for #zoning lots# existing on or before November 30, 2017, with a #lot area# of less than 5,000 square feet. For #zoning lots# utilizing the provisions of this paragraph, the minimum non-#residential floor area# or visual or performing arts space requirements set forth in paragraph (a) of this Section shall not apply;
- (2) for #zoning lots#, subject to the provisions of paragraphs (d)(4)(i) or (d)(4)(iii) of Section 23-154, the maximum #residential floor area# provision of the underlying district as specified in Section 23-153 (For Quality Housing buildings) shall apply; and
- (3) for #zoning lots# utilizing the provisions of paragraph (b)(1) or (b)(2) of this Section, the maximum overall #floor area ratio# shall be 10.0, except that such maximum #floor area ratio# may be increased pursuant to the provisions of paragraph (b) of Section 97-422 (Floor area bonus for visual or performing arts uses). For #zoning lots# utilizing the provisions of paragraph (b)(2) of this Section, such maximum #floor area ratio# may also be increased pursuant to the provisions of Article VI, Chapter 3.

* * *

ARTICLE X

SPECIAL PURPOSE DISTRICTS

Chapter 8

Special Hunts Point District

* * *

108-01**General Provisions**

In harmony with the general purposes and content of this Resolution and the general purposes of the #Special Hunts Point District#, the provisions of this Chapter shall apply to all #developments# and #enlargements# within the #Special Hunts Point District#. The regulations of all other Chapters of this Resolution are applicable except as modified, supplemented or superseded by the provisions of this Chapter. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control. However, in #flood zones#, in the event of a conflict between the provisions of this Chapter and the provisions of Article VI, Chapter 4 (Special Regulations Applying in Flood Hazard Areas), the provisions of Article VI, Chapter 4, shall control.

The provisions of Article VI, Chapter 3 (Special Regulations Applying to FRESH Food Stores) shall apply in the Residential Buffer Subdistrict, and shall not apply in the Food Industry Subdistrict. For any food store subject to the provisions of Article VI, Chapter 3, the parking regulations of Section 63-24 (Required Accessory Off-street Parking Spaces in Certain Districts) shall supersede the provisions of Section 108-20 (MODIFICATION OF PARKING REQUIREMENTS IN THE RESIDENTIAL BUFFER SUBDISTRICT).

* * *

ARTICLE XI**SPECIAL PURPOSE DISTRICTS****Chapter 6****Special Stapleton Waterfront District**

* * *

116-20**SPECIAL BULK REGULATIONS FOR SUBAREAS A, B, AND C, THE ESPLANADE, PIER PLACE AND THE COVE**

* * *

116-22**Maximum Floor Area Ratio**

* * *

116-221**Special floor area regulations for mixed buildings**

For #buildings# containing #residences#, the area in such #buildings# occupied by non-#residential uses# on the ground floor, or within two feet of the as-built level of the adjoining sidewalk, shall be excluded from the calculation of permitted #floor area# in the #building#. However, the area occupied by non-#residential uses# on the ground floor shall be included as #floor area# for other purposes including calculating:

- (a) requirements for #accessory# off-street parking spaces;
- (b) #accessory# off-street loading berths; ~~and~~
- (c) limitations on #floor area# occupied by certain #uses#; and
- (d) satisfying requirements for #FRESH food stores# as defined in Article VI, Chapter 3, and the special #floor area# regulations of that Chapter.

In #flood zones#, the #floor area# exclusion permitted by this Section shall also apply to the area occupied by non-#residential uses# on the #lowest occupiable floor#, as defined in Section 64-11.

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, DIANA AYALA, FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 9, 2021 (Hybrid Hearing).

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

Report for L.U. No. 925 & Res. No. 1892

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210164 ZMQ (103-16 Van Wyck Expressway Rezoning) submitted by 10316 Van Wyck Exp LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 18c changing from an R3A District to an R6B District and establishing within a proposed R6B District a C2-3 District, Borough of Queens, Community District 10, Council District 28.

The Committee on Land Use, to which the annexed Land Use item was referred on November 10, 2021 (Minutes, page 3118) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3670), respectfully

REPORTS:

SUBJECT

QUEENS CB-10 – TWO APPLICATIONS RELATED TO 103-16 VAN WYCK EXPRESSWAY REZONING

C 210164 ZMQ (L.U. No. 925)

City Planning Commission decision approving an application submitted by 10316 Van Wyck Exp LLC, application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 18c:

1. changing from an R3A District to an R6B District property bounded by a line 100 feet southeasterly of Liberty Avenue, the northeasterly service road of Van Wyck Expressway, a line 195 feet northwesterly of 105th Avenue and its northeasterly prolongation, and a line midway between 135th Street and Van Wyck Expressway; and
2. establishing within a proposed R6B District a C2-3 District bounded by a line 100 feet southeasterly of Liberty Avenue, Van Wyck Expressway, a line 195 feet northwesterly of 105th Avenue, and a line midway between 135th Street and Van Wyck Expressway;

Borough of Queens, Community District 10, as shown on a diagram (for illustrative purposes only) dated July 26, 2021.

N 210165 ZRQ (L.U. No. 926)

City Planning Commission decision approving an application submitted by 10316 Van Wyck Exp LLC 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, Borough of Queens, Community District 10.

INTENT

To approve the amendment to rezone the project area to change an R3A zoning district to an R6B/C2-3 zoning district and to approve the text amendment to establish a Mandatory Inclusionary Housing (MIH) area, which would facilitate the development of a four-story mixed-use building with 18 dwelling units at 103-16 Van Wyck Expressway in the South Ozone Park neighborhood of Queens, Community District 10.

PUBLIC HEARING

DATE: November 18, 2021

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: December 2, 2021

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on L.U. No. 925 and approve with modifications the decision of the City Planning Commission on L.U. No. 926.

In Favor:

Moya
Levin
Reynoso
Grodenchik
Ayala
Rivera
Borelli

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: December 7, 2021

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Gibson
Barron

Against:

None

Abstain:

None

Koo
 Levin
 Reynoso
 Treyger
 Grodenchik
 Diaz, Sr.
 Riley
 Brooks-Powers
 Feliz
 Borelli

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated _____, 2021, with the Council on _____, 2021, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 1892

Resolution approving the decision of the City Planning Commission on ULURP No. C 210164 ZMQ, a Zoning Map amendment (L.U. No. 925).

By Council Members Salamanca, Jr. and Moya.

WHEREAS, 10316 Van Wyck Exp 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. 18c, changing from an R3A District to an R6B District and establishing within a proposed R6B District a C2-3 District, which in conjunction with the related action would facilitate the development of a four-story mixed-use building with 18 dwelling units at 103-16 Van Wyck Expressway in the South Ozone Park neighborhood of Queens, Community District 10 (ULURP No. C 210164 ZMQ) (the "Application");

WHEREAS the City Planning Commission filed with the Council on November 5, 2021, its decision dated November 3, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 210165 ZRQ (L.U. No. 926), a zoning text amendment to establish a Mandatory Inclusionary Housing (MIH) area;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on November 18, 2021;

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 July 26, 2021 (CEQR No. 20DCP161Q) which includes an (E) designation related to

hazardous materials and noise to avoid the potential for significant adverse impacts (the “E” Designation (E-600));

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment.

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 210164 ZMQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 18c:

1. changing from an R3A District to an R6B District property bounded by a line 100 feet southeasterly of Liberty Avenue, the northeasterly service road of Van Wyck Expressway, a line 195 feet northwesterly of 105th Avenue and its northeasterly prolongation, and a line midway between 135th Street and Van Wyck Expressway; and
2. establishing within a proposed R6B District a C2-3 District bounded by a line 100 feet southeasterly of Liberty Avenue, Van Wyck Expressway, a line 195 feet northwesterly of 105th Avenue, and a line midway between 135th Street and Van Wyck Expressway;

Borough of Queens, Community District 10, as shown on a diagram (for illustrative purposes only) dated July 26, 2021.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, VANESSA L. GIBSON, INEZ D. BARRON, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, RUBEN DIAZ, Sr., KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 7, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Council Member Rose.*

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

Report for L.U. No. 926 & Res. No. 1893

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 210165 ZRQ (103-16 Van Wyck Expressway Rezoning) submitted by 10316 Van Wyck Exp LLC pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 10, Council District 28.

The Committee on Land Use, to which the annexed Land Use item was referred on November 10, 2021 (Minutes, page 3118) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3672), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 925 & Res. No. 1892 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 1893

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 210165 ZRQ, for an amendment of the text of the Zoning Resolution (L.U. No. 926).

By Council Members Salamanca and Moya.

WHEREAS, 10316 Van Wyck Exp LLC, filed an application 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, which in conjunction with the related action would facilitate the development of a four-story mixed-use building with 18 dwelling units at 103-16 Van Wyck Expressway in the South Ozone Park neighborhood of Queens, Community District 10 (Application No. N 210165 ZRQ) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on November 5, 2021, its decision dated November 3, 2021 (the “Decision”), on the Application;

WHEREAS, the Application is related to application C 210164 ZMQ (L.U. No. 925), a zoning map amendment to change an R3A zoning district to an R6B/C2-3 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 November 18, 2021;

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 July 26, 2021 (CEQR No. 20DCP161Q) which includes an (E) designation related to hazardous materials and noise to avoid the potential for significant adverse impacts (the “E” Designation (E-600));

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment.

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 210165 ZRQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter underlined is new, to be added;

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

Matter double underlined is a modification made by City Council, to be added;

Matter double ~~struck out~~ is to be deleted by City Council

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

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

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

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

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

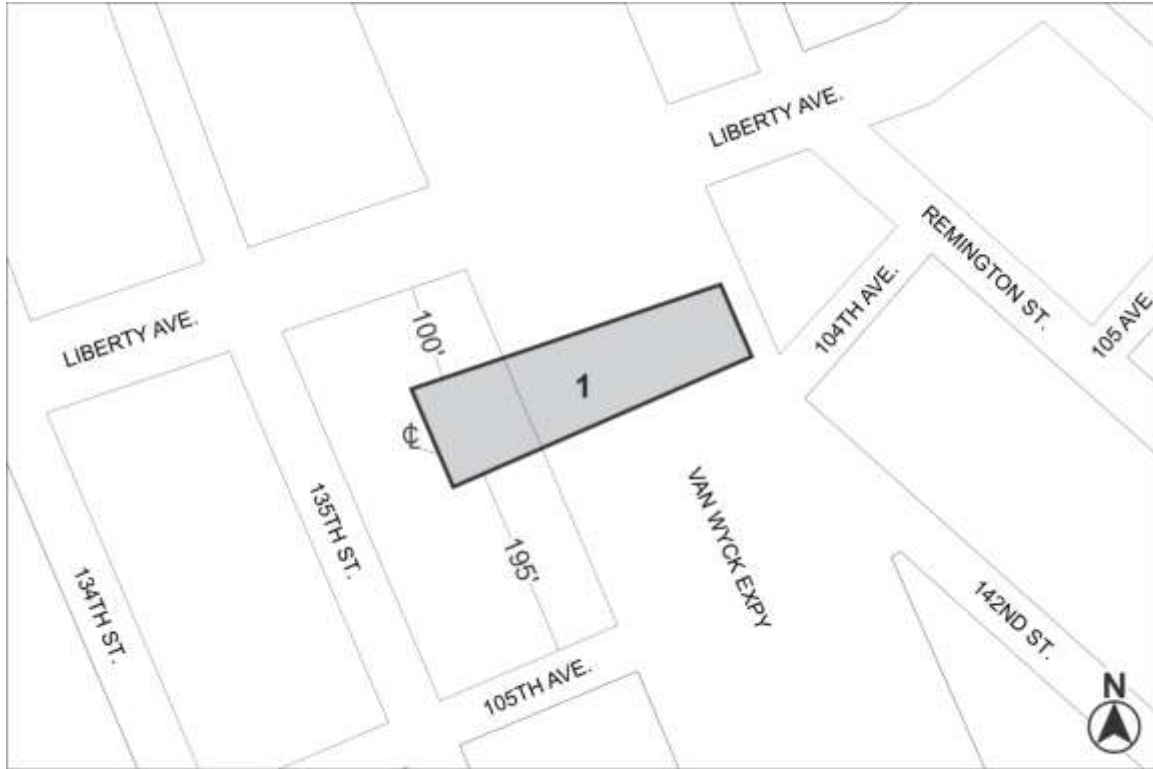
Queens


* * *

Queens Community District 10

* * *

Map # – [date of adoption]



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

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

Portion of Community District 10, Queens

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, VANESSA L. GIBSON, INEZ D. BARRON, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, RUBEN DIAZ, Sr., KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 7, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Council Member Rose.*

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

Report for L.U. No. 929 & Res. No. 1894

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 220062 ZMK (River Ring) submitted by River Street Partners, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c, changing from an M3-1 District to a C6-2 District and changing from an M3-1 District to an M1-4 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 November 23, 2021 (Minutes, page 3469) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3673) , respectfully

REPORTS:**SUBJECT****BROOKLYN CB-1 – SEVEN APPLICATIONS RELATED TO RIVER RING****C 220062 ZMK (Pre. L.U. No. 929)**

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

1. changing from an M3-1 District to a C6-2 District property bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, a northeasterly boundary line of Grand Ferry Park, and the U.S. Pierhead Line; and
2. changing from an M3-1 District to an M1-4 District property bounded by North 3rd Street, Kent Avenue, North 1st Street, and River Street;

Borough of Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated August 16, 2021, and subject to the conditions of CEQR Declaration E-636.

N 220063 ZRK (Pre. L.U. No. 930)

City Planning Commission decision approving an application submitted by River Street Partners 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 (Special Permits by the City Planning Commission) for the purpose of modifying Large-scale General Development provisions, and modifying APPENDIX F, for the purpose of establishing a Mandatory Inclusionary Housing area.

C 220061 MLK (L.U. No. 932)

City Planning Commission decision approving an application submitted by River Street Partners LLC pursuant to Section 197-c of the New York City Charter for a landfill of approximately 6,230 square feet located in the East River, in connection with a proposed mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet

northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue and North 1st Street), in C6-2 District.

C 220064 ZSK (L.U. No. 933)

City Planning Commission decision approving an application submitted by River Street Partners, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for, for the grant of special permits pursuant to the following Sections of the Zoning Resolution:

1. Section 74-743(a)(2) - to modify the height and setback, floor area distribution, maximum residential tower size, and maximum width of building walls facing a shoreline requirements of Section 62-341 (Developments on land and platforms); and
2. Section 74-743(a)(13):
 - a. to allow existing land projecting seaward of the bulkhead line to be replaced or reconstructed with new platforms and such platform be included as part of the upland lot;
 - b. to allow such new piers and platforms to be considered lot area for the purposes of determining allowable floor area, dwelling units, and other bulk regulations of Section 62-31(b) & (c) (Bulk Computations on Waterfront Zoning Lots); and
 - c. to waive the requirements of Sections 62-242 (Uses on new piers and platforms), 62-54 (Requirements for Public Access on Piers, and Section 62-63 (Design Requirements for Public Access on Piers and Floating Structures);

in connection with a proposed mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue and North 1st Street), in a C6-2 District.

N 220065 ZAK (L.U. No. 934)

City Planning Commission decision approving an application submitted by River Street Partners, LLC, for the grant of an authorization pursuant to Sections 62-822(a) and 62-132 of the Zoning Resolution to modify the requirements of Section 62-332 (Rear yards and waterfront yards) and Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), in connection with a mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue* and North 1st Street), in a C6-2 District.

C 220070 ZSK (L.U. No. 935)

City Planning Commission decision approving an application submitted by River Street Partners, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to reduce the number of required accessory off-street

parking spaces from 40 percent to 20 percent, for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue and North 1st Street), in C6-2 District.

C 210425 MMK (L.U. No. 936)

City Planning Commission decision approving an application submitted by River Street Partners, LLC, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving:

- 1) the elimination, discontinuance and closing of Metropolitan Avenue between River Street and the United States Pierhead Line;
- 2) the elimination, discontinuance and closing of a portion of North 1st Street from a point 200 feet west of River Street and the United States Pierhead Line;
- 3) the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. Y-2760 dated August 16, 2021 and signed by the Borough President.

INTENT

To approve the amendment to rezone the project area from an M3-1 zoning district to a C6-2 zoning district and M3-1 zoning district to a M1-4 zoning district; amend zoning text to establish the project area as a Mandatory Inclusionary Housing (MIH) area, allow an LSGD that does not meet the ownership requirements of Zoning Resolution (ZR) Section 74-742, and allow new piers and in-water structures that are accessible to the public to generate floor area; a landfill action to add approximately 6,320 square feet to create open area as part of the waterfront public space; grant an approval of the special permit pursuant to ZR Section 74-74 to establish a LSGD, allow reconstructed piers to retain floor area, and modify bulk regulations; grant an authorization pursuant to ZR Section 62-822(a) to modify regulations pertaining to the locations and dimensions of required waterfront public access areas; grant an approval of the special permit pursuant to ZR Section 74-533 to reduce the parking requirements for accessory group parking facilities in a Transit Zone; approve the amendment to the city map change to eliminate, discontinue, close, and dispose of a segment of Metropolitan Avenue to the west of River Street and a portion of North First Street west of River Street facilitate the construction of an approximately 1.16 million-square-foot mixed-use large-scale general development (LSGD) containing approximately 1,050 residential units, 30,000 square feet of community facility uses, 79,000 square feet of commercial space, and 2.9 acres of open space located at 105 River Street in the Williamsburg neighborhood of Brooklyn, Community District 1.

PUBLIC HEARING***Preconsidered L.U. Nos. 929 and 930 (Mandatory Items Only)*****DATE:** November 18, 2021**Witnesses in Favor:** Forty-Six**Witnesses Against:** Six***L.U. Nos. 932 through 936 (Discretionary Items Only)*****DATE:** December 2, 2021**Witnesses in Favor:** None**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** December 9, 2021

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on Pre. L.U. Nos. 929 and L.U. Nos. 932 through 936 and approve with modifications the decision of the City Planning Commission on Pre. L.U. No. 930.

In Favor:

Moya
Levin
Reynoso
Grodenchik
Ayala
Rivera
Borelli

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** December 9, 2021

The Committee recommends that the Council approve the attached resolutions.

In Favor:
 Salamanca
 Gibson
 Koo
 Miller
 Reynoso
 Treyger
 Grodenchik
 Adams
 Ayala
 Moya
 Rivera
 Riley
 Brooks-Powers
 Feliz
 Borelli

Against:
 None

Abstain:
 Barron

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated _____, 2021, with the Council on _____, 2021, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 1894

Resolution approving the decision of the City Planning Commission on ULURP No. C 220062 ZMK, a Zoning Map amendment (Preconsidered L.U. No. 929).

By Council Members Salamanca and Moya.

WHEREAS, River Street Partners, 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. 12c, by changing from an M3-1 District to a C6-2 District and changing from an M3-1 District to an M1-4 District, which in conjunction with the related actions would facilitate the construction of an approximately 1.16 million-square-foot mixed-use large-scale general development (LSGD) containing approximately 1,050 residential units, 30,000 square feet of community facility uses, 79,000 square feet of commercial space, and 2.9 acres of open space located at 105 River Street in the Williamsburg neighborhood of Brooklyn, Community District 1 (ULURP No. C 220062 ZMK) (the "Application");

WHEREAS the City Planning Commission filed with the Council on November 17, 2021 its decision dated November 17, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to applications N 220063 ZRK (Pre. L.U. No. 930), a zoning text amendment to establish the project area as a Mandatory Inclusionary Housing (MIH) area; allow an LSGD that does not meet the ownership requirements of Zoning Resolution (ZR) Section 74-742, and allow new piers and in-water structures that are accessible to the public to generate floor area; C 220061 MLK (L.U. No. 932), a landfill action to add approximately 6,320 square feet to create open area as part of the waterfront public space;

C 220064 ZSK (L.U. No. 933), a special permit pursuant to ZR Section 74-74 to establish a LSGD, allow reconstructed piers to retain floor area, and modify bulk regulations; N 220065 ZAK (L.U. No. 934), an authorization pursuant to ZR Section 62-822(a) to modify regulations pertaining to the locations and dimensions of required waterfront public access areas; C 220070 ZSK (L.U. No. 935), a special permit pursuant to ZR Section 74-533 to reduce the parking requirements for accessory group parking facilities in a Transit Zone; and C 210425 MMK (L.U. No. 936), city map change to eliminate, discontinue, close, and dispose of a segment of Metropolitan Avenue to the west of River Street and a portion of North First Street west of River Street;

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 November 18, 2021;

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 Positive Declaration issued March 22nd, 2021 (CEQR No. 21DCP157K) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on November 5, 2021, in which significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-636) on the project sites. To ensure the implementation of the PCREs, the applicant will enter into a Restrictive Declaration at the time of the approval of land use-related actions and prior to issuance of any permits. The proposed project as analyzed in the FEIS identified significant adverse impacts with respect to transportation (pedestrians, street user safety) and construction (noise) and to ensure the implementation of the mitigation measures identified in the FEIS, they are included in the Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and
- (3) Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (4) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated November 15, 2021, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 220062 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 No. 12c:

1. changing from an M3-1 District to a C6-2 District property bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, a northeasterly boundary line of Grand Ferry Park, and the U.S. Pierhead Line; and
2. changing from an M3-1 District to an M1-4 District property bounded by North 3rd Street, Kent Avenue, North 1st Street, and River Street;

as shown on a diagram (for illustrative purposes only) dated August 16, 2021, and subject to the conditions of CEQR Declaration E-636, Borough of Brooklyn, Community District 1.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, DIANA AYALA, FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 9, 2021 (Hybrid Hearing).

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

Report for L.U. No. 930 & Res. No. 1895

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 220063 ZRK (River Ring) submitted by River Street Partners, 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 (Special Permits by the City Planning Commission) for the purpose of modifying Large-scale General Development provisions, and 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 November 23, 2021 (Minutes, page 3469) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3676) , respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 929 & Res. No. 1894 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 1895

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 220063 ZRK, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 930).

By Council Members Salamanca and Moya.

WHEREAS, River Street Partners, 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 (Special Permits by the City Planning Commission) for the purpose of modifying Large-scale General Development provisions, and modifying APPENDIX F, for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related actions would facilitate the construction of an approximately 1.16 million-square-foot mixed-use large-scale general development (LSGD) containing approximately 1,050 residential units, 30,000 square feet of community facility uses, 79,000 square feet of commercial space, and 2.9 acres of open space located at 105 River Street in the Williamsburg neighborhood of Brooklyn, Community District 1 (ULURP No. N 220063 ZRK), (the "Application");

WHEREAS, the City Planning Commission filed with the Council on November 17, 2021, its decision dated November 17, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to applications C 220062 ZMK (Pre. L.U. No. 929), a zoning map amendment to (a) rezone an M3-1 zoning district to a C6-2 zoning district; and (b) rezone an M3-1 zoning district to a M1-4 zoning district; C 220061 MLK (L.U. No. 932), a landfill action to add approximately 6,320 square feet to create open area as part of the waterfront public space; C 220064 ZSK (L.U. No. 933), a special permit pursuant to ZR Section 74-74 to establish a LSGD, allow reconstructed piers to retain floor area, and modify bulk regulations; N 220065 ZAK (L.U. No. 934), an authorization pursuant to ZR Section 62-822(a) to modify regulations pertaining to the locations and dimensions of required waterfront public access areas; C 220070 ZSK (L.U. No. 935), a special permit pursuant to ZR Section 74-533 to reduce the parking requirements for accessory group parking facilities in a Transit Zone; and C 210425 MMK (L.U. No. 936), city map change to eliminate, discontinue, close, and dispose of a segment of Metropolitan Avenue to the west of River Street and a portion of North First Street west of River Street;

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 November 18, 2021;

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 Positive Declaration issued March 22nd, 2021 (CEQR No. 21DCP157K) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on November 5, 2021, in which significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-636) on the project sites. To ensure the implementation of the PCREs, the applicant will enter into a Restrictive Declaration at the time of the approval of land use-related actions and prior to issuance of any permits. The proposed project as analyzed in the FEIS identified significant adverse impacts with respect to transportation (pedestrians, street user safety) and construction (noise) and to ensure the implementation of the mitigation measures identified in the FEIS, they are included in the Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and
- (3) Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (4) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated November 15, 2021, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 220063 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

**ARTICLE VII
ADMINISTRATION**

**Chapter 4
Special Permits by the City Planning Commission**

**74-74
Large-scale General Development**

* * *

**74-742
Ownership**

* * *

A special permit may be applied for and granted under the provisions of Section 74-74, even though such #large-scale general development# does not meet the ownership requirements set forth elsewhere in this Section, when the site of such #large-scale general development# is:

* * *

(d) partially under State or City ownership, or may include a tract of land under private ownership that is located within the bed of 26th Avenue between 1st Street and the bulkhead line within the Hallets Point Peninsula, in the area bounded by 8th Street and Vernon Boulevard on the east, the East River on the west and south, and the north side of 26th Avenue on the north, in Community District 1 in the Borough of Queens, provided that the exception to the ownership requirements set forth herein shall apply only to:

- (1) tracts of land in State or City ownership; or
- (2) a tract of land in private ownership located within the bed of 26th Avenue, between 1st Street and the bulkhead line; or

(e) within Manhattan Community District 2, where the City Planning Commission has approved a special permit under Section 74-74 for a #large-scale general development# located partially within a C2-7 District, and a portion of such #large-scale general development# is subsequently mapped as a park and transferred to City ownership, then the consent or authorization of any owner or party in interest to:

* * *

- (2) property other than the #public park# shall not be required for any application for a modification to the special permit or associated restrictive declaration relating only to the #public park#; or

(f) partially under State or City ownership, and is located within the boundaries of Community District 1 in the Borough of Brooklyn, on a #waterfront zoning lot# located within a C6-2 District that is mapped within a #Mandatory Inclusionary Housing area#, provided that the exception to the ownership requirements set forth herein shall apply only to such tracts of land in State or City ownership.

* * *

74-743

Special provisions for bulk modification

(a) For a #large-scale general development#, the City Planning Commission may permit:

* * *

- (11) wholly within a C1-9 District entirely within the boundaries of Community District 8 in Manhattan, for a predominantly #community facility development#, a #floor area# bonus not to exceed 20 percent of the maximum #floor area ratio# permitted by the underlying district regulations where, in connection with such #development#, an improvement to a #public park# located within the same Community District and within a one mile radius of the proposed #development# is provided in accordance with the provisions of this Section.

* * *

- (ii) Prior to a determination as to whether to grant the special permit, the City Planning Commission shall have received from the Commissioner of Parks and Recreation:

* * *

- (b) a letter that shall include:

* * *

- (ii) a statement that the funding to be provided by the applicant, in combination with any other available funding, is adequate for completion of the necessary infrastructure, landscape and other work necessary to complete the #public park# improvement; ~~or~~

- (12) within the boundaries of Community District 1 in the Borough of Queens, in the area generally north of 30th Road and west of 8th Street, within the Halletts Point Peninsula, the #floor area# distribution from a #zoning lot# containing existing public housing #buildings#, provided that upon approval of a #large-scale general development# there exists unused #floor area# on a separate parcel of land with existing light industrial #buildings# in an amount equivalent to, or in excess of, the #floor area# approved for distribution and further provided:

* * *

- (ii) the existing light industrial #buildings# on the separate parcel of land are demolished; or

- (13) within the boundaries of Community District 1 in the Borough of Brooklyn, on a #waterfront zoning lot# located within a C6-2 District that is mapped within a #Mandatory Inclusionary Housing area#, portions of the land, #piers# or #platforms# projecting seaward of the bulkhead line and existing on [date of adoption] may be replaced or reconstructed with #new piers# or #new platforms#, as follows:

- (i) any such existing land projecting seaward of the bulkhead line may be replaced or reconstructed with #new platforms# and such #new platforms# may be included as part of the #upland lot#. In no event shall the #lot area# generated by such #new platforms# exceed the #lot area# of the land projecting seaward of the bulkhead line, as it existed on [date of adoption]; ~~and~~
- (ii) any other such #new piers# or #new platforms# may be considered #lot area# for the purposes of determining allowable #floor area# or number of #dwelling units#, or to satisfy any other #bulk# regulations, in accordance with the provisions of paragraphs (b) and (c) of Section 62-31 (Bulk Computations on Waterfront Zoning Lots). In no event shall the #floor area# generated by such #new piers# or #new platforms# exceed the #floor area# generated by #piers# or #platforms# projecting seaward of the bulkhead line, as they existed on [date of adoption]; and
- ~~(i)~~(iii) any #new piers# or #new platforms# that are subject to the provisions of this paragraph (a)(13) need not meet the requirements of Sections 62-242 (Uses on new piers and platforms), 62-54 (Requirements for Public Access on Piers), or 62-63 (Design Requirements for Public Access on Piers and Floating Structures), inclusive.

(b) In order to grant a special permit pursuant to this Section for any #large-scale general development#, the Commission shall find that:

* * *

(10) a declaration with regard to ownership requirements in paragraph (b) of the #large-scale general development# definition in Section 12-10 (DEFINITIONS) has been filed with the Commission; ~~and~~

(11) where the Commission permits #floor area# distribution from a #zoning lot# containing existing light industrial #buildings# to be demolished in accordance with the provisions of paragraph (a)(12) of this Section, such #floor area# distribution shall contribute to better site planning of the #waterfront public access area# and shall facilitate the #development# of affordable housing units within a #large-scale general development#; and

(12) where #new piers# or #new platforms# are constructed, replaced or reconstructed in accordance with the provisions of paragraph (a)(13) of this Section, such #new piers# and #new platforms# are an integral part of such #large-scale general development#, result in a superior site plan and form an appropriate relationship with adjacent #waterfront public access areas# and #shorelines#, and provide significant public access to or within the #seaward lot# portion of the #waterfront zoning lot#.

Within Manhattan Community District 2, within the former Washington Square Southeast Urban Renewal Area, where the Commission has approved a #large-scale general development# and a #lot line# of such #large-scale general development# coincides with the boundary of a mapped #public park#, such #lot line# shall be considered to be a #street line# of a #wide street# for the purposes of applying all #use# and #bulk# regulations of this Resolution.

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

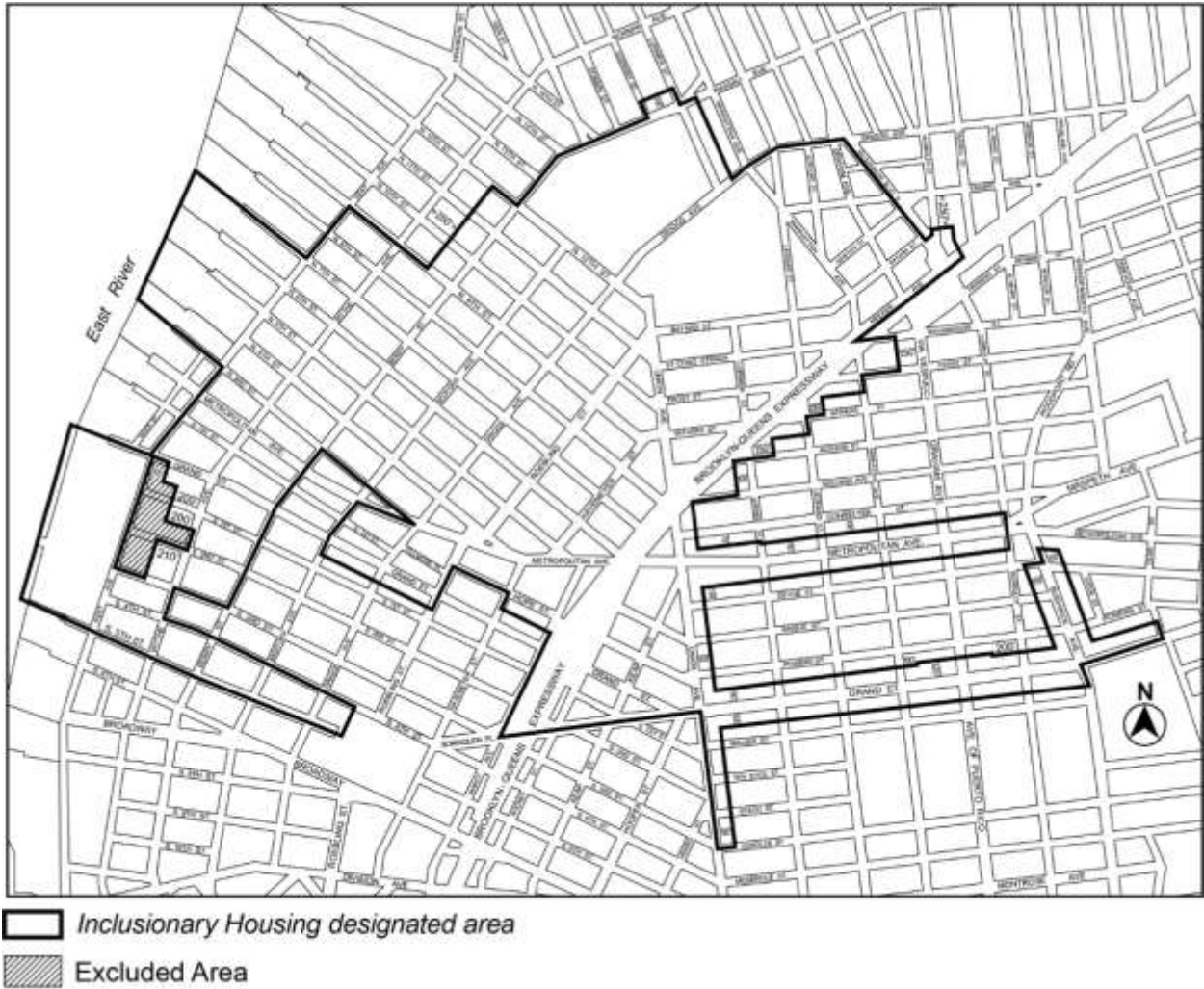
* * *

Brooklyn Community District 1

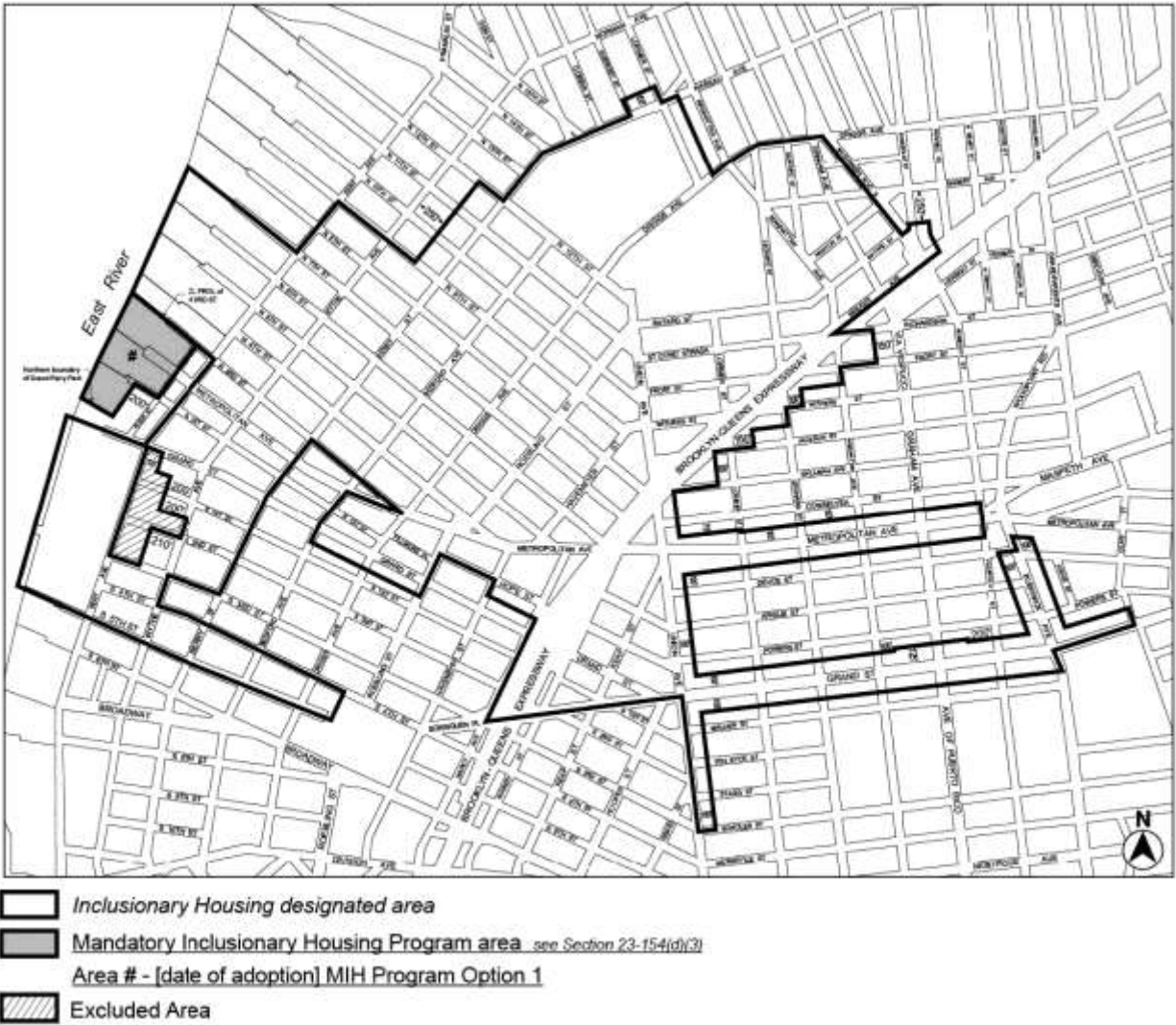
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Map 2 - [date of adoption]

[EXISTING MAP]



[PROPOSED MAP]



Portion of Community District 1, Brooklyn

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, DIANA AYALA, FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 9, 2021 (Hybrid Hearing).

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

Report for L.U. No. 932 & Res. No. 1896

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 220061 MLK (River Ring) submitted by River Street Partners LLC pursuant to Section 197-c of the New York City Charter for a landfill of approximately 6,230 square feet located in the East River, in connection with a proposed mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue and North 1st Street), in C6-2 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 November 23, 2021 (Minutes, page 3469) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3680) , respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 929 & Res. No. 1894 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 1896

Resolution approving the decision of the City Planning Commission on ULURP No. C 220061 MLK, for a landfill action (L.U. No. 932).

By Council Members Salamanca and Moya.

WHEREAS, River Street Partners, LLC, filed an application pursuant to Section 197-c of the New York City Charter for a landfill of approximately 6,230 square feet located in the East River, in connection with a proposed mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue and North 1st Street), in C6-2 District, which in conjunction with the related actions would facilitate the construction of an approximately 1.16 million-square-foot mixed-use large-scale general development (LSGD) containing approximately 1,050 residential units, 30,000 square feet of community facility uses, 79,000 square feet of commercial space, and 2.9 acres of open space located at 105 River Street in the Williamsburg neighborhood of Brooklyn, Community District 1 (ULURP No. C 220061 MLK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on November 17, 2021 its decision dated November 17, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to applications C 220062 ZMK (Pre. L.U. No. 929), a zoning map amendment to (a) rezone an M3-1 zoning district to a C6-2 zoning district; and (b) rezone an M3-1 zoning district to a M1-4 zoning district; N 220063 ZRK (Pre. L.U. No. 930), a zoning text amendment to establish the project area as a Mandatory Inclusionary Housing (MIH) area; allow an LSGD that does not meet the ownership requirements of Zoning Resolution (ZR) Section 74-742, and allow new piers and in-water structures that are accessible to the public to generate floor area; C 220064 ZSK (L.U. No. 933), a special permit pursuant to ZR Section 74-74 to establish a LSGD, allow reconstructed piers to retain floor area, and modify bulk regulations; N 220065 ZAK (L.U. No. 934), an authorization pursuant to ZR Section 62-822(a) to modify regulations pertaining to the locations and dimensions of required waterfront public access areas; C 220070 ZSK (L.U. No. 935), a special permit pursuant to ZR Section 74-533 to reduce the parking requirements for accessory group parking facilities in a Transit Zone; and C 210425 MMK (L.U. No. 936), city map change to eliminate, discontinue, close, and dispose of a segment of Metropolitan Avenue to the west of River Street and a portion of North First Street west of River Street;

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 December 2, 2021;

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 Positive Declaration issued March 22nd, 2021 (CEQR No. 21DCP157K) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on November 5, 2021, in which significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-636) on the project sites. To ensure the implementation of the PCREs, the applicant will enter into a Restrictive Declaration at the time of the approval of land use-related actions and prior to issuance of any permits. The proposed project as analyzed in the FEIS identified significant adverse impacts with respect to transportation (pedestrians, street user safety) and construction (noise) and to ensure the implementation of the mitigation measures identified in the FEIS, they are included in the Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and
- (3) Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (4) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration

dated November 15, 2021, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 220061 MLK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission for a landfill of approximately 6,320 square feet located in the East River, in connection with a proposed mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue and North 1st Street), in C6-2 District, Community District 1, Borough of Brooklyn.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, DIANA AYALA, FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 9, 2021 (Hybrid Hearing).

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

Report for L.U. No. 933 & Res. No. 1897

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 220064 ZSK (River Ring) submitted by River Street Partners LLC pursuant to Sections 197-c and 201 of the New York City Charter for, for the grant of special permits pursuant Zoning Resolution Section 74-743(a)(2) to modify the height and setback, floor area distribution, maximum residential tower size, and maximum width of building walls facing a shoreline requirements of Section 62-341 (Developments on land and platforms); and Section 74-743(a)(13) to allow existing land projecting seaward of the bulkhead line to be replaced or reconstructed with new platforms and such platform be included as part of the upland lot, to allow such new piers and platforms to be considered lot area for the purposes of determining allowable floor area, dwelling units, and other bulk regulations of Section 62-31(b) & (c) (Bulk Computations on Waterfront Zoning Lots), and to waive the requirements of Sections 62-242 (Uses on new piers and platforms), 62-54 (Requirements for Public Access on Piers, and Section 62-63 (Design Requirements for Public Access on Piers and Floating Structures), in connection with a proposed mixed-use development, within a large-scale general development on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue and North 1st Street), in a C6-2 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 November 23, 2021 (Minutes, page 3470) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3681) , respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 929 & Res. No. 1894 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 1897

Resolution approving the decision of the City Planning Commission on ULURP No. C 220064 ZSK, for the grant of a special permit (L.U. No. 933).

By Council Members Salamanca and Moya.

WHEREAS, River Street Partners, 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 Sections of the Zoning Resolution, Section 74-743(a)(2) - to modify the height and setback, floor area distribution, maximum residential tower size, and maximum width of building walls facing a shoreline requirements of Section 62-341 (Developments on land and platforms); and Section 74-743(a)(13): a. to allow existing land projecting seaward of the bulkhead line to be replaced or reconstructed with new platforms and such platform be included as part of the upland lot; b. to allow such new piers and platforms to be considered lot area for the purposes of determining allowable floor area, dwelling units, and other bulk regulations of Section 62-31(b) & (c) (Bulk Computations on Waterfront Zoning Lots); and c. to waive the requirements of Sections 62-242 (Uses on new piers and platforms), 62-54 (Requirements for Public Access on Piers, and Section 62-63 (Design Requirements for Public Access on Piers and Floating Structures); in connection with a proposed mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue and North 1st Street), in a C6-2 District, which in conjunction with the related actions would facilitate the construction of an approximately 1.16 million-square-foot mixed-use large-scale general development (LSGD) containing approximately 1,050 residential units, 30,000 square feet of community facility uses, 79,000 square feet of commercial space, and 2.9 acres of open space located at 105 River Street in the Williamsburg neighborhood of Brooklyn, Community District 1 (ULURP No. C 220064 ZSK) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on November 17, 2021, its decision dated November 17, 2021 (the “Decision”) on the Application;

WHEREAS, the Application is related to applications C 220062 ZMK (Pre. L.U. No. 929), a zoning map amendment to (a) rezone an M3-1 zoning district to a C6-2 zoning district; and (b) rezone an M3-1 zoning district to a M1-4 zoning district; N 220063 ZRK (Pre. L.U. No. 930), a zoning text amendment to establish the project area as a Mandatory Inclusionary Housing (MIH) area; allow an LSGD that does not meet the ownership requirements of Zoning Resolution (ZR) Section 74-742, and allow new piers and in-water structures that are accessible to the public to generate floor area; C 220061 MLK (L.U. No. 932), a landfill action to add approximately 6,320 square feet to create open area as part of the waterfront public space; N 220065 ZAK (L.U. No. 934), an authorization pursuant to ZR Section 62-822(a) to modify regulations pertaining to the locations and dimensions of required waterfront public access areas; C 220070 ZSK (L.U. No. 935), a special permit pursuant to ZR Section 74-533 to reduce the parking requirements for accessory group parking facilities in a Transit Zone; and C 210425 MMK (L.U. No. 936), city map change to eliminate, discontinue, close, and dispose

of a segment of Metropolitan Avenue to the west of River Street and a portion of North First Street west of River Street;

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 December 2, 2021;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration issued March 22nd, 2021 (CEQR No. 21DCP157K) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on November 5, 2021, in which significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-636) on the project sites. To ensure the implementation of the PCREs, the applicant will enter into a Restrictive Declaration at the time of the approval of land use-related actions and prior to issuance of any permits. The proposed project as analyzed in the FEIS identified significant adverse impacts with respect to transportation (pedestrians, street user safety) and construction (noise) and to ensure the implementation of the mitigation measures identified in the FEIS, they are included in the Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and
- (3) Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (4) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated November 15, 2021, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 220064 ZSK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

1. The property that is the subject of this application (C 220064 ZSK) shall be developed in size and

arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans, prepared by BIG, James Corner Field Operations, and Control Point Associates INC. PC, filed with this application and incorporated in this Resolution:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
V-001.00	ALTA/NSPS LAND TITLE SURVEY	05.29.2020
Z00-2	ZONING CALCULATIONS	11.05.2021
Z00-3A	UPLAND AND SEAWARD LOT CALCULATIONS – EXISTING	11.05.2021
Z00-3B	UPLAND AND SEAWARD LOT CALCULATIONS - PROPOSED	11.05.2021
Z01-1	LSGD SITE PLAN	11.05.2021
Z01-2Z03-1	DIMENSIONED BUILDING PLAN	11.05.2021
Z03-2	NORTHEAST AXONOMETRIC	11.05.2021
Z03-3	SOUTHEAST AXONOMETRIC	11.05.2021
Z03-4	NORTHWEST AXONOMETRIC	11.05.2021
Z04-1	SOUTHWEST AXONOMETRIC	11.05.2021
Z05-1	ARCADE DESIGN CONTROLS	11.05.2021
Z06-1	TOWER AND BULK WAIVER PLAN	11.05.2021
Z06-2	BULK WAIVER SECTIONS	11.05.2021
Z06-3	BULK WAIVER SECTIONS	11.05.2021
Z06-4	BULK WAIVER SECTIONS	11.05.2021
Z07-1A	BULK WAIVER SECTIONS	11.05.2021
Z07-1B	SHORELINE FACING WALLS	11.05.2021
	SHORELINE FACING WALLS	11.05.2021
		11.05.2021

		11.05.2021
		11.05.2021
L-001.00	WPAA ZONING CALCULATIONS 1	11.05.2021
L-002.00	WPAA ZONING CALCULATIONS 2	11.05.2021
L-003.00	WPAA ZONING CALCULATIONS 3	11.05.2021
L-004.00	WPAA ZONING CALCULATIONS 4	11.05.2021
L-005.00 L-	WPAA ZONING CALCULATIONS 5	11.05.2021
006.00 L-	WPAA ZONING CALCULATIONS 6	11.05.2021
007.00	WPAA ZONING CALCULATIONS 7	11.05.2021
L-100.00	OVERALL WPAA SITE PLAN	11.05.2021
		11.05.2021
L-101.00	WATERFRONT PUBLIC AREA ACCESS DIAGRAM	11.05.2021
L-102.00	SPAA ANALYSIS	11.05.2021
L-110.00	LAYOUT PLAN	11.05.2021
L-120.00	GRADING PLAN	11.05.2021
L-130.00	MATERIAL PLAN	11.05.2021
L-150.00	FURNISHING PLAN	11.05.2021
L-151.00	FURNISHING SCHEDULE	11.05.2021
L-152.00	RAILING PLAN	11.05.2021
L-160.00	TREE CANOPY AND PLANTING PLAN	11.05.2021
L-170.00	LIGHTING PLAN	11.05.2021
L-171.00	PHOTOMETRIC PLAN	11.05.2021
L-300.00	SITE SECTIONS 1	11.05.2021
L-301.00	SITE SECTIONS 2	11.05.2021

L-302.00	SITE SECTIONS 3	11.05.2021
L-303.00	SITE SECTIONS 4	11.05.2021
L-304.00	SITE SECTIONS 5	11.05.2021
L-305.00	SITE SECTIONS 6	11.05.2021
L-501.00	PAVING DETAILS 1	11.05.2021
L-510.00	SIGNAGE DETAILS 2	11.05.2021
L-511.00	FURNISHING DETAILS 1	11.05.2021
L-512.00	FURNISHING DETAILS 2	11.05.2021
L-513.00	FURNISHING DETAILS 3	11.05.2021
L-514.00	FURNISHING DETAILS 4	11.05.2021
L-515.00	FURNISHING DETAILS 5	11.05.2021
L-521.00	RAILING DETAILS 8	11.05.2021
L-531.00	LIGHTING DETAILS 9	11.05.2021
L-541.00	PLANTING DETAILS	11.05.2021

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.
3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance
4. Development pursuant to this resolution shall be allowed only after (a) the restrictive declaration attached hereto as Exhibit A, with such administrative changes as are acceptable to Counsel to the City Planning Commission, has been executed and recorded in the Office of the Register, Kings County; and (b) the Maintenance and Operations Agreement associated with such declaration and attached as Exhibit G thereto shall have been executed. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
5. The development shall include those project components related to the environment and mitigation measures identified in the Final Environmental Impact Statement (CEQR No. 21DCP157K) issued on November 5, 2021, and in accordance with the restrictive declaration attached hereto as Exhibit A.
6. In the event the property that is the subject of the application is developed as, sold as, or

converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.

7. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.
8. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution and the restrictive declaration whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted or of the restrictive declaration.
9. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city or such employees or agents failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, DIANA AYALA, FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 9, 2021 (Hybrid Hearing).

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

Report for L.U. No. 934 & Res. No. 1898

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 220065 ZAK (River Ring) submitted by River Street Partners LLC for the grant of an authorization pursuant to Sections 62-822(a) and 62-132 of the Zoning Resolution to modify the requirements of Section 62-332 (Rear yards and waterfront yards) and Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), in connection with a mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue and North 1st Street), in a C6-2 District, Borough of Brooklyn, Community District 1.

The Committee on Land Use, to which the annexed Land Use item was referred on November 23, 2021 (Minutes, page 3470) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3682) , respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 929 & Res. No. 1894 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 1898

Resolution approving the decision of the City Planning Commission for the grant of an authorization, pursuant to Section 62-822(a) and 62-132 of the Zoning Resolution of the City of New York to modify the requirements of Section 62-332 (Rear yards and waterfront yards) and Section 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), in connection with a mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue* and North 1st Street), in a C6-2 District, Borough of Brooklyn (Non-ULURP No. N 220065 ZAK; L.U. No. 934).

By Council Members Salamanca and Moya.

WHEREAS, the City Planning Commission filed with the Council on November 17, 2021 its decision dated November 17, 2021 (the "Decision"), on the application submitted by River Street Partners, LLC, in the City of New York for the grant of an authorization pursuant to Section Section 62-822(a) of the Zoning Resolution to modify the requirements of Sections 62-50 (GENERAL REQUIREMENTS FOR VISUAL CORRIDORS AND WATERFRONT PUBLIC ACCESS AREAS), in connection with a mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue and North 1st Street), in a C6-2 District, Borough of Brooklyn, Community District 1 (Non-ULURP No. N 220065 ZAK) (the "Application");

WHEREAS, the Application is related to applications C 220062 ZMK (Pre. L.U. No. 929), a zoning map amendment to (a) rezone an M3-1 zoning district to a C6-2 zoning district; and (b) rezone an M3-1 zoning district to a M1-4 zoning district; N 220063 ZRK (Pre. L.U. No. 930), a zoning text amendment to establish the project area as a Mandatory Inclusionary Housing (MIH) area; allow an LSGD that does not meet the ownership requirements of Zoning Resolution (ZR) Section 74-742, and allow new piers and in-water structures that are accessible to the public to generate floor area; C 220061 MLK (L.U. No. 932), a landfill action to add approximately 6,320 square feet to create open area as part of the waterfront public space; C 220064 ZSK (L.U. No. 933), a special permit pursuant to ZR Section 74-74 to establish a LSGD, allow reconstructed piers to retain floor area, and modify bulk regulations; C 220070 ZSK (L.U. No. 935), a special permit pursuant to ZR Section 74-533 to reduce the parking requirements for accessory group parking facilities in a Transit Zone; and C 210425 MMK (L.U. No. 936), city map change to eliminate, discontinue, close, and dispose of a segment of Metropolitan Avenue to the west of River Street and a portion of North First Street west of River Street;

WHEREAS, the Authorization is subject to review and action by the Council pursuant to Section 62-822 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 December 2, 2021;

WHEREAS, the City Planning Commission has made the findings required pursuant to Section 62-822(a)(2) of the Zoning Resolution of the City of New York;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration issued March 22nd, 2021 (CEQR No. 21DCP157K) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on November 5, 2021, in which significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-636) on the project sites. To ensure the implementation of the PCREs, the applicant will enter into a Restrictive Declaration at the time of the approval of land use-related actions and prior to issuance of any permits. The proposed project as analyzed in the FEIS identified significant adverse impacts with respect to transportation (pedestrians, street user safety) and construction (noise) and to ensure the implementation of the mitigation measures identified in the FEIS, they are included in the Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, those mitigative measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 62-822(a) and 62-132 of the Zoning Resolution of the City of New York and on the basis of the Authorization and Application, the Council approves the Decision, subject to the following terms and conditions:

1. The properties that are the subject of this application (N 220065 ZAK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications, and zoning computations indicated on the following plans prepared by BIG and James Corner Field Operations, and Control Point Associates INC. PC, filed with this application and incorporated in this resolution:

Dwg. No.	Title	Last Date Revised
V-001.00	ALTA/NSPS LAND TITLE SURVEY	05.29.2020
L-001.00	WPAA ZONING CALCULATIONS 1	11.05.2021
L-002.00	WPAA ZONING CALCULATIONS 2	11.05.2021
L-003.00	WPAA ZONING CALCULATIONS 3	11.05.2021
L-004.00	WPAA ZONING CALCULATIONS 4	11.05.2021
L-005.00	WPAA ZONING CALCULATIONS 5	11.05.2021
L-006.00	WPAA ZONING CALCULATIONS 6	11.05.2021
L-007.00	WPAA ZONING CALCULATIONS 7	11.05.2021
L-100.00	OVERALL WPAA SITE PLAN	11.05.2021
L-101.00	WATERFRONT PUBLIC AREA ACCESS DIAGRAM	11.05.2021
L-102.00	SPAA ANALYSIS	11.05.2021
L-110.00	LAYOUT PLAN	11.05.2021
L-120.00	GRADING PLAN	11.05.2021
L-130.00	MATERIAL PLAN	11.05.2021
L-150.00	FURNISHING PLAN	11.05.2021
L-151.00	FURNISHING SCHEDULE	11.05.2021
L-152.00	RAILING PLAN	11.05.2021
L-160.00	TREE CANOPY AND PLANTING PLAN	11.05.2021
L-170.00	LIGHTING PLAN	11.05.2021
L-171.00	PHOTOMETRIC PLAN	11.05.2021
L-300.00	SITE SECTIONS 1	11.05.2021
L-301.00	SITE SECTIONS 2	11.05.2021
L-302.00	SITE SECTIONS 3	11.05.2021
L-303.00	SITE SECTIONS 4	11.05.2021
L-304.00	SITE SECTIONS 5	11.05.2021
L-305.00	SITE SECTIONS 6	11.05.2021
L-501.00	PAVING DETAILS 1	11.05.2021
L-510.00	SIGNAGE DETAILS 2	11.05.2021

L-511.00	FURNISHING DETAILS 1	11.05.2021
L-512.00	FURNISHING DETAILS 2	11.05.2021
L-513.00	FURNISHING DETAILS 3	11.05.2021
L-514.00	FURNISHING DETAILS 4	11.05.2021
L-515.00	FURNISHING DETAILS 5	11.05.2021
L-521.00	RAILING DETAILS 8	11.05.2021
L-531.00	LIGHTING DETAILS 9	11.05.2021
L-541.00	PLANTING DETAILS	11.05.2021
L-601.00	PHASING PLAN 1	11.05.2021
L-601.00	PHASING PLAN 2	11.05.2021

2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application.
3. Such development shall conform to all applicable laws and regulations relating to its construction and maintenance.
4. Development pursuant to this resolution shall be allowed only after (a) the restrictive declaration attached as Exhibit A to the report on the related zoning map amendment (C 220062 ZMK), with such administrative changes as are acceptable to Counsel to the City Planning Commission, has been executed and recorded in the Office of the Register, Kings County; and (b) the Maintenance and Operations Agreement associated with such declaration and attached as Exhibit G to the report on the related zoning map amendment (C 220062 ZMK), thereto shall have been executed. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
5. Development pursuant to this resolution shall be allowed only after the restrictive declaration attached as Exhibit A to the report on the related zoning map amendment (C 220062 ZMK), with such administrative changes as are acceptable to Counsel to the City Planning Commission, has been executed and recorded in the Office of the Register, King County. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
6. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign or legal representative of such party to observe any of the restrictions, agreements, terms or conditions of this resolution whose provisions shall constitute conditions of the authorization hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said authorization. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission or of any agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission to disapprove any application for modification, cancellation or amendment of the authorization.

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

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, DIANA AYALA, FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 9, 2021 (Hybrid Hearing).

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

Report for L.U. No. 935 & Res. No. 1899

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 220070 ZSK (River Ring) submitted by River Street Partners LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-533 of the Zoning Resolution to reduce the number of required accessory off-street parking spaces from 40 percent to 20 percent, for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue and North 1st Street), in C6-2 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 November 23, 2021 (Minutes, page 3471) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3682) , respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 929 & Res. No. 1894 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 1899

Resolution approving the decision of the City Planning Commission on ULURP No. C 220070 ZSK, for the grant of a special permit (L.U. No. 935).

By Council Members Salamanca and Moya.

WHEREAS, River Street Partners, 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 number of required accessory off-street parking spaces from 40 percent to 20 percent, for dwelling units in a development within a Transit Zone, that includes at least 20 percent of all dwelling units as income-restricted housing units, in connection with a proposed mixed-use development, within a large-scale general development, on property generally bounded by North 3rd Street, River Street, North 1st Street, a line 200 feet northwesterly of River Street, Grand Ferry Park, and the U.S. Pierhead Line (Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20 and 21; and Block 2376, Lot 50; and the demapped portions of Metropolitan Avenue and North 1st Street), in C6-2 District, which in conjunction with the related actions would facilitate the construction of an approximately 1.16 million-square-foot mixed-use large-scale general development (LSGD) containing approximately 1,050 residential units, 30,000 square feet of community facility uses, 79,000 square feet of commercial space, and 2.9 acres of open space located at 105 River Street in the Williamsburg neighborhood of Brooklyn, Community District 1 (ULURP No. C 220070 ZSK) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on November 17, 2021, its decision dated November 17, 2021 (the “Decision”) on the Application;

WHEREAS, the Application is related to applications C 220062 ZMK (Pre. L.U. No. 929), a zoning map amendment to (a) rezone an M3-1 zoning district to a C6-2 zoning district; and (b) rezone an M3-1 zoning district to a M1-4 zoning district; N 220063 ZRK (Pre. L.U. No. 930), a zoning text amendment to establish the project area as a Mandatory Inclusionary Housing (MIH) area; allow an LSGD that does not meet the ownership requirements of Zoning Resolution (ZR) Section 74-742, and allow new piers and in-water structures that are accessible to the public to generate floor area; C 220061 MLK (L.U. No. 932), a landfill action to add approximately 6,320 square feet to create open area as part of the waterfront public space; C 220064 ZSK (L.U. No. 933), a special permit pursuant to ZR Section 74-74 to establish a LSGD, allow reconstructed piers to retain floor area, and modify bulk regulations; N 220065 ZAK (L.U. No. 934), an authorization pursuant to ZR Section 62-822(a) to modify regulations pertaining to the locations and dimensions of required waterfront public access areas; and C 210425 MMK (L.U. No. 936), city map change to eliminate, discontinue, close, and dispose of a segment of Metropolitan Avenue to the west of River Street and a portion of North First Street west of River Street;

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 December 2, 2021;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration issued March 22nd, 2021 (CEQR No. 21DCP157K) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on November 5, 2021, in which significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-636) on the project sites. To ensure the implementation of the PCREs, the applicant will enter into a Restrictive Declaration at the time of the approval of land use-related actions and prior to issuance of any permits. The proposed project as analyzed in the FEIS identified significant adverse impacts with respect to transportation (pedestrians, street user safety) and construction (noise) and to ensure the implementation of the mitigation measures identified in the FEIS, they are included in the Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and
- (3) Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (4) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated November 15, 2021, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

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 220070 ZSK, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

- 1. The property that is the subject of this application (C 220070 ZSK) shall be developed in size and arrangement substantially in accordance with the dimensions, specifications and zoning computations indicated on the following approved plans, prepared by BIG and James Corner Field Operations, filed with this application and incorporated in this Resolution:

<u>Dwg. No.</u>	<u>Title</u>	<u>Last Date Revised</u>
Z00-2	ZONING CALCULATIONS	11.05.2021
Z01-1	LSGD Site Plan	11.05.2021

- 2. Such development shall conform to all applicable provisions of the Zoning Resolution, except for the modifications specifically granted in this resolution and shown on the plans listed above which have been filed with this application. All zoning computations are subject to verification and approval by the New York City Department of Buildings.

3. Such development shall conform to all applicable laws and regulations relating to its construction, operation and maintenance
4. Development pursuant to this resolution shall be allowed only after (a) the restrictive declaration attached hereto as Exhibit A, with such administrative changes as are acceptable to Counsel to the City Planning Commission, has been executed and recorded in the Office of the Register, Kings County; and (b) the Maintenance and Operations Agreement associated with such declaration and attached as Exhibit G thereto shall have been executed. Such restrictive declaration shall be deemed incorporated herein as a condition of this resolution.
5. The development shall include those project components related to the environment and mitigation measures identified in the Final Environmental Impact Statement (CEQR No. 21DCP157K) issued on November 5, 2021, and in accordance with the restrictive declaration attached hereto as Exhibit A.
6. In the event the property that is the subject of the application is developed as, sold as, or converted to condominium units, a homeowners' association, or cooperative ownership, a copy of this report and resolution and any subsequent modifications shall be provided to the Attorney General of the State of New York at the time of application for any such condominium, homeowners' or cooperative offering plan and, if the Attorney General so directs, shall be incorporated in full in any offering documents relating to the property.
7. All leases, subleases, or other agreements for use or occupancy of space at the subject property shall give actual notice of this special permit to the lessee, sub-lessee or occupant.
8. Upon the failure of any party having any right, title or interest in the property that is the subject of this application, or the failure of any heir, successor, assign, or legal representative of such party, to observe any of the covenants, restrictions, agreements, terms or conditions of this resolution and the restrictive declaration whose provisions shall constitute conditions of the special permit hereby granted, the City Planning Commission may, without the consent of any other party, revoke any portion of or all of said special permit. Such power of revocation shall be in addition to and not limited to any other powers of the City Planning Commission, or of any other agency of government, or any private person or entity. Any such failure as stated above, or any alteration in the development that is the subject of this application that departs from any of the conditions listed above, is grounds for the City Planning Commission or the City Council, as applicable, to disapprove any application for modification, cancellation or amendment of the special permit hereby granted or of the restrictive declaration.
9. Neither the City of New York nor its employees or agents shall have any liability for money damages by reason of the city or such employees or agents failure to act in accordance with the provisions of this special permit.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, DIANA AYALA, FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 9, 2021 (Hybrid Hearing).

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

Report for L.U. No. 936 & Res. No. 1900

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210425 MMK (River Ring) submitted by River Street Partners LLC pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving the elimination, discontinuance and closing of Metropolitan Avenue between River Street and the United States Pierhead Line, the elimination, discontinuance and closing of a portion of North 1st Street from a point 200 feet west of River Street and the United States Pierhead Line, and the adjustment of grades and block dimensions necessitated thereby, including authorization for any acquisition or disposition of real property related thereto, Borough of Brooklyn, Community District 1, Council District 33.

The Committee on Land Use, to which the annexed Land Use item was referred on November 23, 2021 (Minutes, page 3471) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3683) , respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 929 & Res. No. 1894 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 1900

Resolution approving the decision of the City Planning Commission on ULURP No. C 210425 MMK, an amendment to the City Map (L.U. No. 936).

By Council Members Salamanca and Moya.

WHEREAS, River Street Partners, LLC, filed an application pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving:

- 1) the elimination, discontinuance and closing of Metropolitan Avenue between River Street and the United States Pierhead Line;
- 2) the elimination, discontinuance and closing of a portion of North 1st Street from a point 200 feet west of River Street and the United States Pierhead Line;
- 3) the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. Y-2760 dated August 16, 2021 and signed by the Borough President, Borough of Brooklyn, Community District 1 (ULURP No. C 210425 MMK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on November 17, 2021 its decision dated November 17, 2021 (the "Decision"), on the Application;

WHEREAS, the Application is related to applications C 220062 ZMK (Pre. L.U. No. 929), a zoning map amendment to (a) rezone an M3-1 zoning district to a C6-2 zoning district; and (b) rezone an M3-1 zoning district to a M1-4 zoning district; N 220063 ZRK (Pre. L.U. No. 930), a zoning text amendment to establish the project area as a Mandatory Inclusionary Housing (MIH) area; allow an LSGD that does not meet the

ownership requirements of Zoning Resolution (ZR) Section 74-742, and allow new piers and in-water structures that are accessible to the public to generate floor area; C 220061 MLK (L.U. No. 932), a landfill action to add approximately 6,320 square feet to create open area as part of the waterfront public space; C 220064 ZSK (L.U. No. 933), a special permit pursuant to ZR Section 74-74 to establish a LSGD, allow reconstructed piers to retain floor area, and modify bulk regulations; N 220065 ZAK (L.U. No. 934), an authorization pursuant to ZR Section 62-822(a) to modify regulations pertaining to the locations and dimensions of required waterfront public access areas; and C 220070 ZSK (L.U. No. 935), a special permit pursuant to ZR Section 74-533 to reduce the parking requirements for accessory group parking facilities in a Transit Zone;

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 December 2, 2021;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration issued March 22nd, 2021 (CEQR No. 21DCP157K) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on November 5, 2021, in which significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-636) on the project sites. To ensure the implementation of the PCREs, the applicant will enter into a Restrictive Declaration at the time of the approval of land use-related actions and prior to issuance of any permits. The proposed project as analyzed in the FEIS identified significant adverse impacts with respect to transportation (pedestrians, street user safety) and construction (noise) and to ensure the implementation of the mitigation measures identified in the FEIS, they are included in the Restrictive Declaration.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) The environmental impacts disclosed in the FEIS were evaluated in relation to the social, economic, and other considerations associated with the action[s] that are set forth in this report; and
- (3) Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
- (4) The adverse environmental impacts identified in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating as conditions to the approval, pursuant to the restrictive declaration dated November 15, 2021, those project components related to the environment and mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 199 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in this report, C 210425 MMK, incorporated by reference herein, and the record before the Council, the Council approves the Decision for an amendment to the City Map involving:

- 1) the elimination, discontinuance and closing of Metropolitan Avenue between River Street and the United States Pierhead Line;
- 2) the elimination, discontinuance and closing of a portion of North 1st Street from a point 200 feet west of River Street and the United States Pierhead Line;
- 3) the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. Y-2760 dated August 16, 2021 and signed by the Borough President, is approved; and be it further

RESOLVED that, pursuant to Section 5-432 of the New York City Administrative Code, the City Planning Commission determines that “such closing or discontinuance will further the health, safety, pedestrian or vehicular circulation, housing, economic development or general welfare of the City”; and be it further

RESOLVED that, pursuant to Section 5-433 of the New York City Administrative Code, the City Planning Commission adopts the legally required number of counterparts of Map No. Y-2760, dated August 16, 2021, providing for the discontinuance and closing of Metropolitan Avenue between River Street and the United States Pierhead line and the elimination discontinuance and closing of a portion of North 1st Street from a point 200 feet west of River Street and the United States Pierhead Line, more particularly described as follows:

In the matter of discontinuing and closing Metropolitan Avenue west of River Street, Borough of Brooklyn, in accordance with Borough President Map No. Y-2760:

Starting at a point of beginning located at the intersection of the northerly line of Metropolitan Avenue and the westerly line of River Street, as those streets were heretofore laid out on the City Map, thence;

- 1) Running 587.51 feet in a westerly direction along the northerly line of Metropolitan Avenue to a point on the United States Pierhead Line, thence;
- 2) Running 81.13 feet in a southerly direction along the United States Pierhead Line, said course forming a deflection angle to the left with the previous course of 80 degrees, 26 minutes and 42 seconds, thence;
- 3) Running 573.51 feet in an easterly direction, said course forming a deflection angle to the left with the previous course of 99 degrees, 33 minutes and 18 seconds, thence;
- 4) Running 80.00 feet in a northerly direction along the westerly line of River Street, said course forming a deflection angle to the left with the previous course of 90 degrees, 23 minutes and 13 seconds to the point or place of beginning.

In the matter of discontinuing and closing a portion of North 1st Street from a point 200 feet west of River Street to the United States Pierhead Line, Borough of Brooklyn, in accordance with Borough President Map No. Y-2760:

Starting at a point of beginning located along the northerly line of North 1st Street 200 feet west of the intersection of the northerly line of North 1st Street and the westerly line of River Street, as those streets were heretofore laid out on the City Map, thence;

- 1) Running 336.78 feet in a westerly direction along the northerly line of North 1st Street to a point on the United States Pierhead Line, thence;
- 2) Running 50.24 feet in a southerly direction along the United States Pierhead Line, said course forming a deflection angle to the left with the previous course of 84 degrees, 26 minutes and 56 seconds, thence;
- 3) Running 328.08 feet in an easterly direction, said course forming a deflection angle to the left with the previous course of 95 degrees, 33 minutes and 04 seconds, thence;
- 4) Running 50.15 feet in a northerly direction, said course forming a deflection angle to the left with the previous course of 94 degrees, 23 minutes and 27 seconds to the point or place of beginning.

The area described above consists of 16,621.47 square feet, more or less.

All such approvals being subject to the following conditions:

- a. The subject amendment to the City Map shall take effect on the day following the day on which certified counterparts of Map No. Y-2760 dated August 16, 2021 are filed with the appropriate agencies in accordance with Section 198 subsection c of the New York City Charter and Section 5-435 of the New York City Administrative Code; and
- b. The subject amendment to the City Map shall not be filed with the appropriate agencies in accordance with condition “a” above until the applicant shall have executed a mapping agreement protecting the city's interest, approved as to form and sufficiency by the Corporation Counsel and accepted by the City Planning Commission (the “Mapping Agreement”). If such agreement is not accepted by the City Planning Commission within two years of the date of this resolution, the approved amendment to the City Map may be returned to the City Planning Commission for rescission.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, VANESSA L. GIBSON, INEZ D. BARRON, I. DANEEK MILLER, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, ADRIENNE E. ADAMS, DIANA AYALA, FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 9, 2021 (Hybrid Hearing).

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

Report for L.U. No. 938 & Res. No. 1901

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 210232 ZRQ (160-05 Archer Avenue) submitted by Archer 1 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 XI, Chapter 5 (Special Downtown Jamaica District), Borough of Queens, Community District 12, Council District 27.

The Committee on Land Use, to which the annexed Land Use item was referred on November 23, 2021 (Minutes, page 3472) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3686), respectfully

REPORTS:**SUBJECT****QUEENS CB - 12****N 210232 ZRQ**

City Planning Commission decision approving an application submitted by Archer 1, 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 XI, Chapter 5 (Special Downtown Jamaica District).

INTENT

To approve the amendment to the text of the Zoning Resolution, in order to create a new Section 115-53 (Authorization for Curb Cut) to facilitate a permitted loading berth in an as-of-right development located at 160-05 Archer Avenue in the Jamaica neighborhood of Queens, Community District 12.

PUBLIC HEARING**DATE:** December 2, 2021**Witnesses in Favor:** One**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** December 7, 2021

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

In Favor:

Moya
Levin
Reynoso
Grodenschik
Borelli

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: December 7, 2021

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Salamanca	None	None
Gibson		
Barron		
Koo		
Levin		
Reynoso		
Treyger		
Grodenschik		
Diaz, Sr.		
Riley		
Brooks-Powers		
Feliz		
Borelli		

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated _____, 2021, with the Council on _____, 2021, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 1901

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 210232 ZRQ, for an amendment of the text of the Zoning Resolution (L.U. No. 938).

By Council Members Salamanca and Moya.

WHEREAS, Archer 1, 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 XI, Chapter 5 (Special Downtown Jamaica District), to facilitate a permitted loading berth in an as-of-right development located at 160-05 Archer Avenue in the Jamaica neighborhood of Queens, Community District 12 (ULURP No. N 210232 ZRQ), (the "Application");

WHEREAS, the City Planning Commission filed with the Council on November 19, 2021, its decision dated November 17, 2021 (the "Decision") on the Application;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on December 2, 2021;

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 July 12th, 2021 (CEQR No. 21DCP127Q).

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 210232 ZRQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

- Matter underlined is new, to be added;
- Matter ~~struck out~~ is to be deleted;
- Matter 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

* * *

ARTICLE XI
SPECIAL PURPOSE DISTRICTS
Chapter 5
Special Downtown Jamaica District (DJ)

* * *

115-50
SPECIAL OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS

* * *

115-53
Authorization for Curb Cut

Between 160th Street and a point 205 feet east of 160th Street along Archer Avenue, the City Planning Commission may authorize, subject to the applicable zoning district regulations, curb cuts that are prohibited by Section 115-52 (Location of Access to the Street), provided the Commission finds that a curb cut at such location:

- (a) is not hazardous to traffic safety;
- (b) will not create or contribute to serious traffic congestion, or unduly inhibit vehicular movement;
- (c) will not adversely affect pedestrian movement;
- (d) will not interfere with the efficient functioning of bus lanes, specially designated #streets# and public transit facilities; and
- (e) will not be inconsistent with the character of the existing streetscape.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

115-60**SPECIAL PERMIT TO MODIFY USE OR BULK REGULATIONS**

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, VANESSA L. GIBSON, INEZ D. BARRON, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, RUBEN DIAZ, Sr., KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 7, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Council Member Rose.*

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

Report for L.U. No. 950 & Res. No. 1902

Report of the Committee on Land Use in favor of approving, as modified, Application No. C 210166 ZMK (79 Quay Street Rezoning) submitted by Quay Plaza, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c, by changing from an M1-2/R6A District to an M1-4/R7D District property bounded by a line 100 feet northerly of Quay Street, a line 100 feet westerly of Franklin Street, Quay Street, and West Street, as shown on a diagram (for illustrative purposes only) dated June 21, 2021, and subject to the conditions of CEQR Declaration E-622, Borough of Brooklyn, Community District 1, Council District 33.

The Committee on Land Use, to which the annexed Land Use item was referred on December 9, 2021 (Minutes, page 3881) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3708), respectfully

REPORTS:**SUBJECT****BROOKLYN CB-1 – TWO APPLICATIONS RELATED TO QUAY STREET REZONING**

C 210166 ZMK (Pre. L.U. No. ____)

City Planning Commission decision approving an application submitted by Quay Plaza, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c, by changing from an M1-2/R6A District to an M1-4/R7D District property bounded by a line 100 feet northerly of Quay Street, a line 100 feet westerly of Franklin Street, Quay Street, and West Street, Borough of Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated June 21, 2021, and subject to the conditions of CEQR Declaration E-622.

N 210167 ZRK (Pre. L.U. No. ___)

City Planning Commission decision approving an application submitted by Quay Plaza, 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 ZR 123-63 and 123-90 to add R7D to the list of Designated Residence Districts for the MX-8 Special Mixed Use District and modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

To approve the amendment to rezone the project area from an M1-2/R6A (MX-8) district to an M1-4/R7D (MX-8) district and amend zoning text to designate a Mandatory Inclusionary Housing (MIH) area, and add R7D to the list of Designated Residence Districts in the Special Mixed Use District MX-8 to facilitate the construction of a new mixed-use development containing 86 dwelling units, of which between 22 and 26 would be affordable pursuant to the Mandatory Inclusionary Housing (MIH) program, and approximately 10,580 square feet of commercial floor area on the ground floor, located at 79 Quay Street (Block 2589, Lot 1) in the Greenpoint neighborhood of Community District 1, Brooklyn.

PUBLIC HEARING

DATE: December 2, 2021

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: December 7, 2021

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on Application No. C 210166 ZMK and approve with modifications the decision of the City Planning Commission on Application No. N 210167 ZRK.

In Favor:

Moya
Levin
Reynoso
Grodenschik
Borelli

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** December 7, 2021

The Committee recommends that the Council approve the attached resolutions.

In Favor:	Against:	Abstain:
Salamanca	None	None
Gibson		
Barron		
Koo		
Levin		
Reynoso		
Treyger		
Grodenschik		
Diaz, Sr.		
Riley		
Brooks-Powers		
Feliz		
Borelli		

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated _____, 2021, with the Council on _____, 2021, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 1902

Resolution approving the decision of the City Planning Commission on ULURP No. C 210166 ZMK, a Zoning Map amendment (Preconsidered L.U. No. 950).

By Council Members Salamanca and Moya.

WHEREAS, Quay Plaza, 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. 12c, by changing from an M1-2/R6A District to an M1-4/R7D District, which in conjunction with the related action would facilitate the construction of a new mixed-use development containing 86 dwelling units, of which between 22 and 26 would be affordable pursuant to the Mandatory Inclusionary Housing (MIH) program, and approximately 10,580 square feet of commercial floor area on the ground floor, located at 79 Quay Street (Block 2589, Lot 1) in the Greenpoint neighborhood of Brooklyn, Community District 1 (ULURP No. C 210166 ZMK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on December 1, 2021 its decision dated December 1, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 210167 ZRK (Pre. L.U. No. 951), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area, and add R7D to the list of Designated Residence Districts in the Special Mixed Use District MX-8;

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 December 2, 2021;

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 June 21st, 2021 (CEQR No. 21DCP010K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and air quality (E-622) (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-622) 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 210166 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 No. 12c, changing from an M1-2/R6A District to an M1-4/R7D District property bounded by a line 100 feet northerly of Quay Street, a line 100 feet westerly of Franklin Street, Quay Street, and West Street, Borough of Brooklyn, Community District 1, as shown on a diagram (for illustrative purposes only) dated June 21, 2021, and subject to the conditions of CEQR Declaration E-622.

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, VANESSA L. GIBSON, INEZ D. BARRON, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, RUBEN DIAZ, Sr., KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 7, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Council Member Rose.*

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

Report for L.U. No. 951 & Res. No. 1903

Report of the Committee on Land Use in favor of approving, as modified, Application No. N 210167 ZRK (79 Quay Street Rezoning) submitted by Quay Plaza, 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 XII, Chapter 3 (Special Mixed Use District) and related Sections, and 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 December 9, 2021 (Minutes, page 3881) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission on December 9, 2021 (Minutes, page 3710), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 950 & Res. No. 1902 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 1903

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 210167 ZRK, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 951).

By Council Members Salamanca and Moya.

WHEREAS, Quay Plaza, 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 ZR 123-63 and 123-90 to add R7D to the list of Designated Residence Districts for the MX-8 Special Mixed Use District and 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 86 dwelling units, of which between 22 and 26 would be affordable under the MIH program, and approximately 10,580 square feet of commercial floor area on the ground floor, located at 79 Quay Street (Block 2589, Lot 1) in the Greenpoint neighborhood of Brooklyn, Community District 1 (ULURP No. N 210167 ZRK), (the "Application");

WHEREAS, the City Planning Commission filed with the Council on December 1, 2021, its decision dated December 1, 2021 (the "Decision") on the Application;

WHEREAS, the Application is related to application C 210166 ZMK (Pre. L.U. No. 950), a zoning map amendment to change an M1-2/R6A (MX-8) district to an M1-4/R7D (MX-8) 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 December 2, 2021;

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 June 21st, 2021 (CEQR No. 21DCP010K), which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials and air quality (E-622) (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-622) 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, N 210167 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.

*** 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

ARTICLE XII – Special Purpose Districts

SPECIAL MIXED USE DISTRICT REGULATIONS

* * *

Chapter 3 - Special Mixed Use District (MX-1), (MX-2), (MX-4), (MX-5), (MX-6), (MX-7), (MX-8), (MX-9), (MX-10), (MX-11), (MX-12), (MX-13), (MX-14), (MX-15), (MX-16), (MX-17), (MX-18), (MX-19), (MX-20)

* * *

123-63**Maximum Floor Area Ratio and Lot Coverage Requirements for Zoning Lots Containing Only Residential Buildings in R6, R7, R8 and R9 Districts**

* * *

#Special Mixed Use District#	Designated #Residence District#
MX-1 – Community District 1, The Bronx	R6A R7D
MX 2 - Community District 2, Brooklyn	R7A R8A R8X
MX 4 – Community District 3, Brooklyn	R6A
MX 8 - Community District 1, Brooklyn	R6 R6A R6B R7A <u>R7D</u>
MX 11 - Community District 6, Brooklyn	R7-2
MX 13 – Community District 1, The Bronx	R6A R7A R7X R8A
MX 14 - Community District 6, The Bronx	R7A R7X
MX 16 - Community Districts 5 and 16, Brooklyn	R6A R7A R7D R8A
MX 18 - Community District 1, The Bronx	R7X
MX 20 - Community District 8, Brooklyn	R7A

* * *

123-90**Special Mixed Use Districts Specified**

* * *

#Special Mixed Use District# - 8: (5/11/05)

Greenpoint-Williamsburg, Brooklyn

The #Special Mixed Use District#- 8 is established in Greenpoint-Williamsburg in Brooklyn as indicated on the #zoning maps#.

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

Brooklyn Community District 1

* * *

[EXISTING MAP]

Map 1 – (~~12/10/12~~)-[date of adoption]



[PROPOSED MAP]



Portion of Community District 1, Brooklyn

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; PETER A. KOO, STEPHEN T. LEVIN, VANESSA L. GIBSON, INEZ D. BARRON, ANTONIO REYNOSO, MARK TREYGER, BARRY S. GRODENCHIK, RUBEN DIAZ, Sr., KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Land Use, December 7, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Council Member Rose.*

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) M-359 & Res 1876 - | Transfer City funds between various agencies in Fiscal Year 2022 to implement changes to the City's expense budget (MN-1) . |
| (2) M-358 & Res 1878 - | Submitting the name of Ms. Gail Nayowith to the Council for its advice and consent regarding her appointment to the Board of Health. |
| (3) M-360 & Res 1877 - | Appropriation of new City revenues in Fiscal Year 2022 (MN-2) . |
| (4) Int 66-A - | Establishing an Office for Neighborhood Safety and the prevention of gun violence. |
| (5) Int 271-A - | Reducing unnecessary illumination in city-owned spaces. |
| (6) Int 274-A - | Nighttime illumination during peak avian migration periods |
| (7) Int 1208-B - | Prohibiting employers from posting job listings without minimum and maximum salary information. |
| (8) Int 1326-B - | Requiring added sugar notifications in chain restaurants. |
| (9) Int 1358-A - | Information about the use of psychiatric medication for youth in foster care. |
| (10) Int 1806-A - | Reporting on algorithmic tools used by city agencies. |
| (11) Int 2005-A - | Reporting on the mental health of New Yorkers during the COVID-19 public health crisis. |
| (12) Int 2020-A - | Open captioning at motion picture theaters. |
| (13) Int 2081-A - | Enhancing the application for and the transparency of the emergency assistance grant program. |

- (14) **Int 2096-A -** Authorizing the Department of Consumer and Worker Protection to issue temporary operating licenses to sidewalk cafe applicants if certain requirements are satisfied.
- (15) **Int 2117-A -** Requiring the posting of mayoral executive orders online within one business day of execution.
- (16) **Int 2134 -** Preparation of plans in connection with petitions for revocable consents for sidewalk cafes.
- (17) **Int 2158-A -** Designating a geospatial information officer.
- (18) **Int 2246-A -** Establishment of a task force to study and make recommendations regarding the potential conversion of vacant or commercially unviable office space to other uses.
- (19) **Int 2265-B -** Stove safety knobs.
- (20) **Int 2317-A -** The use of substances with certain emissions profiles.
- (21) **Int 2411-A -** Enforcement of provisions of the zoning resolution related to eligibility requirements with respect to the development, acquisition, rehabilitation, preservation, sale or rental of affordable housing administered by the Department of Housing Preservation and Development.
- (22) **Int 2424-B -** Establishing a street harassment prevention advisory board.
- (23) **Int 2430-A -** Advancement and regulation of energy storage systems and the adoption of current fire safety standards as incorporated in the 2015 edition of the International Fire Code.
- (24) **Int 2438-A -** Expanding language access and requiring the inclusion of video content in the voter guide

- (25) **Int 2439-A -** Police Department domestic violence, sexual crimes, and human trafficking training, review, and reporting; and the Mayor's Office to end domestic and gender based violence fatality review and advisory committees.
- (26) **Int 2443-A -** Increasing penalties related to using joint living work quarters for artists contrary to zoning.
- (27) **Int 2449-A -** Penalties for failing to certify correction of immediately hazardous conditions and the reinspection of immediately hazardous conditions at construction sites.
- (28) **Int 2462 -** Renaming a park in the Borough of Queens, Archie Spigner Park, and to amend the official map of the city of New York accordingly.
- (29) **Int 2470 -** The date of submission by the Mayor of a preliminary management report, certificate regarding debt and reserves and appropriations and expenditures for capital projects, preliminary budget, the date of publication by the director of the Independent Budget Office of a report on revenues and expenditures, the date of submission by the Community Boards of statements in regard to the preliminary budget, submission by the Commissioner of Finance of an estimate of the assessed valuation of real property and statement of real property taxes due, expected to be received, and uncollected, submission by the Mayor of a tax benefit report, submission by the Borough Boards of statements on budget priorities, submission by the Borough Presidents of proposed modifications of the preliminary budget, the date of publication by the director of the Independent Budget Office of a report analyzing the preliminary budget, and the date of submission by the Campaign Finance Board of estimates of the financial needs of the

- Campaign Finance Board, relating to the fiscal year two thousand twenty-three.
- (30) **Int 2476 -** Exemption from taxation of alterations and improvements to multiple dwellings.
- (31) **Int 2477 -** Naming of 199 thoroughfares and public places **(with a Message of Necessity from the Mayor requiring an affirmative vote of at least two-thirds of the Council for passage)**.
- (32) **Res 1869 -** New designation and changes in the designation of certain organizations to receive funding in the Expense Budget **(Transparency Resolution)**.
- (33) **Res 1870 -** Appropriation, to pay an entity an amount equivalent to any shortfall in loan payments by taxi medallion owners who have restructured their debt pursuant to the taxi medallion owner relief program.
- (34) **L.U. 899 & Res 1879 -** **App. C 210412 ZSM (175 Park Avenue)** Borough of Manhattan, Community District 5, Council District 4.
- (35) **L.U. 900 & Res 1880 -** **App. C 210413 ZSM (175 Park Avenue)** Borough of Manhattan, Community District 5, Council District 4.
- (36) **L.U. 901 & Res 1881 -** **Application No. C 210414 ZSM (175 Park Avenue)** Borough of Manhattan, Community District 5, Council District 4.
- (37) **L.U. 902 & Res 1882 -** **App. C 210415 ZSM (175 Park Avenue)** Borough of Manhattan, Community District 5, Council District 4.
- (38) **L.U. 903 & Res 1883 -** **App. C 210416 ZRM (175 Park Avenue)** Borough of Manhattan, Community District 5, Council District 4.

- (39) L.U. 904 & Res 1884 - **App. C 210417 PPM (175 Park Avenue)** Borough of Manhattan, Community District 5, Council District 4.
- (40) L.U. 906 & Res 1885 - **App. C 210438(A) ZSM (250 Water Street)** Borough of Manhattan, Community District 1, Council District 1.
- (41) L.U. 907 & Res 1886 - **App. N 210439 ZRM (250 Water Street)** Borough of Manhattan, Community District 1, Council District 1.
- (42) L.U. 914 & Res 1887 - **App. C 210462 ZMK (Special Brooklyn Navy Yard District)** Borough of Brooklyn Community District 2, Council District 33.
- (43) L.U. 915 & Res 1888 - **App. N 210463(A) ZRK (Special Brooklyn Navy Yard District)** Borough of Brooklyn Community District 2, Council District 33.
- (44) L.U. 918 & Res 1889 - **App. C 210422 ZMM (SoHo/NoHo Neighborhood Plan)** Borough of Manhattan, Community District 2, Council Districts 1 and 2.
- (45) L.U. 919 & Res 1890 - **App. N 210423 ZRM (SoHo/NoHo Neighborhood Plan)** Borough of Manhattan, Community District 2, Council Districts 1 and 2.
- (46) L.U. 924 & Res 1891 - **App. N 210380 ZRY (Fresh II Zoning Text Amendment)** Special Regulations Applying to FRESH Food Stores and related Sections, to expand areas in which the program is applicable and to update various requirements, Citywide.
- (47) L.U. 925 & Res 1892 - **App. C 210164 ZMQ (103-16 Van Wyck Expressway Rezoning)** Borough of Queens, Community District 10, Council District 28.
- (48) L.U. 926 & Res 1893 - **App. N 210165 ZRQ (103-16 Van Wyck Expressway Rezoning)** Borough of Queens, Community District 10, Council District 28.

- (49) L.U. 929 & Res 1894 - **App. C 220062 ZMK (River Ring)**
Borough of Brooklyn, Community District 1, Council District 33.
- (50) L.U. 930 & Res 1895 - **App. N 220063 ZRK (River Ring)**
Borough of Brooklyn, Community District 1, Council District 33.
- (51) L.U. 932 & Res 1896 - **App. C 220061 MLK (River Ring)**
Borough of Brooklyn, Community District 1, Council District 33.
- (52) L.U. 933 & Res 1897 - **App. C 220064 ZSK (River Ring)**
Borough of Brooklyn, Community District 1, Council District 33.
- (53) L.U. 934 & Res 1898 - **App. N 220065 ZAK (River Ring)**
Borough of Brooklyn, Community District 1.
- (54) L.U. 935 & Res 1899 - **App. C 220070 ZSK (River Ring)**
Borough of Brooklyn, Community District 1, Council District 33.
- (55) L.U. 936 & Res 1900 - **App. C 210425 MMK (River Ring)**
Borough of Brooklyn, Community District 1, Council District 33.
- (56) L.U. 938 & Res 1901 - **App. N 210232 ZRQ (160-05 Archer Avenue)** Borough of Queens, Community District 12, Council District 27.
- (57) L.U. 949 & Res 1855 - **App. 20225010 RSY (Coney Island Amusement Park Project Plan – Third Amendment to the Special Process Agreement)** Special Process Agreement to change seventeen (17) years to twenty-seven (27) years to promote the development and programming of the lands within the Coney Island Amusement Park for amusement purposes
- (58) L.U. 950 & Res 1902 - **App. C 210166 ZMK (79 Quay Street Rezoning)** Borough of Brooklyn, Community District 1, Council District 33.

(59) L.U. 951 & Res 1903 - **App. N 210167 ZRK (79 Quay Street Rezoning)** Borough of Brooklyn, Community District 1, Council District 33.

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

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Brooks-Powers, Cabán, Cabrera, Carr, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Vallone, Van Bramer, Vernikov, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **48**.

Present, Not Voting – Reynoso.

The General Order vote recorded for this Stated Meeting was 48-0-0 as shown above with the exception of the votes for the following legislative items (with Council Member Reynoso considered Present, Not Voting for all as well):

The following was the vote recorded for **Preconsidered M-358 & Res. No. 1878:**

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Brooks-Powers, Cabán, Cabrera, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Vallone, Van Bramer, Yeger, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **45**

Negative – Carr, Vernikov, and the Minority Leader (Council Member Borelli) – **3**

The following was the vote recorded for **Int. No. 1208-B:**

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Brooks-Powers, Cabán, Cabrera, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gibson, Gjonaj, Grodenchik, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Vallone, Van Bramer, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **41**

Negative – Carr, Gennaro, Holden, Ulrich, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) – **7**.

The following was the vote recorded for **Int. No. 1326-B**:

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Brooks-Powers, Cabán, Cabrera, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Vallone, Van Bramer, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **43**

Negative – Carr, Ulrich, Vernikov, Yeger and the Minority Leader (Council Member Borelli) – **5**

The following was the vote recorded for **Int. No. 2020-A**:

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Brooks-Powers, Cabán, Cabrera, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gibson, Gjonaj, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Van Bramer, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **40**.

Negative – Carr, Gennaro, Holden, Vallone, Vernikov, Yeger and the Minority Leader (Council Member Borelli) – **7**.

Abstention – Grodenchik – **1**.

The following was the vote recorded for **Int. No. 2096-A**:

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Brooks-Powers, Cabán, Cabrera, Carr, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Vallone, Van Bramer, Vernikov, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **47**

Negative – Yeger – **1**.

The following was the vote recorded for **Int. No. 2317-A**:

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Brooks-Powers, Cabán, Cabrera, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Van Bramer, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **40**.

Negative – Carr, Holden, Ulrich, Vallone, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) – **7**.

Abstention – Grodenchik – **1**.

The following was the vote recorded for **Int. No. 2411-A:**

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Brooks-Powers, Cabán, Cabrera, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Vallone, Van Bramer, the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **43**.

Negative – Carr, Ulrich, Vernikov, Yeger and the Minority Leader (Council Member Borelli) – **5**.

The following was the vote recorded for **Int. No. 2438-A:**

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Brooks-Powers, Cabán, Cabrera, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Vallone, Van Bramer, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **46**

Negative – Carr and Vernikov – **2**.

The following was the vote recorded for **Int. No. 2439-A:**

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Brooks-Powers, Cabrera, Carr, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Vallone, Van Bramer, Vernikov, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **47**

Negative – Cabán – **1**.

The following was the vote recorded for **Int. No. 2443-A:**

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Brooks-Powers, Cabán, Cabrera, Carr, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Vallone, Van Bramer, Vernikov, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **47**.

Negative – Yeger – **1**.

The following was the vote recorded for **Int. No. 2476**:

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Brooks-Powers, Cabrera, Carr, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Levine, Louis, Maisel, Menchaca, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Vallone, Van Bramer, Vernikov, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **45**.

Negative – Cabán, Lander, and Levin – **3**.

The following was the vote recorded for **Preconsidered Int. No. 2477 under a Message of Necessity**:

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Brooks-Powers, Cabán, Cabrera, Carr, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Vallone, Van Bramer, Vernikov, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **47**

Abstention – Yeger – **1**.

The following was the vote recorded for **Preconsidered Res. No. 1870**:

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Brooks-Powers, Cabán, Cabrera, Carr, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Vallone, Van Bramer, Vernikov, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **47**

Negative – Yeger – **1**.

The following was the vote recorded for **L.U. No. 906 & Res. No. 1885 and L.U. No. 907 & Res. No. 1886**:

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Brooks-Powers, Cabán, Cabrera, Carr, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Vallone, Van Bramer, Vernikov, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **45**.

Negative – Holden, Kallos, and Yeger – **3**.

The following was the vote recorded for **L.U. No. 918 & Res. No. 1889 and L.U. No. 919 & Res. No. 1890:**

Affirmative – Adams, Ampry-Samuel, Ayala, Brannan, Brooks-Powers, Cabán, Cabrera, Carr, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Vallone, Van Bramer, Vernikov, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **43**.

Negative – Barron, Holden, Kallos, Menchaca and Yeger – **5**.

The following was the vote recorded for **L.U. No. 924 & Res. No. 1891:**

Affirmative – Adams, Ampry-Samuel, Ayala, Barron, Brannan, Brooks-Powers, Cabán, Cabrera, Carr, Chin, Cornegy, D. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Menchaca, Miller, Moya, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Vallone, Van Bramer, Vernikov, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **47**

Negative – Yeger – **1**.

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

Int. Nos. 66-A, 271-A, 274-A, 1208-B, 1326-B, 1358-A, 1806-A, 2005-A, 2020-A, 2081-A, 2096-A, 2117-A, 2134, 2158-A, 2246-A, 2265-B, 2317-A, 2411-A, 2424-B, 2430-A, 2438-A, 2439-A, 2443-A, 2449-A, 2462, 2470, 2476, and Preconsidered Int. No. 2477 (passed under a Message of Necessity from the Mayor).

Editor's Note: Int. No. 1775-C, which was laid over by the Council at this Stated Meeting, died at the end of the legislative session on December 31, 2021.

RESOLUTIONS

presented for voice-vote

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

Report for voice-vote item Res. No. 204

Report of the Committee on Education in favor of approving a Resolution declaring May 4th New York City Teachers, Educational Administrators and Education Support Staff Recognition Day in order to recognize and highlight the important work they do to keep our city's schools running and to educate our children and provide a suitable environment for learning.

The Committee on Education, to which the annexed resolution was referred on March 7, 2018 (Minutes, page 1011), respectfully

REPORTS:

INTRODUCTION

On Tuesday, December 14, 2021, the Committee on Education, chaired by Council Member Treyger, voted on the following resolutions:

- Resolution Number 204, sponsored by Council Member Eugene;
- Resolution Number 205, sponsored by Council Member Eugene;
- Resolution Number 206, sponsored by Council Member Eugene;
- Resolution Number 207, sponsored by Council Members Eugene and Cornegy;
- Resolution Number 208, Sponsored by Council Member Eugene; and
- Resolution Number 561, sponsored by Council Member Adams.

These resolutions relate to various issues pertaining to the New York City Department of Education, and call for: including recognizing administrators and support staff for their work; including instruction in schools on peaceful conflict resolution; including swimming lessons and water safety education in school curricula; adding the history of Haiti, including the Haitian Revolution and the abolition of slavery, Black History Month curricula; acknowledging the participation of Haitian soldiers in the Siege of Savannah in history curricula; and providing training in human trafficking to public school administrators, teachers, and staff. On December 14, 2021, the Committee passed Resolution Numbers 204, 205, 206, 207, 208 and 561 each by a vote of sixteen in the affirmative, zero in the negative, with zero abstentions.

(For text of Res. Nos. 205, 206, 207, 208, and 561, please see the Report of the Committee on Education for Res. Nos. 205, 206, 207, 208, and 561, respectively, printed below in this voice-vote Resolution Calendar section of these Minutes; for text of Res. No. 204, please see below)

Accordingly, this Committee recommends the adoption of Res. Nos. 204, 205, 206, 207, 208, and 561.

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

Res. No. 204

Resolution declaring May 4th New York City Teachers, Educational Administrators and Education Support Staff Recognition Day in order to recognize and highlight the important work they do to keep our city's schools running and to educate our children and provide a suitable environment for learning.

By Council Members Eugene, Dinowitz, Louis and Rose.

Whereas, The New York City public school system is the largest in the United States, serving more than 1 million students in over 1800 schools; and

Whereas, To keep our City's massive school system running and to educate our children and provide a suitable environment for learning requires the efforts of more than 100,000 pedagogical and non-pedagogical staff; and

Whereas, This staff includes more than 75,000 teachers, more than 6,000 educational administrators, more than 15,000 classroom paraprofessionals, along with thousands of others such as school secretaries, attendance teachers, guidance counselors, psychologists, social workers, custodians, school aides and other support staff; and

Whereas, The efforts of these teachers, educational administrators and education support staff often receive scant recognition; and

Whereas, There are some national recognition days for school staff, but they are scattered at different times throughout the year; and

Whereas, According to the National Education Association (NEA), "National Teacher Appreciation Day" is observed on the Tuesday of the first full week in May, which is Teacher Appreciation Week; and

Whereas, Additionally, American Education Week is in November and "National Education Support Professionals Day" falls on the Wednesday of American Education Week, according to NEA; and

Whereas, Further, October has been jointly designated as "National Principals Month" by the National Association of Secondary School Principals, the National Association of Elementary School Principals, and the American Federation of School Administrators; and

Whereas, However, none of these national recognition days for school staff receives adequate attention in New York City; and

Whereas, A joint recognition day for all school staff in New York City public schools would help bring greater attention and support for their efforts serving City residents; and

Whereas, May 4, 1796 was the date of birth of Horace Mann, an American education reformer dedicated to promoting universal public education; and

Whereas, It is especially appropriate to recognize the efforts of public school staff on the birthday of such an ardent supporter of public schools as Horace Mann; now, therefore, be it

Resolved, That the Council of the City of New York declares May 4th New York City Teachers, Educational Administrators and Education Support Staff Recognition Day in order to recognize and highlight the important work they do to keep our city's schools running and to educate our children and provide a suitable environment for learning.

MARK TREYGER, *Chairperson*; BRADFORD S. LANDER, DEBORAH L. ROSE, INEZ D. BARRON, ROBERT E. CORNEGY, BEN KALLOS, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr., ALICKA AMPRY-SAMUEL, JUSTIN L. BRANNAN, FARAH N. LOUIS, KEVIN C. RILEY, JAMES F. GENNARO, ERIC DINOWITZ, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Education, December 14, 2021 (Remote Hearing).

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res. No. 205

Report of the Committee on Education in favor of approving a Resolution calling upon the New York City Department of Education, as well as the New York State and federal governments, to include instruction in peaceful conflict resolution as part of the required curriculum in all schools.

The Committee on Education, to which the annexed resolution was referred on March 7, 2018 (Minutes, page 1012), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Education for Res. No. 204 printed above in this voice-vote Resolutions Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 205:)

Res. No. 205

Resolution calling upon the New York City Department of Education, as well as the New York State and federal governments, to include instruction in peaceful conflict resolution as part of the required curriculum in all schools.

By Council Members Eugene, Rosenthal, Dinowitz, Kallos, Louis and Rose.

Whereas, Social scientists increasingly believe that while conflict is a natural and inevitable part of human interaction, aggression or violence need not be; and

Whereas, The Centers for Disease Control and Prevention (CDC) defines interpersonal violence as "the intentional use of physical force or power, threatened or actual, against another person or against a group or community that results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment, or deprivation;" and

Whereas, The CDC also considers violence to be a serious public health problem in the United States (U.S.), particularly among youth aged 10 to 24; and

Whereas, According to the CDC, every day 13 young people are victims of homicide and more than 1,600 are treated in emergency departments for nonfatal physical assault-related injuries; and

Whereas, Additionally, the CDC reported that, during the 2013-14 school year, 1 out of 4 high school students was in at least one physical fight, 7% of high school students were threatened or injured with a weapon, and 1 out of every 5 high school students was bullied at school; and

Whereas, In order to combat the growing incidence of violence, the CDC established the Division of Violence Prevention in 1993 to conduct research and promote evidence-based violence prevention strategies; and

Whereas, Since the CDC considers violence to be a public health problem affecting all communities, they suggest that violence must be addressed by many players, including families, public health professionals, community and faith-based groups, using a range of strategies in homes, schools and communities; and

Whereas, According to the CDC, community-based organizations and programs that serve children and youth have an important role to play in violence prevention; and

Whereas, Sports programs for children and youth are particularly well-suited to aid in violence prevention; and

Whereas, In fact, in recent years, a wide variety of organizations, including the United Nations, have used sport as an interventionist tool to nurture peacemaking across divided communities, such as using soccer to promote conflict resolution and peaceful co-existence of Jewish and Arab children in Israel; and

Whereas, Among other CDC recommended approaches to combat violence are school-based youth violence prevention programs that provide students and educators with information about violence and teach skills to nonviolently resolve disputes; and

Whereas, Peaceful conflict resolution has been utilized more in schools in recent years, primarily in the realm of school discipline; and

Whereas, Conflict resolution is among several restorative practices increasingly used to replace zero tolerance disciplinary policies adopted by many school systems in response to a surge in juvenile crime during the 1980s and a number of school shootings starting in the late 1990s; and

Whereas, Such restorative practices have been found to be more effective, both for addressing school violence and improving student behavior, than punitive approaches to school discipline; and

Whereas, Not only can conflict resolution programs help prevent school violence, diminish inappropriate behavior and create a positive school climate, they can also enhance academic learning; and

Whereas, When incorporated into the curriculum, comprehensive conflict resolution instruction teaches skills basic to all learning: effective communication and listening, critical and creative thinking, and an emphasis on personal responsibility and self-discipline; and

Whereas, Such conflict resolution education programs emphasize problem-solving processes of negotiation, mediation, and consensus decisionmaking; and

Whereas, Conflict resolution education should be introduced early in elementary school to be most effective; and

Whereas, A longitudinal study of students in Seattle, conducted by the University of Washington, found that children exposed to conflict resolution curriculum in grades 5 and 6 did not benefit as much as those who were exposed to it beginning in 1st grade; and

Whereas, The Seattle study found that exposure to an elementary school curriculum that emphasizes conflict resolution, negotiation, and decisionmaking skills can reduce the chances that students will commit violent acts, abuse alcohol, and engage in risky sexual relationships as teenagers; and

Whereas, Further, the study found that students who participate in conflict resolution education are more likely than those who don't to behave better in school, achieve at higher levels, and have a more positive attitude toward school; and

Whereas, These efforts can also save taxpayers money in the long run by heading off future criminal-justice and crime-victim costs, according to the Washington State Institute for Public Policy; and

Whereas, Conflict resolution education programs provide a framework for addressing intergroup conflict, whether based on differences in national origin or ethnicity, gender, sexual orientation, class, physical or mental abilities; and

Whereas, According to a guide on *Conflict Resolution Education*, developed through a collaboration of the United States Departments of Justice and Education, one of the primary purposes of conflict resolution education is to promote responsible citizenship; and

Whereas, As stated in that guide, "Conflict resolution can be viewed as a responsibility of law-abiding members of our society... [r]esponsible citizens in a democracy express their concerns peacefully and seek resolutions to problems that take into account common interests and recognize the human dignity of all involved"; and

Whereas, Schools are where children prepare to assume their future roles as parents, as community members and leaders, and as productive members of the workforce and conflict resolution skills are essential to public life in schools, communities, and workplaces; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education, as well as the New York State and federal governments, to include instruction in peaceful conflict resolution as part of the required curriculum in all schools.

MARK TREYGER, *Chairperson*; BRADFORD S. LANDER, DEBORAH L. ROSE, INEZ D. BARRON, ROBERT E. CORNEGY, BEN KALLOS, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr., ALICKA AMPRY-SAMUEL, JUSTIN L. BRANNAN, FARAH N. LOUIS, KEVIN C. RILEY, JAMES F. GENNARO, ERIC DINOWITZ, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Education, December 14, 2021 (Remote Hearing).

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res. No. 206

Report of the Committee on Education in favor of approving a Resolution calling upon the State of New York to include in its curriculum requirements, swimming lessons and water safety education to all students in public schools from kindergarten through 12th grade where appropriate and swimming-related instruction, such as water safety and dry land strokes to all students in public schools from kindergarten through 12th grade when their school does not have a pool in the building or is not within 10 miles of a pool where appropriate.

The Committee on Education, to which the annexed resolution was referred on March 7, 2018 (Minutes, page 1014), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Education for Res. No. 204 printed above in this voice-vote Resolutions Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 206:)

Res. No. 206

Resolution calling upon the State of New York to include in its curriculum requirements, swimming lessons and water safety education to all students in public schools from kindergarten through 12th grade where appropriate and swimming-related instruction, such as water safety and dry land strokes to all students in public schools from kindergarten through 12th grade when their school does not have a pool in the building or is not within 10 miles of a pool where appropriate.

By Council Members Eugene, Rosenthal, Brooks-Powers, Kallos, Louis and Rose.

Whereas, According the New York State Department of Health (NYS DOH), regardless of their age group, drowning is a leading cause of injury-related death in children; and

Whereas, According to the NYS DOH, African American males and females have a significantly higher drowning rate than White and Hispanic males and females; and

Whereas, Out of all of the 1,477,146 youth ages 5 years old to 19 years old in NYC in 2010, 26.2% are African American youth; and

Whereas, New York City is home to a multitude of beaches and pools which provide free recreation and enjoyment for millions of New Yorkers and visitors each year; and

Whereas, Exercising water safety measures can prevent drownings and water-related injuries and ensure that fun does not unnecessarily turn into tragedy; and

Whereas, Swimming is also a valuable component in a number of efforts to maintain good health and can aid in preventing potential life threatening conditions, such as obesity and diabetes, and learning to swim can provide beneficial opportunities such as participation on a team or employment as a lifeguard; and

Whereas, The New York City Administration for Children's Service and the New York City Department of Health and Mental Hygiene recommend enrolling children in swimming lessons by a qualified instructor, usually at age 4 or older; and

Whereas, New York City Parks has 12 recreational centers with indoor pools and 53 free outdoor pool sites; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the State of New York to include in its curriculum requirements, swimming lessons and water safety education to all students in public schools from kindergarten through 12th grade where appropriate and swimming-related instruction, such as water safety and dry land strokes to all students in public schools from kindergarten through 12th grade when their school does not have a pool in the building or is not within 10 miles of a pool where appropriate.

MARK TREYGER, *Chairperson*; BRADFORD S. LANDER, DEBORAH L. ROSE, INEZ D. BARRON, ROBERT E. CORNEGY, BEN KALLOS, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr., ALICKA AMPRY-SAMUEL, JUSTIN L. BRANNAN, FARAH N. LOUIS, KEVIN C. RILEY, JAMES F. GENNARO, ERIC DINOWITZ, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Education, December 14, 2021 (Remote Hearing).

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res. No. 207

Report of the Committee on Education in favor of approving a Resolution calling upon the New York City Department of Education to add the history of Haiti, including the Haitian Revolution and the abolition of slavery, to the public schools' Black History Month curriculum.

The Committee on Education, to which the annexed resolution was referred on March 7, 2018 (Minutes, page 1014), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Education for Res. No. 204 printed above in this voice-vote Resolutions Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 207:)

Res. No. 207

Resolution calling upon the New York City Department of Education to add the history of Haiti, including the Haitian Revolution and the abolition of slavery, to the public schools' Black History Month curriculum.

By Council Members Eugene, Cornegy, Louis and Rose.

Whereas, The Republic of Haiti, located on the island of Hispaniola in the Caribbean, was originally inhabited by the indigenous Taíno people when Christopher Columbus established a Spanish settlement, which was the first colony in the New World, in 1492; and

Whereas, By 1550, only 150 out of hundreds of thousands Taíno remained on the island after being subjected to forced labor, abuse, hunger, mass killings and diseases against which they had no immunity; and

Whereas, In the early 16th century, the Spanish began to forcibly transport large groups of enslaved Africans, most of whom came from Senegambia, Guinea and Congo-Angolan (Bantu) areas, to work in mines and on sugar plantations on Hispaniola; and

Whereas, By the late 17th century, following attacks by the British, Dutch and French and a devastating earthquake in 1591, much of Hispaniola had become unpopulated and the colony increasingly unprofitable, unstable, and neglected by the Spanish, who had become more concerned with extracting gold in present day Central America and Mexico; and

Whereas, In 1697, Spain officially ceded the western portion of Hispaniola to the French, who founded the colony of St. Domingue and created the modern day border between Haiti and the Dominican Republic on the island; and

Whereas, Over the next 100 years, St. Domingue became the most profitable colony in the Americas due to its successful slave-based sugar and coffee industries, which demanded more slave labor and eventually created a 10-to-1 ratio of slaves to free people on the island; and

Whereas, On August 22, 1791, an organized slave rebellion, led by Toussaint L'Ouverture, broke out in St. Domingue, marking the start of a 12 year resistance, which culminated not only in the proclamation of independence but also the abolishment of slavery in Haiti; and

Whereas, On January 1, 1804, President Jean Jacques Dessalines declared the new Republic of Haiti's independence from France to become the only republic to rise from a successful slave rebellion, the world's first Black republic in the Western Hemisphere and the second independent democracy in the Americas after the United States (U.S.) in 1783; and

Whereas, As a nation borne out of a slave revolt, American political leaders, many of them slave owners, reacted to the emergence of Haiti with ambivalence and the U.S. did not officially recognize Haitian independence until 1862; and

Whereas, Haiti has a rich history that has significantly impacted geopolitical trajectory of the Western Hemisphere; and

Whereas, Haitians and their descendants have made great contributions to New York City and to the U.S. throughout its history, from major achievements in the arts, athletics, culture, music and science, to social advancement for persons of African descent, to leadership in elected offices from the local to the national level; and

Whereas, According to the U.S. Census Bureau, as of 2009, New York had second largest population of Haitian-Americans with nearly 100,000 foreign-born Haitians and more than 140,000 persons of Haitian descent living in NYC; and

Whereas, In the U.S., the month of February is observed as Black History Month, which is celebrated to highlight and remember the important achievements and contributions of African Americans, including Haitians, throughout the nation and world history; and

Whereas, Students engaged and challenged in historical thinking, consider many perspectives and cultivate decision-making skills that will serve them well as participating citizens of a democracy; and

Whereas, The NYC Department of Education services a diverse student population and strives to create an inclusive environment that values the experience, perspective and contributions of all peoples; now, therefore, be it

Resolved, That the Council of the City of New York calls upon New York City Department of Education to add the history of Haiti, including the Haitian Revolution and the abolition of slavery, to the public schools' Black History Month curriculum.

MARK TREYGER, *Chairperson*; BRADFORD S. LANDER, DEBORAH L. ROSE, INEZ D. BARRON, ROBERT E. CORNEGY, BEN KALLOS, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr., ALICKA AMPRY-SAMUEL, JUSTIN L. BRANNAN, FARAH N. LOUIS, KEVIN C. RILEY, JAMES F. GENNARO, ERIC DINOWITZ, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Education, December 14, 2021 (Remote Hearing).

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res. No. 208

Report of the Committee on Education in favor of approving a Resolution calling on the New York City Department of Education to acknowledge the participation of Haitian soldiers in the Siege of Savannah and the impact of the Haitian Revolution on the Louisiana Purchase, by adding these events to the public schools' social studies curriculum.

The Committee on Education, to which the annexed resolution was referred on March 7, 2018 (Minutes, page 1016), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Education for Res. No. 204 printed above in this voice-vote Resolutions Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 208:)

Res. No. 208

Resolution calling on the New York City Department of Education to acknowledge the participation of Haitian soldiers in the Siege of Savannah and the impact of the Haitian Revolution on the Louisiana Purchase, by adding these events to the public schools' social studies curriculum.

By Council Members Eugene, Louis and Rose.

Whereas, The Republic of Haiti, located on the island of Hispaniola in the Caribbean, was originally inhabited by the indigenous Taíno people when Christopher Columbus established a Spanish settlement, which was the first colony in the New World, in 1492; and

Whereas, By 1550, only 150 out of hundreds of thousands Taíno remained on the island after being subjected to forced labor, abuse, hunger, mass killings and diseases against which they had no immunity; and

Whereas, In the early 16th century, the Spanish began to forcibly transport large groups of enslaved Africans, most of whom came from Senegambia, Guinea and Congo-Angolan (Bantu) areas, to work in mines and on sugar plantations on Hispaniola; and

Whereas, By the late 17th century, following attacks by the British, Dutch and French and a devastating earthquake in 1591, much of Hispaniola had become unpopulated and the colony increasingly unprofitable, unstable, and neglected by the Spanish, who had become more concerned with extracting gold in present day Central America and Mexico; and

Whereas, In 1697, Spain officially ceded the western portion of Hispaniola to the French, who founded the colony of St. Domingue and created the modern day border between Haiti and the Dominican Republic on the island; and

Whereas, Over the next 100 years, St. Domingue became the most profitable colony in the Americas due to its successful slave-based sugar and coffee industries, which demanded more slave labor and eventually created a 10-to-1 ratio of slaves to free people on the island; and

Whereas, More than 500 freemen from St. Domingue fought alongside the United States (U.S.) Continental Army against the British Army during the Siege of Savannah in 1779, one of the most significant foreign contributions to the Revolutionary War; and

Whereas, On August 22, 1791, an organized slave rebellion, led by Toussaint L'Ouverture, broke out in St. Domingue, marking the start of a 12 year resistance, which culminated not only in the proclamation of independence but also the abolishment of slavery in Haiti; and

Whereas, On January 1, 1804, President Jean Jacques Dessalines declared the new Republic of Haiti's independence from France to become the only republic to rise from a successful slave rebellion, the world's first Black republic in the Western Hemisphere and the second independent democracy in the Americas after the U.S. in 1783; and

Whereas, The significant loss of life and financial burden of the failed efforts to quell the Haitian Revolution prompted France to sell the territory of Louisiana to the U.S. in 1803, a territory that now comprises 22.3 percent of the country; and

Whereas, Major Joseph Savary, a Haitian, was the first Black Major in the U.S. Army, and led the Second Battalion of Freemen of Color at the Battle of New Orleans in 1815, under then-General Andrew Jackson; and

Whereas, The acclaimed naturalist and wildlife artist John James Audubon, a Haitian, inspired the American conservation society that bears his name; and

Whereas, Activist, civil rights leader and famed writer of Haitian descent, W.E.B. Du Bois became the editor of the magazine *The Crisis* in 1910 in New York City (NYC), aimed at exposing the widespread prejudice against persons of color, and which became a major publication critiquing segregation and advocating for civil rights, women's rights and labor rights; and

Whereas, NYC native and famed artist of Haitian descent, Jean-Michel Basquiat was a leader of the neo-expressionist movement during the 1980s, working with other major artists including Andy Warhol, with major exhibits at the Whitney Museum of American Art; and

Whereas, Haiti has a rich history that has significantly impacted geopolitical trajectory of the Western Hemisphere; and

Whereas, Haitians and their descendants have made great contributions to NYC and to the U.S. throughout its history, from major achievements in the arts, athletics, culture, music and science, to social advancement for persons of African descent, to leadership in elected offices from the local to the national level; and

Whereas, According to the U.S. Census Bureau, as of 2009, New York had second largest population of Haitian-Americans with nearly 100,000 foreign-born Haitians and more than 140,000 persons of Haitian descent living in NYC; and

Whereas, The NYC Department of Education services a diverse student population and strives to create an inclusive environment that values the experience, perspective and contributions of all peoples; and

Whereas, Social Studies is the study of history, geography, economics, government and civics, and of people and events that have individually and collectively shaped the U.S. and the world; and

Whereas, A strong and effective social studies program helps students make sense of the world in which they live, allows them to make connections between major ideas and their own lives, and it helps them see themselves as active members of a global community; and

Whereas, Students engaged and challenged in historical thinking, consider many perspectives and cultivate decision-making skills that will serve them well as participating citizens of a democracy; and

Resolved, That the Council of the City of New York calls on the New York City Department of Education to acknowledge the participation of Haitian soldiers in the Siege of Savannah and the impact of the Haitian Revolution on the Louisiana Purchase, by adding these events to the public schools' social studies curriculum.

MARK TREYGER, *Chairperson*; BRADFORD S. LANDER, DEBORAH L. ROSE, INEZ D. BARRON, ROBERT E. CORNEGY, BEN KALLOS, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr., ALICKA AMPRY-SAMUEL, JUSTIN L. BRANNAN, FARAH N. LOUIS, KEVIN C. RILEY, JAMES F. GENNARO, ERIC DINOWITZ, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Education, December 14, 2021 (Remote Hearing).

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res. No. 561

Report of the Committee on Education in favor of approving a Resolution calling upon the New York City Department of Education to provide human trafficking prevention training to public school administrators, teachers, and staff.

The Committee on Education, to which the annexed resolution was referred on October 17, 2018 (Minutes, page 3859), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Education for Res. No. 204 printed above in this voice-vote Resolutions Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption

(The following is the text of Res. No. 561:)

Res. No. 561

Resolution calling upon the New York City Department of Education to provide human trafficking prevention training to public school administrators, teachers, and staff.

By Council Members Adams, Rosenthal, Lander, Ampry-Samuel, Moya, Levine, Holden, Cumbo, Maisel, Gibson, Chin, Dinowitz, Brooks-Powers, Kallos, Louis and Rose.

Whereas, Human trafficking, which the Department of Homeland Security defines as “the use of force, fraud, or coercion to obtain some type of labor or commercial sex act,” is a significant concern for governments around the world; and

Whereas, According to the United Nations Human Rights Commission, the three primary forms of human trafficking are involuntary prostitution, forced labor, and debt bondage; and

Whereas, A report released by the United States Department of Health and Human Services (HHS) and the United States Department of Justice (DOJ), found that roughly 800,000 people are trafficked across international borders each year; and

Whereas, HHS and DOJ have also noted that 80 percent of these individuals are women and 50 percent are minors; and

Whereas, The State Department has estimated that approximately 17,000 individuals are trafficked into the U.S. each year; and

Whereas, During Fiscal Year (FY) 2017, DOJ secured convictions against 499 traffickers, an increase of 13.7 percent from the 439 convictions it secured in FY 2016; and

Whereas, The New York City Department of Education is the largest K-12 public school system in the United States, with more than 1.1 million students and over 1,800 schools; and

Whereas, In order to combat human trafficking, the Department of Education should provide basic training in recognizing the warning signs and risk factors of human trafficking to its administrators, teachers, and staff; and

Whereas, This training would allow the adults who work at public schools to develop a more effective skillset as instructors and advocates for their students; and

Whereas, It would also ensure that New York City remains at the forefront of best practices in public education, alongside the states of California, Virginia, and North Carolina, all of which have passed laws that mandated training in trafficking prevention; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Department of Education to provide human trafficking prevention training to public school administrators, teachers, and staff.

MARK TREYGER, *Chairperson*; BRADFORD S. LANDER, DEBORAH L. ROSE, INEZ D. BARRON, ROBERT E. CORNEGY, BEN KALLOS, BARRY S. GRODENCHIK, RAFAEL SALAMANCA, Jr., ALICKA AMPRY-SAMUEL, JUSTIN L. BRANNAN, FARAH N. LOUIS, KEVIN C. RILEY, JAMES F. GENNARO, ERIC DINOWITZ, OSWALD FELIZ, JOSEPH C. BORELLI; Committee on Education, December 14, 2021 (Remote Hearing).

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res. No. 638

Report of the Committee on Health in favor of approving a Resolution calling on the New York State Department of Health to create stand-alone, self-contained isolation centers or units for the treatment of patients with infectious disease due to epidemic, including highly contagious and airborne diseases.

The Committee on Health, to which the annexed resolution was referred on November 28, 2018 (Minutes, page 4552), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Health for Int. No. 1326-B printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 638:)

Res. No. 638

Resolution calling on the New York State Department of Health to create stand-alone, self-contained isolation centers or units for the treatment of patients with infectious disease due to epidemic, including highly contagious and airborne diseases

By Council Member Eugene.

Whereas, During the Ebola epidemic in 2014, New York State designated 8 hospitals to treat Ebola virus cases, but only Manhattan's Bellevue Hospital isolation unit was fully operational when the first Ebola case hit the State; and

Whereas, Bellevue's quarantine unit was developed in the 1990s when tuberculosis cases were suddenly on the rise and has special anterooms, as well as ventilation and plumbing that run separately from the rest of the hospital's systems; and

Whereas, While Bellevue's unit is a great resource for the City, it only has space for 4 patients; and

Whereas, Each of the 8 hospitals in the State designated to treat Ebola virus cases only had space for 2 to 4 patients; and

Whereas, The State was monitoring the spread of Ebola in other parts of the world and had months to make preparations, yet facilities were still not prepared when Ebola struck New York; and

Whereas, New York can follow the example of the National Institutes of Health's Special Clinical Studies Unit at the Clinical Research Center in Bethesda and use its isolation units as research laboratories when not filled with patients; and

Whereas, The State may not have time to prepare for the next outbreak of an infectious disease and should ensure that facilities are in place that can contain such an outbreak; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Department of Health to create stand-alone, self-contained isolation centers or units for the treatment of patients with infectious disease due to epidemic, including highly contagious and airborne diseases.

MARK D. LEVINE, *Chairperson*; MATHIEU EUGENE; INEZ D. BARRON, ALICKA AMPRY-SAMUEL, ROBERT F. HOLDEN, KEITH POWERS, DARMA V. DIAZ, SELVENA N. BROOKS-POWERS; OSWALD FELIZ; Committee on Health, December 15, 2022 (Remote Hearing).

Pursuant to Rule 8.50 of the Council, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) called for a voice vote. Hearing those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) declared the Resolution to be adopted.

The following 3 Council Members formally noted their intent to vote negative on this item: Council Members Carr, Vernikov and the Minority Leader (Council Member Borelli).

Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 1201-A

Report of the Committee on Public Housing in favor of approving, as amended, a Resolution calling on Congress to pass and the President to sign, H.R.235, the Public Housing Emergency Response Act.

The Committee on Public Housing, to which the annexed resolution was referred on December 19, 2019 (Minutes, page 4882), respectfully

REPORTS:

INTRODUCTION

On December 14, 2021, the Committee on Public Housing, chaired by Council Member Alicka Ampry-Samuel, held a hearing on Res. No. 1201-A, calling on Congress to pass and the President to sign, H.R.235, the Public Housing Emergency Response Act; and Res. No. 1222, calling upon the United States Congress to pass and the President to sign the Green New Deal for Public Housing Act.

BACKGROUND

RES. NO. 1201-A

H.R.235, otherwise known as the Public Housing Emergency Response Act, sponsored by Representative Nydia Velazquez, currently pending in the United States House of Representatives, would invest \$70 billion into the Public Housing Capital Fund at the Department of Housing and Urban Development to help support the funding needs of public housing authorities throughout the United States, including the New York City Public Housing Authority. This resolution would call on the United States Congress and the President to sign H.R.235.

RES. NO. 1222

The Green New Deal for Public Housing Act, sponsored jointly by Senator Bernard Sanders and Representative Alexandria Ocasio-Cortez, would commit nearly \$180 billion over a decade for the rehabilitation, upgrade, and transition of 1.2 million public housing units across the nation. This resolution would call on the federal government to enact legislation to establish a “Green New Deal that is specific to public housing.

UPDATE

On Tuesday, December 14, 2021, the Committee adopted Res. No. 1201-A and Res. No. 1222 by a vote of nine in the affirmative, zero in the negative, and zero abstentions.

(For text of Res. 1222, please see the Report of the Committee on Education for Res. No. 1201-A printed below in the voice-vote Resolutions section of these Minutes; for text of Res. No. 1201-A, please see below)

Accordingly, this Committee recommends the adoption of Res. Nos. 1201-A and 1222.

(The following is the text of Res. No. 1201-A:)

Res. No. 1201-A

Resolution calling on Congress to pass and the President to sign, H.R.235, the Public Housing Emergency Response Act.

By Council Members Rivera, Chin, Ampry-Samuel, Louis, Brannan, Cornegy, Cabán, Rosenthal, Brooks-Powers, Kallos, Rose and the Public Advocate (Mr. Williams).

Whereas, The New York City Housing Authority (NYCHA) is the largest public housing authority in North America, providing affordable housing to low and moderate income New Yorkers; and

Whereas, The historical federal disinvestment from public housing authorities has limited the amount of available resources for NYCHA to correct mold conditions, broken boilers, lead conditions, leaking roofs, and stalled elevators; and

Whereas, According to NYCHA's Capital Plan for Calendar Years 2019-2023, from 2001 to 2017, the annual federal capital grants for NYCHA have declined from \$420 million to \$346 million and NYCHA has experienced a cumulative federal capital grant funding loss of \$1.34 billion since 2001; and

Whereas, According to NYCHA's most recent Physical Needs Assessment, the total projected cost of all needs – repair and replacement – over the next five years is \$31.8 billion, and \$45.2 billion over 20 years; and

Whereas, H.R.235, sponsored by Representative Nydia Velazquez, currently pending in the United States House of Representatives, would invest \$70 billion into the Public Housing Capital Fund at the Department of Housing and Urban Development to help support NYCHA's funding needs and the funding needs of the other public housing agencies throughout the United States; and

Whereas, The passage of this Congressional bill is critical to providing public housing authorities like NYCHA with the necessary funding to help maintain their buildings and give tenants a suitable place to live; now, therefore, be it

Resolved, That the Council of the City of New York calls on Congress to pass and the President to sign, H.R.235, the Public Housing Emergency Response Act.

ALICKA AMPRY-SAMUEL, *Chairperson*; LAURIE A. CUMBO, CARLOS MENCHACA, JAMES VAN BRAMER, RAFAEL SALAMANCA, Jr., DIANA AYALA, MARK GJONAJ, KEVIN C. RILEY; OSWALD FELIZ; Committee on Public Housing, December 14, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Yeger.*

Pursuant to Rule 8.50 of the Council, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) called for a voice vote. Hearing those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) declared the Resolution to be adopted.

The following Council Member formally noted his intent to vote negative on this item:
Council Member Holden.

Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 1222

Report of the Committee on Public Housing in favor of approving a Resolution calling upon the United States Congress to pass and the President to sign the Green New Deal for Public Housing Act.

The Committee on Public Housing, to which the annexed resolution was referred on January 8, 2020 (Minutes, page 13), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Public Housing for Res. No. 1201-A printed above in this voice-vote Resolutions Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption

(The following is the text of Res. No. 1222:)

Res. No. 1222

Resolution calling upon the United States Congress to pass and the President to sign the Green New Deal for Public Housing Act.

By Council Members Rivera, Gjonaj, Ampry-Samuel, Chin, Cornegy, Cabán, Rosenthal, Dinowitz, Kallos, Louis and Rose.

Whereas, The new estimate of 2019's global carbon emissions, conducted by Global Carbon Project, revealed that Fossil CO2 emissions are set to grow 0.6% to a record high of 37 billion metric tons; and

Whereas, According to New York City's (NYC) OneNYC 2050 report, by the 2050s, the City's average temperatures are expected to increase by up to 5.7 degrees Fahrenheit, and many more New Yorkers may die each summer from intense heat; and

Whereas, Additionally, within the same timeframe, sea levels are expected to rise by up to 30 inches and cause coastal flooding, which would impact nearly 1 million residents who will live in the expanded coastal floodplain; and

Whereas, According to a Data for Progress report, A Green New Deal for New York City Housing Authority (NYCHA) Communities, NYCHA currently uses 40%-50% more energy per square foot than the median NYC multi-family building, while providing unhealthy home environments that lack comfort and safety; and

Whereas, According to the abovementioned plan, NYCHA's backlog of \$31.8 billion in repairs is a result of decades of disinvestment in low-income communities of color; and

Whereas, In 2019, the City Council passed the Climate Mobilization Act requiring most large buildings to reduce their emissions by 40% by 2030 and 80% by 2050, however NYCHA buildings were exempt; and

Whereas, The Green New Deal for Public Housing Act, introduced by Senator Bernard Sanders and Representative Alexandria Ocasio-Cortez, aims to rehabilitate, upgrade and transition all public housing into carbon-free homes through education, training and jobs; and

Whereas, The benefits of A Green New Deal for NYCHA include investment in low-income and racialized communities and the creation of over 300 thousand jobs in the City over the course of ten years; and

Whereas, Additional benefits include improvements to safety, health, and comfort for NYCHA residents while ultimately reducing NYCHA's annual carbon emissions to zero by 2030; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass and the President to sign the Green New Deal for Public Housing Act.

ALICKA AMPRY-SAMUEL, *Chairperson*; LAURIE A. CUMBO, CARLOS MENCHACA, JAMES VAN BRAMER, RAFAEL SALAMANCA, Jr., DIANA AYALA, MARK GJONAJ, KEVIN C. RILEY; OSWALD FELIZ; Committee on Public Housing, December 14, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Yeger.*

Pursuant to Rule 8.50 of the Council, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) called for a voice vote. Hearing those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) declared the Resolution to be adopted.

The following 3 Council Members formally their intent to vote negative on this item: Council Members Carr, Holden, and the Minority Leader (Council Member Borelli).

Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 1782

Report of the Committee on Public Safety in favor of approving a Resolution calling on the State Legislature to pass, and the Governor to sign, A7284/S6489, known as the Wandering Officers Act, to prohibit the appointment of a person as a police officer if such person has previously been fired as a police officer from any jurisdiction.

The Committee on Public Safety, to which the annexed resolution was referred on November 10, 2021 (Minutes, page 3065), respectfully

REPORTS:

I. INTRODUCTION:

On December 14, 2021 the Committee on Public Safety, chaired by Council Member Adrienne E. Adams, voted on: Resolution Number 1782, calling on the State Legislature to pass, and the Governor to sign, A7284/S6489, known as the Wandering Officers Act, to prohibit the appointment of a person as a police officer if such person has previously been fired as a police officer from any jurisdiction. The Committee voted in favor of the bill by a vote of nine affirmatives, none opposed, and no abstentions. The Committee previously heard this legislation on November 22, 2021 and received testimony from representatives of the New York City Police Department (“NYPD” or “the Department), the Civilian Complaint Review Board (“CCRB”), public defender offices, advocates and members of the public.

II. BACKGROUND:

Police Officer Qualifications

In April 2020, The Yale Law Journal published "The Wandering Officer,"¹ a study that examined the occurrence of law enforcement officers being fired, or forced to resign, due to allegations of misconduct, who are then later hired by a police department in another jurisdiction. Since data was not available for all jurisdictions, the study examined the practice in select states; finding, for example, that in Florida alone about three percent of active police officers had previously been discharged from another department due to allegations

¹ Grunwald, B. G., & Rappaport, J. R. (2020). The Wandering Officer. *The Yale Law Journal*, 129(6). <https://www.yalelawjournal.org/article/the-wandering-officer>

of misconduct.² Moreover, the data indicated that such wandering officers are substantially more likely to commit further acts of misconduct than those who were never previously discharged.³

Currently, New York State law does not explicitly disqualify an individual from appointment as a police officer if such person had previously been discharged from a police department in another jurisdiction. However, New York State Civil Service Law does authorize the NYS Civil Service Department and municipal commissions to refuse to provide a civil service exam to: (1) any person who has been dismissed from a permanent public service position due to incompetency or misconduct; or (2) any person who has resigned or was otherwise terminated from a position in public service where an investigation found that such resignation or termination resulted from incompetency or misconduct, if such resignation or termination was due to incompetency and the applicant is applying for a similar position for which the applicant was found incompetent.⁴ Further, the New York City Administrative Code provides that “Persons who shall have been members of the force, and shall have been dismissed therefrom, shall not be reappointed;”⁵ which prohibits the city from rehiring a police officer who was previously dismissed from the NYPD; however there is no provision state law that would explicitly prohibit localities from hiring a police officer who was dismissed from a different police force.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 1782:)

Res. No. 1782

Resolution calling on the State Legislature to pass, and the Governor to sign, A7284/S6489, known as the Wandering Officers Act, to prohibit the appointment of a person as a police officer if such person has previously been fired as a police officer from any jurisdiction.

By Council Members Adams, Louis, Cumbo, Cabán, Rosenthal, Brooks-Powers, Kallos and Rose.

Whereas, A 2020 article published in the Yale Law Journal by Ben Grunwald and John Rappaport entitled “The Wandering Officer,” details how law enforcement officers fired by one department, sometimes for serious misconduct, often find work at another law enforcement agency; and

Whereas, Grunwald and Rappaport conducted a systemic investigation of wandering officers and found such individuals were more likely than other officers to be fired from their next job or to receive a complaint for a “moral character violation;” and

Whereas, Grunwald and Rappaport suggest that wandering officers pose serious risks to the public, particularly given how unusual it is for a police officer to be fired for misconduct; and

Whereas, As an example of the prevalence of this issue, Grunwald and Rappaport found as many as 3 percent of the personnel employed by Florida law enforcement agencies are wandering officers; and

Whereas, New York Attorney General Letitia James has recommended the creation of a decertification process for police officers in New York who have been found guilty of misconduct to ensure such individuals cannot be rehired by another law enforcement agency in the state; and

Whereas, According to the New York Times, police killings in the United States have been undercounted by more than half over the past four decades, further underscoring the need to enhance police accountability; and

Whereas, On May 3, 2020, Assemblymember Ramos and then-Senator Brian Benjamin introduced A7284/S6489, known as the Wandering Officer Act, to prohibit appointing a person as a police officer if such person has previously been fired as a police officer from any jurisdiction within or outside of the state; and

Whereas, A7284/S6489, the Wandering Officer Act, would also ban the hiring of a police officer who resigned while being the subject of a disciplinary action that could result in termination; and

² *Id.*

³ *Id.*

⁴ New York State Civil Service Law § 50(4)(e).

⁵ Administrative Code § 14-109(a). This provision was originally added by state law, L. 1937, Ch. 929.

Whereas, New Jersey, Connecticut and Pennsylvania have already approved similar measures to prohibit the hiring of wandering officers; and

Whereas, According to Patrick Lynch, President of the Police Benevolent Association of the City of New York, "NYPD officers aren't interested in serving alongside a cop whose conduct got him fired someplace else," reflecting the across the board concern for the need to protect the public from police misconduct; and

Whereas, Officers who have engaged in misconduct so significant as to be fired pose a threat to public safety and this legislation would reinforce disciplinary actions for police by preventing these officers from entering new jurisdictions and continuing to threaten the safety of our communities; now, therefore, be it

Resolved, That the Council of the City of New York calls on the State Legislature to pass, and the Governor to sign, A7284/S6489, known as the Wandering Officers Act, to prohibit the appointment of a person as a police officer if such person has previously been fired as a police officer from any jurisdiction.

ADRIENNE E. ADAMS, *Chairperson*; FERNANDO CABRERA, VANESSA L. GIBSON, CARLOS MENCHACA, I. DANEEK MILLER, JUSTIN L. BRANNAN, ROBERT F. HOLDEN, KEITH POWERS, KEVIN C. RILEY; Committee on Public Safety, December 14, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Rosenthal.*

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

Adopted unanimously by the Council by voice-vote.

Report for voice-vote item Res. No. 1840-A

Report of the Committee on Housing and Buildings in favor of approving, as amended, a Resolution calling upon the New York State Legislature to pass and the Governor to sign A.5573/S.3082, in relation to prohibiting eviction without good cause.

The Committee on Housing and Buildings, to which the annexed resolution was referred on December 9, 2021 (Minutes, page 3872), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Housing and Buildings for Int. No. 2246-A printed in this Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 1840-A:)

Res. No. 1840-A

Resolution calling upon the New York State Legislature to pass and the Governor to sign A.5573/S.3082, in relation to prohibiting eviction without good cause.

By Council Members Kallos, the Speaker (Council Member Johnson), Gibson, Cabán, Rosenthal, Louis, Rose and the Public Advocate (Mr. Williams).

Whereas, According to the 2017 New York City Housing Vacancy Survey (HVS), a little over two-thirds of New York City households rent their units; and

Whereas, The 2021 Income and Affordability Study by the NYC Rent Guidelines Board estimated that 50.1 percent of renters in New York City (NYC or the City) are rent burdened, which means that they are paying 30 percent of their income towards rent; and

Whereas, 26.2 percent of these rent burdened renters are considered to be severely rent burdened since they are spending 50 percent or more of their income towards rent, according to that same study; and

Whereas, Tenants who are rent burdened or severely rent burdened could become homeless due to an unexpected financial setback, illness or personal crisis; and

Whereas, Research from the Right to Counsel NYC Coalition, a tenant advocacy group, documented that there were 152,284 eviction cases in New York State on March 13, 2020, at the start of the COVID-19 pandemic, and as of October 3, 2021, there were 224,341 active eviction cases; and

Whereas, An increase in the number of evictions sought by landlords could be detrimental for many impacted renters and put enormous pressure on the City's homeless service programs; and

Whereas, According to the Coalition for the Homeless, a homeless advocacy group, in the past few years homelessness in NYC has reached the highest levels since the Great Depression of the 1930s; and

Whereas, As of August 2021, research from the Coalition of the Homeless showed 18,357 single adults and 47,979 households, including 14,881 homeless children, were sleeping each night in the City's shelter system; and

Whereas, A report titled, "Turning the Tide on Homelessness in New York City" by the NYC Department of Homeless Services highlighted that New York City has more than 3.4 million housing units, however that many of these units are unaffordable to many low income and middle income families; and

Whereas, That same report emphasized that the City's vacancy rate is 3.5 percent and the vacancy rate for apartments with a rent that costs \$800 or less is 1.8 percent, which is a problem for a household searching for an affordable unit, and that the availability of affordable rental housing has not kept up with the City's need; and

Whereas, A way to cut the proportion of people becoming homeless is by giving renters in NYC protections against unconscionable rent hikes and offering them a lease renewal option; and

Whereas, A.5573, sponsored by Assembly Member Pamela Hunter in the New York State Assembly and companion bill S.3082, sponsored by State Senator Julia Salazar in the New York State Senate, would prohibit landlords from taking any action to evict, to fail to renew a lease or to remove a tenant from a housing accommodation unless it was done for a good cause; and

Whereas, Under A.5573/S.3082, some of the proposed grounds for eviction would be narrowed to situations such as if the tenant fails to pay rent, conducts nuisance activities in the unit or on the premise, and if there are substantive lease violations; and

Whereas, Cities such as Albany and Hudson have recently passed legislation that would prohibit eviction without a good cause, while cities such as Kingston, Poughkeepsie, New Paltz, Ithaca, Beacon and Newburgh currently have legislation pending in their respective jurisdictions; and

Whereas, New York City needs A.5573/S.3082 to help provide some comfort and relief to its overburdened tenants; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, A.5573/S.3082, in relation to prohibiting eviction without good cause

ROBERT E. CORNEGY, Jr., *Chairperson*; FERNANDO CABRERA, MARGARET S. CHIN; HELEN K. ROSENTHAL, FARAH N. LOUIS; Committee on Housing and Buildings, December 14, 2021. *Other Council Members Attending: Council Member Yeger.*

Pursuant to Rule 8.50 of the Council, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) called for a voice vote. Hearing those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) declared the Resolution to be adopted.

The following 7 Council Members formally noted their intent to vote negative on this item:

Council Members Carr, Gjonaj, Grodenchik, Holden, Vernikov, Yeger, and the Minority Leader (Council Member Borelli).

Adopted by the Council by voice-vote.

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

Report for voice-vote item Res. No. 1872

Report of the Committee on Civil and Human Rights in favor of approving a Resolution calling upon the New York State Legislature to pass and the Governor to sign A.5573/S.3082, in relation to prohibiting eviction without good cause.

The Committee on Civil and Human Rights, to which the annexed preconsidered resolution was referred on December 15, 2021, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Civil and Human Rights for Int. No. 1208-B printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 1872:)

Res. No. 1872

Resolution declaring December 8 as Sri Guru Tegh Bahadur Jee Day in the city of New York.

By Council Members Vallone and Louis (by request of the Mayor).

Whereas, Sri Guru Tegh Bahadur Jee, the ninth Guru of the Sikh religion, was born on April 1, 1621 in the city of Amritsar in the Indian state of Punjab; and

Whereas, Sri Guru Tegh Bahadur Jee composed 116 divine hymns that have been included in the holy religious scripture of Sikhism, the Sri Guru Granth Sahib, and which preach the message of unity and compassion; and

Whereas, Sri Guru Tegh Bahadur Jee undertook extensive tours of India to not only teach Sikhism, but to create awareness of human rights, social justice, secularism, and national unity; and

Whereas, Sri Guru Tegh Bahadur Jee emphasized democratic ideals in his religious practice, including the protection of the dharma, or moral law, which is the basis of Sikh tradition, resistance to tyranny, and respect and tolerance for all lifestyles; and

Whereas, Sri Guru Tegh Bahadur Jee advocated for religious freedom during the rule of Mughal Emperor Aurangzeb, and

Whereas, Sri Guru Tegh Bahadur Jee was publicly executed in 1675 for his opposition to religious persecution; and

Whereas, the declaration of December 8 as Sri Guru Tegh Bahadur Jee Day in the city of New York will commemorate one of the founders of the Sikh religion and advocate for religious freedom and human rights; now, therefore, be it

Resolved, That the city of New York declare December 8 as Sri Guru Tegh Bahadur Jee Day.

MATHIEU EUGENE, *Chairperson*; DANIEL DROMM, BRADFORD S. LANDER, INEZ D. BARRON; Committee on Civil and Human Rights, December 14, 2021 (Remote Hearing). *Other Council Members Attending: Council Member Rosenthal.*

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

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Preconsidered Int. No. 2477

By The Speaker (Council Member Johnson) and Council Members Adams, Ampry-Samuel, Ayala, Borelli, Brannan, Brooks-Powers, Cabrera, Chin, Cornegy, Jr., Cumbo, D. Diaz, R. Diaz, Dinowitz, Dromm, Eugene, Feliz, Gennaro, Gibson, Gjonaj, Grodenchik, Holden, Koo, Koslowitz, Lander, Levin, Levine, Louis, Maisel, Miller, Moya, Perkins, Powers, Riley, Rivera, Rodriguez, Rose, Rosenthal, Salamanca, Treyger, Ulrich, Vallone and Van Bramer.

A Local Law in relation to the naming of 199 thoroughfares and public places, Frances Perkins Place, Borough of Manhattan, TIN PAN ALLEY, Borough of Manhattan, Sumner Redstone Way, Borough of Manhattan, Mother Maude Ford Way, Borough of Queens, Alex Pauline Road, Borough of Queens, Alex Pauline Road, Borough of Queens, Boxing Row, Borough of Brooklyn, Weyman Carey Way, Borough of Brooklyn, Police Officer Randolph Holder Way, Borough of Manhattan, Cicely Tyson Way, Borough of Manhattan, Detective Robert A. Cardona Way, Borough of Manhattan, Hector "Macho" Camacho Way, Borough of Manhattan, John Johnson Way, Borough of the Bronx, Robert "Black Rob" Ross Way, Borough of Manhattan, Pura Belpre Way, Borough of Manhattan, Israel Martinez Way, Borough of the Bronx, Mexico-Tenochtitlan, Borough of Manhattan, Melissa Kruppa Way, Borough of Staten Island, Sharon Nearby Way, Borough of Staten Island, FDNY FF Jimmy Martinez Way, Borough of Staten Island, Anton Updale Way, Borough of Staten Island, Sergeant Leif E. Eikeseth Way, Borough of Staten Island, Ira D Hudson Way USN Pearl Harbor KIA, Borough of Staten Island, SGT Donald W. Tinney Jr. Street, Borough of Staten Island, Firefighter James J. Marshall Jr. Lane, Borough of Staten Island, Firefighter James J. Marshall Sr. Lane, Jennifer Diane Caputo Way, Borough of Staten Island, Dr. Ahmad Jaber Way, Borough of Brooklyn, Joseph Joyce Way, Borough of Brooklyn, Justin Wallace Way, Borough of Queens, Deborah Hoyle Way, Borough of Queens, Father Andrew Struzzieri Way, Borough of Queens, Clarence "SPUD" Josey Jr. Way, Borough of Queens, Neville Facey Way, Borough of Queens, Cathy LeBlanc Way, Borough of Queens, Benjamin Wright Way, Borough of Queens, Stephen Cooper Way, Borough of Queens, Darryl E. Greene Way, Borough of Queens, Johnny Pacheco Way, Borough of the Bronx, PFC Buford Brown Way, Borough of the Bronx, Reverend Luciano Soto Way, Borough of the Bronx, Dr. Carolyn G. Williams Way, Borough of the Bronx, Thomasina Bushby Way, Borough of the Bronx, Celia Cruz Salsa Legend, Borough of the Bronx, Sylvester Royer Corner, Borough of the Bronx, William 'Bill' Howard Sr. Way, Borough of Brooklyn, Rev. Dr. Robert E. Cornegy, Sr. Way, Borough of Brooklyn, Dr. Sam Pinn Jr. Way, Borough of Brooklyn, Carmelo Sanchez Way, Borough of the Bronx, Roxanne Reid Way, Borough of the Bronx, Beverly Roberts Way, Borough of the Bronx, Juan Antonio Rossy Way, Borough of the Bronx, John McKelvey Sr. Way Villa Rosa Bonheur, Borough of the Bronx, Tenzing Norgay Sherpa Way, Borough of Queens, Joseph Ricevuto Way, Borough of Queens, Steve Knobel Way, Borough of Queens, Stanley, Kathleen & Robert Rygor Way, Borough of Queens, Monti Castañeda Corner, Borough of Queens, Peter Magnani Way, Borough of Queens, Ebenezer "Ben" Edwards Way, Borough of Brooklyn, Phil Foglia Way, Borough of the Bronx, Joseph Migliucci Way, Borough of the Bronx, Madonia Road, Borough of the Bronx, St. John's Way, Borough of Queens, Little Bangladesh Avenue, Borough of Queens, Eleanor Dowe Blvd, Borough of the Bronx, Curtis Hamilton Way, Borough of the Bronx, Hetty Fox Lane, Borough of the Bronx, Andy "The Barber" Foxe Way, Borough of the Bronx, Winifred A.R. Bama Way, Borough of the Bronx, Bishop Roy Bryant Sr. DD Way, Borough of the Bronx, Hon. Aurelia Greene Way, Borough of the Bronx, Rosella Gregg Way, Borough of the Bronx, Mother Cordelia Gilford Way, Borough of the Bronx, Thomas 'Tommy' A. Solfio Way, Borough of the Bronx, Mario D'Agostino Way, Borough of the Bronx, Conti's Pastry Shoppe Boulevard, Borough of the Bronx, Joe Chiodi Way, Borough of the Bronx, Michael Prince Way, Borough of the Bronx, Ibrahim al-Hamdi Way, Borough of the Bronx, Joseph Oddo Way, Borough of the Bronx, Gjergj Kastrioti Skenderbeu Way, Borough of the Bronx, PePe Cardona Way, Borough of the Bronx, Carmine Palladino Way, Borough of the Bronx, Dominick

Schiano Way, Borough of the Bronx, Fan Noli Way, Borough of the Bronx, Melvin "Mel" Doby Memorial Way, Borough of Queens, Reverend Laura G. Lowery Way, Borough of Queens, Union Course Racetrack, Borough of Queens, Maureen Walthers Way, Borough of Queens, Joseph Magnus Way, Borough of Queens, Phil "Scooter" Rizzuto Corner, Borough of Queens, Sarah Whiting Way, Borough of Queens, Ganesh Temple Street, Borough of Queens, Rabbi Dr. Asher Murciano Way, Borough of Queens, Ivan Mrakovic Way, Borough of Queens, rue Barry Lewis Way, Borough of Queens, Detective Brian Simonsen Way, Borough of Queens, Police Officer FRANK G. MACRI WAY, Borough of Queens, Salvatore "Buddy" Scotto Way, Borough of Brooklyn, Andreas Stylianou Way, Borough of Brooklyn, Joseph Ferris Way, Borough of Brooklyn, Nicholas Heyward Sr. Place, Borough of Brooklyn, Elisa Torres Way, Borough of Brooklyn, District Attorney Kenneth P. Thompson Way, Borough of Brooklyn, Rita's Way, Borough of Brooklyn, Genevieve (Jenny) Eason Way, Borough of Manhattan, David Dinkins Drive, Borough of Manhattan, Rev. Dr. J. G. McCann Way, Borough of Manhattan, Marie Andrée Bichotte Way, Borough of Brooklyn, Frank Scollo Way, Borough of Brooklyn, The Brooklyn/Bedford Park 9/11 Memorial, Borough of Brooklyn, Patrick Solomita Way, Borough of Brooklyn, John A. Cortese Way, Borough of Brooklyn, Dr. Louis A. Grecco Way, Borough of Staten Island, Louis C. Antonelli Way, Borough of Staten Island, BILL MCCREARY WAY, Borough of Queens, Archie Spigner Way, Borough of Queens, Theresa Irene Merritt Way, Borough of Queens, Robert Oliver, Jr. Way, Borough of Queens, Barbara Jackson Way, Borough of Queens, Ortner Vernon Murray, Borough of Queens, Rodney Johnson Way, Borough of Queens, James Edward Heath Way, Borough of Queens, Michael Perna Way, Borough of Queens, Mary Moody Way, Borough of Queens, Marguerite Henderson Way, Borough of Queens, Ann Petry Place, Borough of Manhattan, Althea Gibson Street, Borough of Manhattan, Judge Sheila Abdus Salaam Way, Borough of Manhattan, Bishop James P. Roberts, Sr. Way, Borough of Manhattan, Rev. Allen James Way, Borough of Manhattan, Bishop C.M. "Sweet Daddy" Grace Lane, Borough of Manhattan, Audre Lorde Way, Borough of Manhattan, Saint Tikhon Way, Borough of Manhattan, Wynn Handman Way, Borough of Manhattan, Ludie Brown Way, Borough of the Bronx, Vonte S. Murray Way, Borough of the Bronx, Onaje Allan Gumbs Way, Borough of the Bronx, Patricia Wiley Way, Borough of the Bronx, Avenues for Justice Way, Borough of Manhattan, Donald Suggs Jr. Way, Borough of Manhattan, Terrence McNally Way, Borough of Manhattan, Rafael "Bullumba" Landestoy Way, Borough of Manhattan, Isaiah Ché Moronta Way, Borough of Manhattan, Edith Prentiss Way, Borough of Manhattan, Coogan's Way, Borough of Manhattan, Gregorio Luperon High School Way, Borough of Manhattan, Hugo Cabrera Way, Borough of Manhattan, Víctor Víctor Way, Borough of Manhattan, Johnny Ventura Way, Borough of Manhattan, Quisqueya Plaza, Borough of Manhattan, Rev. Maggie Howard Way, Borough of Staten Island, Social Activist Joseph N. Gumbs Way, Borough of Staten Island, Bartolomeo Giove Way, Borough of Staten Island, Principal Marie A. Munoz Way, Borough of Staten Island, James "Jim" Smith Way, Borough of Staten Island, Pearl Harbor Cpl. Vincent Kechner Way, Borough of Staten Island, Eric Garner Way, Borough of Staten Island, Little Liberia Way, Borough of Staten Island, Firefighter Sean D. Kenny Way, Borough of Staten Island, Joseph Triffoglio Way, Borough of Staten Island, Nick Troianiello Way, Borough of Staten Island, Detective James V. Nemorin Way, Borough of Staten Island, Detective Rodney J. Andrews Way, Borough of Staten Island, Vincent Gattullo Way, Borough of Staten Island, Educator Lawrence E. Ambrosino Way, Borough of Staten Island, Shimon Peres Place , Borough of Manhattan, Jacques d'Amboise Place, Borough of Manhattan, Freddy Perez Way, Borough of the Bronx, George Rodriguez Way, Borough of the Bronx, Ray Santos Way, Borough of the Bronx, Commissioner Louis E. Rios Way, Borough of the Bronx, Danilo Lachapel Way, Borough of the Bronx, The Point Community Development Corporation Way, Borough of the Bronx, Nos Quedamos Way, Borough of the Bronx, Russell M. Alston Way, Borough of the Bronx, Rev. T. Wendell Foster Way, Borough of the Bronx, P.O. Jorge Luis Gonzalez Way, Borough of the Bronx, Luis Angel "Supa" Torres Way, Borough of the Bronx, Grace Maldonado Way, Borough of the Bronx, Carmen Belén Bermúdez Way, Borough of the Bronx, Mrs. Esther 'Marie' Davis Way, Borough of the Bronx, General Colin L. Powell Way, Borough of the Bronx, Charlotte L. Taylor Way, Borough of Brooklyn, Clare Droesch Way, Borough of Queens, Lew M. Simon Way, Borough of Queens, Scott E. Jordan Way, Borough of Queens, Paul Russo Way, Borough of Queens, Claire Shulman Way, Borough of

Queens, FERRIGNO PLACE, Borough of Queens, Ann Jawin Way, Borough of Queens, Little Manila Avenue, Borough of Queens, Daniel Andrews Way, Borough of Queens, Prodigy Way, Borough of Queens, Dre's Way, Borough of Queens, Jose Miranda, Sr. Way, Borough of the Bronx, Urban Health Plan Boulevard, Borough of the Bronx, Pietro Sclafani Way, Borough of Brooklyn, Kenneth Casilla Way, Borough of Brooklyn and the repeal of sections 24 and 48 of local law number 24 for the year 2019, section 27 of local law number 26 for the year 2020, Local Law 17 for the year 1993, sections 7, 22, 38, 40, 57, 61, 70, 77, 80 of local law number 14 for the year 2021, section 4 of local law 110 for the year 2017, section 5 of local law 158 for the year 2019 and section 75 of local law number 62 for the year 2003.

Be it enacted by the Council as follows:

Section 1. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Frances Perkins Place	West 46th Street	Between Ninth Avenue and Tenth Avenue

§2. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
TIN PAN ALLEY	West 28th Street	Between Sixth Avenue and Broadway

§3. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Sumner Redstone Way	None	At the intersection of 44th Street and 7th Avenue

§4. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Mother Maude Ford Way	None	At the intersection of 157th Street and 110th Avenue

§5. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Alex Pauline Road	134th Road	Between Bedell Street and 176th Street

§6. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Boxing Row	Sutter Avenue	Between Stone Avenue and Powell Street

§7. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Weyman Carey Way	54th Street	Between Church Avenue and Snyder Avenue

§8. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Police Officer Randolph Holder Way	None	At the intersection of East 120th Street and the FDR Drive

§9. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Cicely Tyson Way	East 101st Street	Between Lexington Avenue and Third Avenue

§10. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Detective Robert A. Cardona Way	None	At the intersection of 120th Street and Pleasant Avenue

§11. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Hector "Macho" Camacho Way	Lexington Avenue	Between 114th Street and 115th Street

§12. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
John Johnson Way	None	At the intersection of 142nd Street and Alexander Avenue

§13. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Robert "Black Rob" Ross Way	None	At the intersection of 115th Street and 1st Avenue

§14. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Pura Belpre Way	None	At the northeast corner of 109th Street and Lexington Avenue

§15. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Israel Martinez Way	None	At the southeast corner of 149th Street and Wales Avenue

§16. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Mexico-Tenochtitlan	None	At the intersection of 2nd Avenue and 116th Street

§17. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Melissa Kruppa Way	None	At the corner of Cleveland Avenue and Durant Avenue

§18. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Sharon Nearby Way	None	At the northwest corner of Cleveland Avenue and Durant Avenue

§19. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
FDNY FF Jimmy Martinez Way	None	At the northeast corner of Beach Road and Hillcrest Street

§20. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Anton Updale Way	None	At the intersection of Darlington Avenue and Foster Road

§21. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Sergeant Leif E. Eikeseth Way	None	At the intersection of Deserre Avenue and Woodrow Road

§22. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ira D Hudson Way USN Pearl Harbor KIA	None	At the intersection of Bloomingdale Road and Woodrow Road

§23. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
SGT Donald W. Tinney Jr. Street	None	At the intersection of Main Street and Utah Street

§24. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Firefighter James J. Marshall Jr. Lane	None	At the corner of Strawberry Lane at Mayberry Promenade

§25. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Firefighter James J. Marshall Sr. Lane	None	At the intersection of Strawberry Lane at Mayberry Promenade

§26. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Jennifer Diane Caputo Way	None	At the intersection of Delmar Avenue and Sperry Place

§27. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dr. Ahmad Jaber Way	5th Avenue	Between 72nd Street and Ovington Avenue

§28. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Joseph Joyce Way	3rd Avenue	Between 79th Street and 80th Street

§29. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Justin Wallace Way	None	At the intersection of Beach 69th Street and Thursby Avenue

§30. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Deborah Hoyle Way	None	At the intersection of Beach 57th Street and Beach Channel Drive

§31. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Father Andrew Struzzieri Way	None	At the intersection of Brookville Boulevard and 137th Road

§32. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Clarence "SPUD" Josey Jr. Way	Hassock Street	Between Beach Channel Drive and Redfern Boulevard

§33. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Neville Facey Way	None	At the intersection of 137th Avenue and Farmers Boulevard

§34. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Cathy LeBlanc Way	None	At the intersection of 138th Avenue and Brookville Boulevard

§35. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Benjamin Wright Way	None	At the intersection of 157th Street and 140th Avenue

§36. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Stephen Cooper Way	Beach 46th Street	Between Rockaway Beach Boulevard and Beach Channel Drive

§37. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Darryl E. Greene Way	None	At the intersection of Bay 25th Street and Bayswater Avenue

§38. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Johnny Pacheco Way	None	At the southeast corner of Jerome Avenue and Kingsbridge Avenue

§39. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
PFC Buford Brown Way	None	At the intersection of East 179th Street and Morris Avenue

§40. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Reverend Luciano Soto Way	None	At the southwest corner of Jerome Avenue and Burnside Avenue

§41. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dr. Carolyn G. Williams Way	None	At the intersection of Hall of Fame Terrace and University Avenue

§42. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Thomasina Bushby Way	None	At the intersection of 174th Street and Davidson Avenue

§43. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Celia Cruz Salsa Legend	None	At the intersection of 195th Street and Reservoir Avenue

§44. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Sylvester Royer Corner	None	At the intersection of Creston Avenue and 193rd Street

§45. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
William 'Bill' Howard Sr. Way	None	At the intersection of Nostrand Avenue and Dean Street

§46. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rev. Dr. Robert E. Cornegy, Sr. Way	None	At the intersection of Quincy Street and Malcolm X Boulevard

§47. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dr. Sam Pinn Jr. Way	Fulton Street	Between Grand Avenue and Cambridge Place

§48. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Carmelo Sanchez Way	Gates Avenue	Between Irving Avenue and Myrtle Avenue

§49. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Roxanne Reid Way	None	At the intersection of Castle Hill Avenue and Cincinnatus Avenue

§50. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Beverly Roberts Way	None	At the intersection of Parkchester Road and East Avenue

§51. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Juan Antonio Rossy Way	None	At the intersection of Watson Avenue and Croes Avenue

§52. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
John McKelvey Sr. Way Villa Rosa Bonheur	None	At the intersection of Independence Avenue and Palisade Avenue

§53. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Tenzing Norgay Sherpa Way	75th Street	Between Broadway and Woodside Avenue

§54. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Joseph Ricevuto Way	86th Street	Between 35th Avenue and 37th Avenue

§55. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Steve Knobel Way	77th Street	Between 37th Avenue and 37th Road

§56. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Stanley, Kathleen & Robert Rygor Way	34th Street	Between Broadway and 34th Avenue

§57. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Monti Castañeda Corner	None	At the northwest corner of 89th Street and 35th Avenue

§58. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Peter Magnani Way	81st Street	Between Northern Boulevard and 34th Avenue

§59. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ebenezer "Ben" Edwards Way	Maple Street	Between Flatbush Avenue and Bedford Avenue

§60. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Phil Foglia Way	None	At the intersection of East 189th Street and Belmont Avenue

§61. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Joseph Migliucci Way	East 186th Street	Between Arthur Avenue and Hoffman Street

§62. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Madonia Road	Arthur Avenue	Between 186th Street and 184th Street

§63. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
St. John's Way	None	At the intersection of Union Turnpike and Utopia Parkway

§64. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Little Bangladesh Avenue	None	At the intersection of Homelawn Street and Hillside Avenue

§65. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Eleanor Dowe Blvd	None	At the southeast corner of East 169th Street and Webster Avenue

§66. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Curtis Hamilton Way	None	At the intersection of Washington Avenue and East 163rd Street

§67. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Hetty Fox Lane	None	At the southwest corner of Lyman Place and Freedman Street

§68. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Andy "The Barber" Foxe Way	None	At the northwest corner of East 168th Street and Franklin Avenue

§69. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Winifred A.R. Bama Way	None	At the northwest corner of East 169th Street and Fulton Avenue

§70. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Bishop Roy Bryant Sr. DD Way	None	At the intersection of Morris Avenue and 169th Street

§71. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Hon. Aurelia Greene Way	None	At the southeast corner of East 168th Street and Teller Avenue

§72. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rosella Gregg Way	None	At the intersection of Grant Avenue and 167th Street

§73. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Mother Cordelia Gilford Way	None	At the northeast corner of Bristow Street and Jennings Street

§74. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Thomas 'Tommy' A. Solfio Way	None	At the southeast corner of Buttrick Avenue and Harding Avenue

§75. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Mario D'Agostino Way	None	At the intersection of East Tremont Avenue and Miles Avenue

§76. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Conti's Pastry Shoppe Boulevard	None	At the southwest corner of Morris Park Avenue and Barnes Avenue

§77. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Joe Chiodi Way	None	At the intersection of Holland Avenue and Lydig Avenue

§78. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Michael Prince Way	None	At the southwest corner of Ampere Avenue and Ohm Avenue

§79. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ibrahim al-Hamdi Way	None	At the intersection of White Plains Road and Rhineland Avenue

§80. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Joseph Oddo Way	None	At the southwest corner of Coddington Avenue and Crosby Avenue

§81. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Gjergj Kastrioti Skenderbeu Way	None	At the intersection of Crescent Avenue and Adam's Place

§82. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
PePe Cardona Way	None	At the intersection of Rochelle Street and City Island Avenue

§83. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Carmine Palladino Way	None	At the intersection of Kearney Avenue and Harding Avenue

§84. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dominick Schiano Way	None	At the intersection of Reiss Place and Bronx Park East

§85. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Fan Noli Way	None	At the intersection of Morris Park Avenue and Tenbroeck Avenue

§86. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Melvin "Mel" Doby Memorial Way	None	At the northeast corner of Foothill Avenue and 204th Street

§87. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Reverend Laura G. Lowery Way	None	At the intersection of Jamaica Avenue and Hollis Court Boulevard

§88. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Union Course Racetrack	None	At the southwest corner of Jamaica Avenue and 78th Street

§89. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Maureen Walthers Way	None	At the intersection of Woodbine Street and Fresh Pond Road

§90. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Joseph Magnus Way	None	At the intersection of 75th Street and 58th Avenue

§91. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Phil "Scooter" Rizzuto Corner	None	At the corner of 78th Avenue and 64th Street

§92. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Sarah Whiting Way	None	At the intersection of Holly Avenue and Robinson Street

§93. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ganesh Temple Street	Browne Street	Between Holly Avenue and 45th Avenue

§94. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rabbi Dr. Asher Murciano Way	None	At the northwest corner of 108th Street and 68th Avenue

§95. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ivan Mrakovcic Way	None	At the intersection of 114th Street and 85th Avenue

§96. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
rue Barry Lewis Way	None	At the southeast corner of Lefferts Boulevard and Talbot Street

§97. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Detective Brian Simonsen Way	None	At the southwest corner of 118th Street and Jamaica Avenue

§98. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Police Officer FRANK G. MACRI WAY	None	At the northwest corner of Clyde Street and Yellowstone Boulevard

§99. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Salvatore "Buddy" Scotto Way	None	At the South East Corner of 1st Place and Court Street from Court Street to Smith Street

§100. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Andreas Stylianou Way	None	At the intersection of 3rd Avenue and 7th Street

§101. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Joseph Ferris Way	None	At the southeast corner of 7th Avenue and 3rd Street

§102. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Nicholas Heyward Sr. Place	None	At the intersection of Bond Street and Baltic Street

§103. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Elisa Torres Way	None	At the intersection of Division Avenue and Wythe Avenue

§104. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
District Attorney Kenneth P. Thompson Way	None	At the intersection of Jay Street and Myrtle Avenue

§105. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rita's Way	Bond Street	Between Baltic Street and Butler Street

§106. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Genevieve (Jenny) Eason Way	None	At the intersection of 139th Street and Riverside Drive

§107. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
David Dinkins Drive	None	At the northeast corner of 155th street and Riverside Drive East

§108. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rev. Dr. J. G. McCann Way	None	At the intersection of 123rd Street and Morningside Avenue

§109. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Marie Andrée Bichotte Way	None	At the intersection of East 45th Street and Farragut Road

§110. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Frank Scollo Way	None	At the southeast corner of Mill Avenue and Avenue U

§111. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
The Brooklyn/Bedford Park 9/11 Memorial	None	At the southwest corner of Avenue X and Bedford Avenue

§112. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Patrick Solomita Way	None	At the intersection of Avenue W and East 73rd Street

§113. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
John A. Cortese Way	None	At the intersection of Flatbush Avenue and Troy Avenue

§114. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dr. Louis A. Grecco Way	None	At the corner of Bedford Avenue and Richmond Road

§115. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Louis C. Antonelli Way	None	At the intersection of Allendale Road and West Fingerboard Road

§116. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
BILL MCCREARY WAY	None	at the intersection of 120th Avenue and 219th Street

§117. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Archie Spigner Way	None	At the intersection of Sayres Avenue and 175th Street

§118. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Theresa Irene Merritt Way	None	At the intersection of 192nd Street and 110th Road

§119. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Robert Oliver, Jr. Way	None	At the intersection of Linden Boulevard and 159th Street

§120. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Barbara Jackson Way	None	At the intersection of Junction Boulevard and 57th Avenue

§121. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ortner Vernon Murray	None	At the intersection of Northern Boulevard and 107th Street

§122. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rodney Johnson Way	None	At the intersection of 100th Street and 25th Avenue

§123. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
James Edward Heath Way	None	At the intersection of 114th Street and 34th Avenue

§124. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Michael Perna Way	None	At the intersection of 108th Street and 52 Avenue

§125. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Mary Moody Way	None	At the intersection of 99th Street and 35th Avenue

§126. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Marguerite Henderson Way	None	At the intersection of 96th Street and 30th Avenue

§127. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ann Petry Place	None	At the southeast corner of East 129th Street and 5th Avenue

§128. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Althea Gibson Street	None	At the intersection of West 143rd Street between Adam Clayton Powell Jr Boulevard and Malcolm X Boulevard

§129. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Judge Sheila Abdus Salaam Way	West 131st Street	Between Adam Clayton Powell Boulevard and Malcolm X Boulevard

§130. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Bishop James P. Roberts, Sr. Way	West 122nd Street	Between Malcolm X Boulevard and Mount Morris Park West

§131. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rev. Allen James Way	None	At the intersection of East 128th Street and Park Avenue

§132. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Bishop C.M. "Sweet Daddy" Grace Lane	None	At the intersection of West 124th Street and Frederick Douglass Boulevard

§133. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Audre Lorde Way	None	At the intersection of 68th Street and Lexington Avenue

§134. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Saint Tikhon Way	East 97th Street	Between Fifth Avenue and Madison Avenue

§135. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Wynn Handman Way	None	At the southeast corner of 56th Street and 7th Avenue

§136. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ludie Brown Way	None	At the intersection of Kingsland Avenue and Chester Street

§137. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Vonte S. Murray Way	Steenwick Avenue	Between Reeds Mill Lane and Boston Road

§138. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Onaje Allan Gumbs Way	deKruif Place	

§139. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Patricia Wiley Way	None	At the intersection of Harper Avenue and East 233rd Street

§140. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Avenues for Justice Way	Avenue B	Between 6th Street and 7th Street

§141. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Donald Suggs Jr. Way	None	At the intersection of Avenue B and East 6 th Street

§142. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Terrence McNally Way	None	At the northeast corner of University Place and East 9th Street

§143. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rafael "Bullumba" Landestoy Way	None	At the intersection of 166th Street and St. Nicholas Avenue

§144. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Isaiah Ché Moronta Way	None	At the corner of Dyckman Street and Nagle Avenue

§145. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Edith Prentiss Way	None	At the intersection of Overlook Terrace and 186th Street

§146. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Coogan's Way	None	At the northwest corner of 169th Street and Broadway

§147. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Gregorio Luperon High School Way	None	At the corner of Amsterdam Avenue and 165th Street

§148. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Hugo Cabrera Way	None	At the intersection of 173rd Street and Amsterdam Avenue

§149. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Víctor Víctor Way	None	At the intersection of 178th Street and Fort Washington

§150. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Johnny Ventura Way	None	At the intersection of Wadsworth and 176th Street in the borough of Manhattan

§151. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Quisqueya Plaza	None	Plaza at Dyckman Street between Broadway and Seaman Avenue

§152. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rev. Maggie Howard Way	None	At the southeast corner of Tompkins Avenue and Tompkins Street

§153. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Social Activist Joseph N. Gumbs Way	None	At the northwest corner of Tompkins Street and Brownell Street

§154. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Bartolomeo Giove Way	None	At the northeast corner of Port Richmond Avenue and Willowbrook Road

§155. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Principal Marie A. Munoz Way	None	At the northeast corner of Park Avenue and New Street

§156. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
James "Jim" Smith Way	None	At the northeast corner of Lawrence Avenue and Morrison Avenue

§157. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Pearl Harbor Cpl. Vincent Kechner Way	None	At the southeast corner of Port Richmond Avenue and Rainbow Avenue

§158. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Eric Garner Way	None	At the southwest corner of Bay Street and Victory Boulevard

§159. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Little Liberia Way	None	At the northwest corner of Sobel Court and Park Hill Avenue

§160. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Firefighter Sean D. Kenny Way	None	At the southeast corner of Clinton Avenue and Fillmore Street

§161. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Joseph Triffoglio Way	None	At the intersection of Victory Boulevard and Monroe Avenue

§162. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Nick Troianiello Way	None	At the intersection of Forest Avenue and Lilac Court

§163. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Detective James V. Nemorin Way	None	At the southeast corner of St. Paul's Avenue and Hannah Street

§164. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Detective Rodney J. Andrews Way	None	At the southeast corner of St. Paul's Avenue and Hannah Street

§165. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Vincent Gattullo Way	None	At the northwest corner of Clove Road and Martling Place

§166. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Educator Lawrence E. Ambrosino Way	None	At the northwest corner of De Ruyter Place and Maple Parkway

§167. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Shimon Peres Place	None	At the intersection of 95th Street and Riverside Drive

§168. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Jacques d'Amboise	None	At the northwest corner of West 64th Street and Columbus Avenue

§169. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Freddy Perez Way	None	At the intersection of 156th Street and Third Avenue

§170. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
George Rodriguez Way	None	At the intersection of 149th Street and Morris Avenue

§171. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ray Santos Way	None	At the intersection of Evergreen Avenue and Westchester Avenue

§172. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Commissioner Louis E. Rios Way	None	At the intersection of Prospect Avenue and 149th Street

§173. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Danilo Lachapel Way	None	At the intersection of Tinton Avenue and East 156th Street

§174. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
The Point Community Development Corporation Way	None	At the intersection of Manida Street and Garrison Avenue

§175. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Nos Quedamos Way	None	At the intersection of Melrose Avenue and 158th Street

§176. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Russell M. Alston Way	None	At the intersection of Courtlandt Avenue and 157th Street

§177. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rev. T. Wendell Foster Way	None	At the intersection of Forest Avenue and 161st Street

§178. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
P.O. Jorge Luis Gonzalez Way	None	At the intersection of Home Street and Vyse Avenue

§179. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Luis Angel "Supa" Torres Way	None	At the southeast corner of Watson Avenue and Elder Avenue

§180. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Grace Maldonado Way	None	At the intersection of East 156th Street and Cauldwell Avenue

§181. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Carmen Belén Bermúdez Way	None	At the intersection of East 152nd Street and Third Avenue

§182. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Mrs. Esther 'Marie' Davis Way	None	Faile Street between Lafayette Avenue and Hunts Point Avenue

§183. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
General Colin L. Powell Way	None	At the intersection of Kelly Street and East 163rd Street

§184. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Charlotte L. Taylor Way	None	At the intersection of West 28th Street and Mermaid Avenue

§185. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Clare Droesch Way	None	At the southeast corner of Beach 134th Street and Cronston Avenue

§186. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Lew M. Simon Way	None	At the southeast corner of Beach 116th Street and Rockaway Beach Boulevard

§187. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Scott E. Jordan Way	None	At the southwest corner of 91st Street and Rockaway Boulevard

§188. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Paul Russo Way	None	At the southwest corner of Tahoe Street and Eckford Avenue

§189. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Claire Shulman Way	None	At the intersection of Cryders Lane and 162nd Street

§190. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
FERRIGNO PLACE	None	163rd Street between 33rd Avenue and 35th Avenue

§191. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ann Jawin Way	None	At the intersection of 39th Avenue and 233rd Street

§192. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Little Manila Avenue	None	At the southwest corner of 70th Street and Roosevelt Avenue

§193. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Daniel Andrews Way	None	At the intersection of 54th Street and 32nd Avenue

§194. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Prodigy Way	None	At the northeast corner of 41st Drive and 12th Street

§195. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dre's Way	None	At the intersection of 255th Street and Hook Creek Boulevard

§196. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Jose Miranda, Sr. Way	None	At the intersection of East 163rd Street and Intervale Avenue

§197. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Urban Health Plan Boulevard	None	At the intersection of Southern Boulevard and Westchester Avenue

§198. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Pietro Sclafani Way	None	At the intersection of 11th Street and 6th Avenue

§199. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Kenneth Casilla Way	None	At the intersection of Baltic Avenue and 3rd Avenue

§200. Sections 24 and 48 of local law number 24 for the year 2019 are hereby REPEALED.

§201. Section 27 of local law number 26 for the year 2020 is hereby REPEALED.

§202. Local Law 17 for the year 1993 is hereby REPEALED.

§203. Sections 7, 22, 38, 40, 57, 61, 70, 77, 80 of local law number 14 for the year 2021 are hereby REPEALED.

§204. Section 75 of local law number 62 for the year 2003 is hereby REPEALED.

§205. Section 4 of local law number 110 for the year 2017 is hereby REPEALED.

§206. Section 5 of local law number 158 for the year 2019 is hereby REPEALED.

§207. This local law shall take effect immediately.

Adopted by the Council - passed under a Message of Necessity from the Mayor (preconsidered and approved by the Committee on Parks and Recreation).

Int. No. 2478

By Council Member Brannan.

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

Be it enacted by the Council as follows:

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

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

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

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

2. support city agencies in preparing for climate change;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 3-123 New York city climate change adaptation task force. a. There shall be a New York city climate change adaptation task force consisting of city, state and federal agencies and private organizations and entities responsible for developing, maintaining, operating or overseeing the city's public health, natural systems, critical infrastructure, including telecommunications, buildings and economy. The task force shall be chaired by the office of [long-term planning and sustainability] *climate resiliency*, and shall include, but need not be limited to, representatives from the department of buildings, the department of design and construction, department of city planning, the department of environmental protection, the department of information technology and telecommunications, the department of parks and recreation, the department of sanitation, the department of transportation, the economic development corporation, the office of emergency management, the office of management and budget, the department for the aging and the department of health and mental hygiene. Public members shall include, but need not be limited to, representatives from organizations in the health care, telecommunications, energy and transportation fields, who shall be appointed by, and serve at the pleasure of, the mayor without compensation from the city. The mayor shall invite the appropriate federal, state and local agencies and authorities to participate.

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

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

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

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

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

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

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

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

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

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

1. New construction as defined in section G201.2 of chapter G2 of appendix G of the New York city building code of a building or structure;
2. Substantial improvement as defined in section G201.2 of chapter G2 of appendix G of the New York city building code of an existing building or structure; or
3. Construction of new or improvement of existing infrastructure including but not limited to sewers and other utilities, streets, landscape and transportation facilities with a minimum threshold construction value to be determined by rule or by meeting other specifications or qualifications to be set forth in such rules by the director of [long-term planning and sustainability] *climate resiliency*, provided that such term shall not include a public betterment consisting solely of a street that does not involve subsurface utility work, drainage or roadway grading, fencing, or combination thereof.

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

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

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

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

§ 8. Subdivision a of section 24-808 of the administrative code of the city of New York, relating to the creation of a citywide climate adaptation plan, as proposed in introduction number 1620 for the year 2019, is amended to read as follows:

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

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

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

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

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

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

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

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

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

Referred to the Committee on Resiliency and Waterfronts.

Int. No. 2479

By Council Members Dinowitz, Riley, Powers, Yeger, Adams, Ayala, Louis and Feliz.

A Local Law to amend the New York city charter, in relation to requiring information about elections for non-municipal offices, ballot proposals and referenda in the voter guide

Be it enacted by the Council as follows:

Section 1. Paragraphs 1 and 2 of subdivision b of section 1052 of the New York city charter, paragraph 1 as amended by local law number 170 for the year 2016, and paragraph 2 as added by such local law, are amended to read as follows:

b. 1. The board shall take [such] actions [as it deems necessary and appropriate] to improve public awareness of the candidates, ballot proposals or referenda in all elections in which there are (i) contested elections for the offices of mayor, public advocate, borough presidents, comptroller, or city council or ballot proposals or referenda pursuant to this charter or the municipal home rule law, [including] and (ii) *other contested elections held in the city of New York for city, county, state or federal office or ballot proposals or referenda pursuant to city, county, state or federal law that coincide with the elections, ballot proposals or referenda described in (i) of this paragraph, excluding elections for positions provided by articles 2 and 6 of the election law. Such actions shall include, but not necessarily be limited to the publication of and outreach to voters and stakeholders regarding a non-partisan, impartial voter guide in at least one media format providing information on such candidates, ballot proposals and referenda, and the distribution of one copy of such guide to each household in which there is at least one registered voter eligible to vote in the election involved. A voter may opt out of receiving a printed copy of such guide and the board shall comply with this request to the extent feasible.*

2. The board shall also take [such] actions [as it deems necessary and appropriate] to improve public awareness of the candidates in all other contested elections held in the city of New York for any city, county, state, or federal office or ballot proposals or referenda pursuant to city, county, state, or federal law, including but not necessarily limited to the publication of *and outreach to voters and stakeholders regarding* a non-partisan, impartial voter guide in at least one media format providing information on such candidates, ballot proposals or referenda. The board shall coordinate with other agencies in general and specialized efforts to improve public awareness of such candidates, proposals, or referenda.

§ 2. The opening paragraph and paragraph 1 of subdivision a of section 1053 of the New York city charter, as amended by local law number 170 for the year 2016, are amended to read as follows:

a. For all elections in which there are (i) contested elections for the offices of mayor, public advocate, borough presidents, comptroller, or city council or ballot proposals or referenda pursuant to this charter or the municipal home rule law, [each] *and* (ii) *other contested elections held in the city of New York for city, county, state or federal office or ballot proposals or referenda pursuant to city, county, state or federal law that coincide with the elections, ballot proposals or referenda described in (i) of this subdivision, excluding elections for positions provided by articles 2 and 6 of the election law, there shall be a printed and an online voter guide published by the board, which shall contain:*

1. material explaining the date and hours during which the polls will be open for that election; when, where, and how to register to vote; when a citizen is required to reregister; when, where, and how absentee ballots are obtained and used; instructions on how to vote, *including, but not limited to, information about how to fill out the ballot for each office, proposal or referendum on any such ballot;* information on the political subdivisions applicable to a particular citizen's address; and any other general information on voting deemed by the board to be necessary or useful to the electorate or otherwise consistent with the goals of this charter;

§ 3. Subdivision b of section 1053 of the New York city charter, as amended by local law number 170 for the year 2016, is amended to read as follows:

b. For all other elections in which there are contested elections held in the city of New York for any city, county, state, or federal office or ballot proposals or referenda pursuant to city, county, state, or federal law, [each] *there shall be an online voter guide, which shall contain information that [the board deems necessary or useful to the electorate or is otherwise] is consistent with the board's responsibility under this chapter to improve public awareness of candidates, ballot proposals, or referenda.*

§ 4. This local law takes effect January 1, 2023, except that the campaign finance board shall take such measures as are necessary for the implementation of this local law, including the promulgation of any rules, before such date.

Referred to the Committee on Governmental Operations.

Preconsidered Res. No. 1869

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

By Council Member Dromm.

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

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

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

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

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

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

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

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 5; and be it further

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

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

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

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

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

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

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

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

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the Physical Education and Fitness Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the change in the designation of a certain organization receiving funding pursuant to the YouthBuild Project Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the LGBT Community Services Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Mental Health Services for Vulnerable Populations Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the HIV/AIDS Faith Based Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the MCCAP Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Supports for Persons Involved in the Sex Trade Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Pandemic Support for Human Service Providers Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the Innovative Criminal Justice Programs Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council amends the description for the Description/Scope of Services for certain organizations receiving youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 27.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 1869 of 2021 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov/>).

Int. No. 2480

By Council Members Grodenchik, Rosenthal and Powers.

A Local Law to amend the administrative code of the city of New York, in relation to establishing an office of economic analysis and requiring economic analysis of certain proposed local laws

Be it enacted by the Council as follows:

Section 1. Chapter 3 of the administrative code of the city of New York is amended by adding a new section 3-321 to read as follows:

§ 3-321 *Economic analysis of proposed local laws. a. Definition. For the purpose of this section, the term “director” shall mean the director of the office of economic analysis.*

b. There shall be within the office of the comptroller an office of economic analysis. Such office shall be headed by a director who shall be appointed by the comptroller. Such office shall have a staff that shall include,

but need not be limited to, at least three individuals with a doctorate or equivalent degree in economics or a related field, one of whom may be the director.

c. No later than 15 days following the introduction of any proposed local law, the director shall determine whether such proposed local law is likely to have a material economic impact on the city. The director shall promulgate rules establishing criteria and procedures for making such determination.

d. 1. If the director determines that a proposed local law is likely to have a material economic impact on the city, the director shall cause to be prepared an analysis of the likely impacts of such proposed local law upon:

(a) Business attraction and retention;

(b) Jobs, unemployment and wages;

(c) The cost of living;

(d) The poverty rate;

(e) Income and wealth inequality;

(f) Tax and fee revenues to the city; and

(g) Any other measure related to the economic health of the city that the director deems relevant.

2. Each such analysis shall include a description of any assumptions made and data used in order to complete such analysis, a description of how realistic such assumptions are and how complete and accurate such data is, and a description of how sensitive the results of the analysis are to changes in underlying assumptions and modelling.

3. Each such analysis shall be published on the comptroller's website no later than 60 days following the introduction of the proposed local law being analyzed, provided that, if the speaker of the council assents in writing to an extension of time for a particular analysis, such analysis shall be published on the comptroller's website no later than the deadline established by the speaker. The passage or enactment of a proposed local law prior to the deadline established pursuant to this paragraph shall not affect the director's obligation to prepare the analysis required by this section and publish such analysis by the deadline established herein.

§ 2. This local law takes effect 180 days after becoming law.

Referred to the Committee on Finance.

Preconsidered Res. No. 1870

Resolution supporting an undertaking, subject to appropriation, to pay an entity an amount equivalent to any shortfall in loan payments by taxi medallion owners who have restructured their debt pursuant to the taxi medallion owner relief program

By Council Member Lander.

Whereas, The Council and the Administration are in agreement that providing relief to the owners of taxi medallions who are currently unable to make debt service payments on loans incurred to purchase such medallions is a matter of public importance; and

Whereas, The Fiscal 2021 budget included \$65 million in grants to assist in the restructuring of such loans such that the amount owed for each medallion will be reduced to \$170,000 ("Restructured Loans"); and

Whereas, The Fiscal 2022 budget includes an additional \$50 million in grants to be paid to an entity identified by the City to be used to cover shortfalls in payments by obligors on such Restructured Loans; and

Whereas, In implementing this medallion loan restructuring program, the City may need to undertake, subject to appropriation, additional amounts in order for the entity to cover shortfalls in payments on such Restructured Loans; now, therefore, be it

Resolved, That the Council of the City of New York hereby supports an undertaking by the City, subject to appropriation by the Council in accordance with the Charter, to pay to an entity identified by the City an amount equivalent to any shortfall in loan payments by taxi medallion owners with Restructured Loans to the extent

such shortfall is not covered by the sale of medallions following such defaults or funds available from previous appropriations of the Council for such purpose.

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

Res. No. 1871

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A.8356/S.7485, which would establish contingency management services for persons with substance use disorders to incentivize abstaining from opioids, stimulants and other substances.

By Council Member Levin.

Whereas, In October of 2021, New York State Assembly Member Robert C. Carroll introduced legislation (A.8356) and New York State Senator Diane J. Savino introduced a companion bill (S.7485), which would require the Office of Addiction Services and Supports (OASAS) to establish contingency management services for certain persons with substance use disorders; and

Whereas, According to the Centers for Disease Control and Prevention (CDC), substance use disorders have contributed to a decreased life expectancy in the United States with the number of drug overdose deaths having quadrupled from 100,000 per year in 1999 to nearly 500,000 deaths per year in 2019; and

Whereas, The National Center for Health Statistics reported during the 12-month period from April 2020 to April 2021, more than 100,000 Americans died of overdoses—an increase of almost 30 percent from the 78,000 overdose deaths reported in 2020; and

Whereas, According to the Director of the National Institute on Drug Abuse (NIDA) “these are numbers we have never seen before,” and the majority of fatalities are occurring among people aged 25 to 55 who are in the prime of life and leave behind families and children; and

Whereas, Contingency management is a behavioral therapy approach based upon B.F. Skinner’s operant conditioning principles that promotes a method of learning by utilizing positive rewards and negative punishments in order to strengthen healthy behaviors; and

Whereas, According to federal agencies such as NIDA and the Substance Abuse and Mental Health Service Administration (SAMHSA), research has proven contingency management to be highly effective in helping individuals abstain from substance misuse and comply with treatment objectives in order to incentivize abstinence from opioids, stimulants and other substances; and

Whereas, Contingency management programs include Voucher-Based Reinforcement (VBR) that reward clients with monetary goods and services in exchange for a drug-free urine samples, and similarly, Prize Incentives (PI) programs that allow participants with drug negative urine tests to draw from a bowl for a chance to win a prize between \$1.00 and \$100.00; and

Whereas, Metaanalysis has confirmed that the effect of contingency management is moderated by the size of the rewards, with smaller rewards providing less benefits, and NIDA research studies found contingency management programs have proven especially effective for treating stimulant use disorders, involving substances such as cocaine and methamphetamine, which currently have no proven FDA-approved medication treatments; and

Whereas, Despite its proven efficacy, according to the Journal of Health Affairs, one of the biggest barriers to contingency management programs is the argument voiced by some researchers, clinicians and other members of society that include criticisms likening the treatment approach to “bribery” and calling it “unethical to pay people for what they should be doing anyway”; and

Whereas, Others contend that it would be unlawful to provide contingency management to patients enrolled in health plans or programs funded by federal or state dollars; however, the Department of Health and Human Services Office of the Inspector General released an advisory opinion in 2008 that took the position that offering contingency management in conjunction with a specific treatment program does not violate anti-kickback statutes; and

Whereas, According to data collected by the New York City Department of Health and Mental Hygiene (DOHMH) there were 503 deaths due to unintentional drug poisoning or overdose confirmed during the third quarter of 2020 in New York City; and

Whereas, Given the recent increase of overdose deaths attributed to the uptick in substance misuse during the ongoing COVID-19 pandemic, and the well-documented devastation that untreated substance use disorders have on society; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, A.8356/S.7485, which would establish contingency management services for persons with substance use disorders to incentivize abstaining from opioids, stimulants and other substances.

Referred to the Committee on Health.

Int. No. 2481

By The Public Advocate (Mr. Williams).

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on police-civilian investigative encounters

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York, is amended by adding a new section 14-191 to read as follows:

§ 14-191 Report on investigative encounters. a. Definitions. For purposes of this section, the following terms have the following meanings:

Investigative Encounter. The term “investigative encounter” means an interaction between a member of the department and a member of the public for a law enforcement or investigative purpose.

Level I Encounter. The term “level I encounter” means an investigative encounter in which a member of the department requests information from a member of the public based on an objective credible reason, and need not necessarily require any suspicion of criminal activity.

Level II Encounter. The term “level II encounter” means an investigative encounter in which a member of the department requests explanatory information based on a founded suspicion that criminal activity is afoot, and in which a reasonable person would feel free to leave.

Level III Encounter. The term “level III encounter” means an investigative encounter in which a reasonable person would not feel free to disregard the member of the department and walk away.

b. Beginning July 1, 2021, and quarterly thereafter, the department shall submit to the mayor, the public advocate and speaker of the council, and shall post on its website, a report for the previous quarter regarding investigative encounters conducted by the department. Such report shall include, but need not be limited to, the following:

1. The total number of level I encounters;

2. The total number of level II encounters; and

3. The total number of level III encounters.

c. The information required pursuant to subdivision b of this section shall be disaggregated by the precinct where such encounter occurred and further disaggregated by each of the following:

1. The apparent race/ethnicity, gender, and age of the member of the public involved;

2. The factors leading to the investigative encounter;

3. Whether a criminal or civil summons was issued in connection with the encounter; and

4. Whether a use of force incident as defined in section 14-158 occurred in connection with the encounter.

d. The information required pursuant to this section shall be stored permanently and shall be accessible from the department’s website. The information shall be provided in a format that permits automated processing.

Each report shall include a comparison of the current reporting period to the prior four reporting periods, where such information is available.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Preconsidered Res. No. 1872

Resolution declaring December 8 as Sri Guru Tegh Bahadur Jee Day in the city of New York.

By Council Members Vallone and Louis (by request of the Mayor).

Whereas, Sri Guru Tegh Bahadur Jee, the ninth Guru of the Sikh religion, was born on April 1, 1621 in the city of Amritsar in the Indian state of Punjab; and

Whereas, Sri Guru Tegh Bahadur Jee composed 116 divine hymns that have been included in the holy religious scripture of Sikhism, the Sri Guru Granth Sahib, and which preach the message of unity and compassion; and

Whereas, Sri Guru Tegh Bahadur Jee undertook extensive tours of India to not only teach Sikhism, but to create awareness of human rights, social justice, secularism, and national unity; and

Whereas, Sri Guru Tegh Bahadur Jee emphasized democratic ideals in his religious practice, including the protection of the dharma, or moral law, which is the basis of Sikh tradition, resistance to tyranny, and respect and tolerance for all lifestyles; and

Whereas, Sri Guru Tegh Bahadur Jee advocated for religious freedom during the rule of Mughal Emperor Aurangzeb, and

Whereas, Sri Guru Tegh Bahadur Jee was publicly executed in 1675 for his opposition to religious persecution; and

Whereas, the declaration of December 8 as Sri Guru Tegh Bahadur Jee Day in the city of New York will commemorate one of the founders of the Sikh religion and advocate for religious freedom and human rights; now, therefore, be it

Resolved, That the city of New York declare December 8 as Sri Guru Tegh Bahadur Jee Day.

Adopted by the Council by voice-vote (preconsidered and approved by the Committee on Civil and Human Rights).

Int. No. 2482

By Council Member Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to limiting increases of occupancy fees for self-storage units and restricting the reasons for termination of an occupancy agreement

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 23 to read as follows:

*SUBCHAPTER 23
SELF-STORAGE FACILITIES*

§ 20-850 Definitions. For purposes of this subchapter, the following terms have the following meanings:

Occupancy agreement. The term “occupancy agreement” means any written agreement, electronic or printed, that establishes or modifies the terms, conditions, rules or any other provisions concerning the use and occupancy of a self-storage facility and any one or more individual storage spaces therein.

Occupancy fee. The term “occupancy fee” means the total of all upfront and recurring fees that an occupant is required to pay to the owner of a self-storage facility for occupancy of and access to a storage space at such self-storage facility, excluding any penalty fees, calculated on an annual basis.

Occupant. The term “occupant” means a person entitled to the use of the storage space at a self-storage facility under a written occupancy agreement or such person’s successor or assignee.

Self-storage facility. The term “self-storage facility” means any real property or a portion thereof that is designed and used for the purpose of occupying storage space by occupants who are to have access thereto for the purpose of storing and removing personal property.

§ 20-851 Occupancy fee increases. a. It shall be unlawful for any self-storage facility to increase the occupancy fee for any individual storage space at a rate greater than two percent per year so long as such storage space is occupied continuously by the same occupant.

b. This subchapter shall apply to all occupancy agreements in effect on or after the effective date of the local law that added this subchapter.

§ 20-852 Occupancy termination. It shall be unlawful for any self-storage facility to terminate any occupancy for any reason other than failure of the occupant to pay any fees required pursuant to the occupant’s occupancy agreement.

§ 20-853 Penalties and enforcement. a. Any person that violates any provision of this subchapter or any rule promulgated pursuant to this subchapter shall be subject to a civil penalty that shall not exceed \$2,500 per violation. Violations under this subchapter shall accrue on an annual basis for each storage space for which an occupant is charged an occupancy fee in violation of this subchapter or any rule promulgated pursuant to this subchapter. A proceeding to recover any civil penalty authorized pursuant to this subchapter may be brought in any tribunal established within the office of administrative trials and hearings or within any agency of the city designated to conduct such proceedings.

b. A civil action may be brought by the corporation counsel on behalf of the city in any court of competent jurisdiction to recover any or all of the following:

- 1. Any civil penalty authorized pursuant to this section;*
- 2. Injunctive relief to restrain or enjoin any activity in violation of this subchapter;*
- 3. Restitution of an amount not to exceed the amount of occupancy fees collected by a self-storage facility that exceeded the maximum amounts permitted pursuant to this subchapter; and*
- 4. Attorneys’ fees and costs, and such other remedies as a court may deem appropriate.*

c. The corporation counsel may initiate any investigation to ascertain such facts as may be necessary for the commencement of a civil action pursuant to this section, and in connection therewith shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents, to administer oaths and to examine such persons as are deemed necessary.

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

Referred to the Committee on Consumer Affairs and Business Licensing.

Int. No. 2483

By Council Member Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to the imposition of interest for the nonpayment of taxes on certain real property for the duration of the COVID-19 disaster emergency declared by the state.

Be it enacted by the Council as follows:

Section 1. Section 11-224.1 of the administrative code of the city of New York is amended by adding a new subdivision h to read as follows:

h. Notwithstanding any inconsistent provision of law or rule, beginning on March seventh, two thousand twenty and ending on the last day of the first month that commences after the expiration of the state disaster emergency declared by the governor in executive order number 202 issued on March 7, 2020 and extended thereafter, no interest shall be imposed on an unpaid installment of tax due and payable provided that the amount of tax owed on the subject property for the applicable tax year does not exceed one hundred thousand dollars.

§ 2. This local law takes effect immediately and is retroactive to and deemed to have been in effect as of March 7, 2020.

Referred to the Committee on Finance

Int. No. 2484

By Council Member Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to the campaign finance board creating and maintaining reporting system software for the conflicts of interest board with regards to legal defense trusts

Be it enacted by the Council as follows:

Section 1. Subdivision 7 of section 3-708 of the administrative code of the city of New York is amended by adding a new paragraph (c) to read as follows:

(c) The board shall develop computer software to facilitate the task of compliance with the disclosure and recordkeeping requirements of section 3-1103 and shall provide the conflicts of interest board with such technical assistance as is necessary to enable the conflicts of interest board to receive the reports required under section 3-1103.

§ 2. This local law takes effect immediately.

Referred to the Committee on Governmental Operations.

Int. No. 2485

By Council Member Yeger.

A Local Law to amend the New York city charter, in relation to removing the requirement for special elections for all municipal offices, except mayor, if the vacancy occurs within 190 days or less of the next primary election

Be it enacted by the Council as follows:

Section 1. Paragraphs 4, 5, 6, and 9 of subdivision c of Section 24 of the New York city charter, paragraph 4 as amended by a vote of the electors on November 7, 1989, are amended to read as follows:

4. If a vacancy occurs during the first three years of the term and on or before the last day in the third year of the term on which an occurring vacancy may be filled for the remainder of the unexpired term at a general election with party nominations of candidates for such election being made at a primary election, as provided in section 6-116 of the election law, a special or general election to fill the vacancy on an interim basis shall be

held, unless the vacancy occurs [less than ninety] *within 190 days or less* [before] of the next primary election at which party nominations for a general election to fill the vacancy may be made and on or before the last day on which an occurring vacancy may be filled for the remainder of the unexpired term at the general election in the same year in which the vacancy occurs with party nominations of candidates for such election being made at a primary election, as provided in section 6-116 of the election law.

5. If a vacancy occurs after the last day in the third year of the term on which an occurring vacancy may be filled for the remainder of the unexpired term at a general election in such year with party nominations of candidates for such election being made at a primary election, as provided in section 6-116 of the election law, but not less than [ninety] *190* days before the date of the primary election in the fourth year of such term, a special or general election to fill such vacancy for the remainder of the unexpired term shall be held

6. Elections held pursuant to paragraph four or five of this subdivision shall be scheduled in the following manner: A special election to fill the vacancy shall be held on the first Tuesday at least forty-five days after the occurrence of the vacancy, provided that the mayor, in the proclamation required by paragraph one of this subdivision, may schedule such election for another day no more than ten days after such Tuesday and not less than forty days after such proclamation if the mayor determines that such rescheduling is necessary to facilitate maximum voter participation; except that

(a) if the vacancy occurs before September twentieth in any year and the first Tuesday at least forty-five days after the occurrence of the vacancy is less than [ninety] *190* days before a regularly scheduled general election or between a primary and a general election, the vacancy shall be filled at such general election;

(b) if the vacancy occurs before September twentieth in any year and the first Tuesday at least forty-five days after the occurrence of the vacancy is after a regularly scheduled general election, the vacancy shall be filled at such general election; and

(c) if the vacancy occurs on or after September twentieth in any year and the first Tuesday at least forty-five days after the occurrence of the vacancy is after, but less than thirty days after, a regularly scheduled general election, the vacancy shall be filled at a special election to be held on the first Tuesday in December in such year.

9. If a vacancy occurs less than [ninety] *190* days before the date of the primary election in the last year of the term, the person elected at the general election in such year for the next succeeding term shall take office immediately upon qualification and fill the vacancy for the remainder of the unexpired term.

§ 2. Paragraphs 4, 5, 6, and 9 of subdivision b of Section 25 of the New York city charter, paragraphs 4 and 5 as amended by a vote of the electors on November 7, 1989, are amended to read as follows:

4. If a vacancy occurs during the first three years of a four-year term or in the first year of a two-year term and on or before the last day in the third year of such a four-year term or the first year of such a two-year term on which an occurring vacancy may be filled for the remainder of the unexpired term at a general election with party nominations of candidates for such election being made at a primary election, as provided in section 6-116 of the election law, a special or general election to fill the vacancy on an interim basis shall be held, unless the vacancy occurs [less than ninety days before] *within 190 days or less of* the next primary election at which party nominations for a general election to fill the vacancy may be made and on or before the last day on which an occurring vacancy may be filled for the remainder of the unexpired term at the general election in the same year in which the vacancy occurs with party nominations of candidates for such election being made at a primary election, as provided in section 6-116 of the election law.

5. If a vacancy occurs after the last day in the third year of a four-year term or the first year of a two-year term on which an occurring vacancy may be filled for the remainder of the unexpired term at a general election in each year with party nominations of candidates for such election being made at a primary election, as provided in section 6-116 of the election law, but not less than [ninety] *190* days before the date of the primary election in the fourth year of such a four-year term or the second year of such a two-year term, a special or general election to fill such vacancy for the remainder of the unexpired term shall be held.

6. Elections held pursuant to paragraph four or five of this subdivision shall be scheduled in the following manner: A special election to fill the vacancy shall be held on the first Tuesday at least forty-five days after the occurrence of the vacancy, provided that the mayor, in the proclamation required by paragraph one of this subdivision, may schedule such election for another day no more than ten days after such Tuesday and not less than forty days after such proclamation if the mayor determines that such rescheduling is necessary to facilitate maximum voter participation; except that

(a) if the vacancy occurs before September twentieth in any year and the first Tuesday at least forty-five days after the occurrence of the vacancy is less than [ninety] 190 days before a regularly scheduled general election or between a primary and a general election, the vacancy shall be filled at such general election;

(b) if the vacancy occurs before September twentieth in any year and the first Tuesday at least forty-five days after the occurrence of the vacancy is after a regularly scheduled general election, the vacancy shall be filled at such general election; and

(c) if the vacancy occurs on or after September twentieth in any year and the first Tuesday at least forty-five days after the occurrence of the vacancy is after, but less than thirty days after, a regularly scheduled general election, the vacancy shall be filled at a special election to be held on the first Tuesday in December in such year.

9. If a vacancy occurs [less than ninety days before] *within 190 days of* the date of the primary election in the last year of the term, the person elected at the general election in such year for the next succeeding term shall take office immediately upon qualification and fill the vacancy for the remainder of the unexpired term.

§ 3. Paragraphs 4, 5, 6, and 9 of subdivision e of Section 81 of the New York city charter, paragraph 4 as amended by a vote of the electors on November 7, 1989, are amended to read as follows:

4. If a vacancy occurs during the first three years of the term and on or before the last day in the third year of the term on which an occurring vacancy may be filled for the remainder of the unexpired term at a general election with party nominations of candidates for such election being made at a primary election, as provided in section 6-116 of the election law, a special or general election to fill the vacancy on an interim basis shall be held, unless the vacancy occurs [less than ninety days before] *within 190 days or less of* the next primary election at which party nominations for a general election to fill the vacancy may be made and on or before the last day on which an occurring vacancy may be filled for the remainder of the unexpired term at the general election in the same year in which the vacancy occurs with party nominations of candidates for such election being made at a primary election, as provided in section 6-116 of the election law.

5. If a vacancy occurs after the last day in the third year of the term on which an occurring vacancy may be filled for the remainder of the unexpired term at a general election in each year with party nominations of candidates for such election being made at a primary election, as provided in section 6-116 of the election law, but not less than [ninety] 190 days before the date of the primary election in the fourth year of such term, a special or general election to fill such vacancy for the remainder of the unexpired term shall be held.

6. Elections held pursuant to paragraph four or five of this subdivision shall be scheduled in the following manner: A special election to fill the vacancy shall be held on the first Tuesday at least forty-five days after the occurrence of the vacancy, provided that the mayor, in the proclamation required by paragraph one of this subdivision, may schedule such election for another day no more than ten days after such Tuesday and not less than forty days after such proclamation if the mayor determines that such rescheduling is necessary to facilitate maximum voter participation; except that

(a) if the vacancy occurs before September twentieth in any year and the first Tuesday at least forty-five days after the occurrence of the vacancy is less than [ninety] 190 days before a regularly scheduled general election or between a primary and a general election, the vacancy shall be filled at such general election; and

(b) if the vacancy occurs before September twentieth in any year and the first Tuesday at least forty-five days after the occurrence of the vacancy is after a regularly scheduled general election, the vacancy shall be filled at such general election; and

(c) if the vacancy occurs on or after September twentieth in any year and the first Tuesday at least forty-five days after the occurrence of the vacancy is after, but less than thirty days after, a regularly scheduled general election, the vacancy shall be filled at a special election to be held on the first Tuesday in December in such year.

9. If a vacancy occurs [less than ninety days before] *within 190 days or less of* the date of the primary election in the last year of the term, the person elected at the general election in such year for the next succeeding term shall take office immediately upon qualification and fill the vacancy for the remainder of the unexpired term.

§ 4. Paragraphs 4, 5, 6, and 9 of subdivision c of Section 94 of the New York city charter, paragraphs 4 and 6 as amended by a vote of the electors on November 7, 1989, are amended to read as follows:

4. If a vacancy occurs during the first three years of the term and on or before the last day in the third year of the term on which an occurring vacancy may be filled for the remainder of the unexpired term at a general

election with party nominations of candidates for such election being made at a primary election, as provided in section 6-116 of the election law, a special or general election to fill the vacancy on an interim basis shall be held, unless the vacancy occurs [less than ninety days before] *within 190 days or less of* the next primary election at which party nominations for a general election to fill the vacancy may be made and on or before the last day on which an occurring vacancy may be filled for the remainder of the unexpired term at the general election in the same year in which the vacancy occurs with party nominations of candidates for such election being made at a primary election, as provided in section 6-116 of the election law.

5. If a vacancy occurs after the last day in the third year of the term on which an occurring vacancy may be filled for the remainder of the unexpired term at a general election in each year with party nominations of candidates for such election being made at a primary election, as provided in section 6-116 of the election law, but not less than [ninety] *190* days before the date of the primary election in the fourth year of such term, a special election or general election to fill such vacancy for the remainder of the unexpired term shall be held.

6. Elections held pursuant to paragraph four or five of this subdivision shall be scheduled in the following manner: a special election to fill the vacancy shall be held on the first Tuesday at least forty-five days after the occurrence of the vacancy, provided that the mayor, in the proclamation required by paragraph one of this subdivision, may schedule such election for another day no more than ten days after such Tuesday and not less than forty days after such proclamation if the mayor determines that such rescheduling is necessary to facilitate maximum voter participation; except that

(a) if the vacancy occurs before September twentieth in any year and the first Tuesday at least forty-five days after the vacancy is less than [ninety] *190* days before a regularly scheduled general election or between a primary and a general election, the vacancy shall be filled at such general election; and

(b) if the vacancy occurs before September twentieth in any year and the first Tuesday at least forty-five days after the occurrence of the vacancy is after a regularly scheduled general election, the vacancy shall be filled at such general election; and

(c) if the vacancy occurs on or after September twentieth in any year and the first Tuesday at least forty-five days after the occurrence of the vacancy is after, but less than thirty days after, a regularly scheduled general election, the vacancy shall be filled at a special election to be held on the first Tuesday in December in such year.

9. If a vacancy occurs [less than ninety days before] *within 190 days or less of* the date of the primary election in the last year of the term, the person elected at the general election in such year for the next succeeding term shall take office immediately upon qualification and fill the vacancy for the remainder of the unexpired term.

§ 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.

Referred to the Committee on Governmental Operations.

Int. No. 2486

By Council Member Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to reports on exterior wall inspections

Be it enacted by the Council as follows:

Section 1. Section 28-302.4 of chapter 3 of title 28 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended to read as follows:

§ 28-302.4 Report of critical examination. The registered design professional shall [submit a written report to the commissioner] *complete a written report* within 60 days of completing the critical examination, but not

more than five years following [submission] *completion* of the preceding report of critical examination, certifying the results of such critical examination as either safe, unsafe or safe with a repair and maintenance program. The report shall clearly document the condition of the exterior walls and appurtenances thereof and shall include a record of all significant deterioration, unsafe conditions and movement observed as well as a statement concerning the watertightness of the exterior surfaces. Such report must be professionally certified by such registered design professional, *and shall be maintained by the building owner and the registered design professional for not less than 15 years and furnished upon request by the department. Within 60 days of completing the critical examination, the registered design professional shall notify the department in writing of any condition that such design professional has deemed safe with a repair and maintenance program.*

§ 2. Section 28-302.5 of chapter 3 of title 28 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended to read as follows:

§ 28-302.5 Repair of exterior walls, unsafe condition. Upon the notification to the department of an unsafe condition, the owner, the owner's agent or the person in charge shall immediately commence such repairs, reinforcements or other measures as may be required to secure public safety and to make the building's exterior walls or appurtenances thereof conform to the provisions of this code.

1. All unsafe conditions shall be corrected within 90 days of [filing] *completion* of the critical examination report.

2. The registered design professional shall reinspect the premises and file an amended report within two weeks after the repairs have been completed certifying that the unsafe conditions of the building have been corrected.

3. The commissioner may grant an extension of time of up to 90 days to complete the repairs required to correct an unsafe condition upon receipt and review of an initial extension application submitted by the registered design professional together with each additional documentation as may be prescribed by rule.

4. The commissioner may grant further extensions of time to complete the repairs required to remove an unsafe condition upon receipt and review of an application for a further extension submitted by the registered design professional together with such other documentation as may be prescribed by rule.

§ 3. Section 28-302.6 of chapter 3 of title 28 of the administrative code of the city of New York, as added by local law number 33 for the year 2007, is amended to read as follows:

§ 28-302.6 Safe condition with a repair and maintenance program. The registered design professional shall not [file a report of] *notify the department in writing of* a safe condition with a repair and maintenance program for the same building for two consecutive [filing] *inspection* periods unless the second such [report] *notification* is accompanied by his or her professional certification attesting to the correction of all conditions identified in the prior notification as requiring repair.

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

Referred to the Committee on Housing and Buildings.

Int. No. 2487

By Council Member Yeger.

A Local Law in relation to establishing a temporary program to resolve certain outstanding reports and associated unpaid civil penalties required by the department of buildings and reporting in relation thereto

Be it enacted by the Council as follows:

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

Civil penalty. The term “civil penalty” means a penalty that the department of buildings or the environmental control board has imposed on an owner for the failure to file or the late filing of a report, pursuant to title 28 of the administrative code of the city of New York or title 1 of the rules of the city of New York, which may or may not have been adjudicated by the environmental control board.

Owner. The term “owner” means any person, agent, firm, partnership, corporation or other legal entity, having a legal or equitable interest in, or control of, a building, structure, premises or equipment, pursuant to title 28 of the administrative code of the city of New York or title 1 of the rules of the city of New York.

Report. The term “report” means a report required by the department of buildings regarding a building, structure, premises or equipment, pursuant to title 28 of the administrative code of the city of New York or title 1 of the rules of the city of New York.

b. Temporary program to resolve outstanding reports and civil penalties. Notwithstanding any other provision of law to the contrary, the commissioner of finance shall establish a 1-year program for owners to resolve certain outstanding reports and any associated unpaid civil penalties. During such program, an owner may file outstanding reports, owed for the past 6 calendar years, and pay the department of finance the amount of \$500 per report to resolve such outstanding reports and any associated unpaid civil penalties.

c. Limitations of the temporary program. 1. An owner who is the subject of a criminal investigation relating to the building, structure, premises or equipment at issue, shall not be eligible to participate in the temporary program.

2. The provisions of the temporary program shall not apply to an immediately hazardous violation, as defined in title 28 of the administrative code of the city of New York or title 1 of the rules of the city of New York.

3. At the conclusion of the temporary program, the requirements for filing any report or the associated unpaid civil penalties that an owner has not resolved through such program shall continue to have full legal effect and enforceability, regardless of whether such owner could have resolved such requirement or civil penalties under such program.

d. Outreach regarding the temporary program. Beginning no later than 60 days prior to the effective date of this local law, and continuing monthly thereafter until the end of the temporary program, the commissioner of finance, in collaboration with the commissioner of buildings, shall conduct culturally appropriate outreach in the designated citywide languages, as defined in section 23-1101 of the administrative code of the city of New York, to increase owners’ awareness of, and participation in, such program. Such outreach shall include, but need not be limited to, posting information on the websites of the department of finance, the department of buildings and the 311 customer service center and conducting mailings and sending emails and text messages on the temporary program to owners.

e. Reporting required. No later than 180 days after the conclusion of the temporary program, the commissioner of finance, in collaboration with the commissioner of buildings, shall provide an analysis and summary on the success of such program to the mayor and the speaker of the council, and shall post such summary on the department of buildings’ website. The required summary shall include, but need not be limited to, the following:

1. The number of owners who participated in such program;
2. The number and types of outstanding reports that owners filed during such program;
3. The amount that owners paid to the department of finance to resolve any associated unpaid civil penalties during such program;
4. A description of any challenges with such program and the efforts made to address such challenges; and

5. Any recommendations for future such programs.

§ 2. This local law takes effect 90 days after it becomes law, except that subdivision d of section one of this local law takes effect immediately.

Referred to the Committee on Housing and Buildings.

Int. No. 2488

By Council Member Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to requiring 311 to provide information about notices of violation

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-305 to read as follows:

§ 23-305 *Notice of violation details. The department of information technology and telecommunications shall make available certain information about a notice of violation that has been issued by a city agency based on the name or address to which such notice of violation was issued. Such information shall be available on the 311 citizen service center website, telephone, and mobile device platforms and shall include, but not be limited to, the following:*

1. *Agency that issued such notice of violation;*
2. *Date that such notice of violation was issued;*
3. *If such notice of violation is alleged to have occurred in a building or on a property, the address of such building or property;*
4. *Ticket number associated with such notice of violation;*
5. *Status of such notice of violation, including hearing date, or if a default judgment has been issued by an administrative tribunal, if applicable;*
6. *The amount of the civil penalty associated with such notice of violation, including any interest accrued;*
and
7. *Any additional information provided on such notice of violation.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Technology.

Int. No. 2489

By Council Member Yeger.

A Local Law to amend the administrative code of the city New York, in relation to the penalty for violations of alternate side parking rules

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 19-203 of the administrative code of the city of New York, as amended by chapter 93 of the laws of 2002, is amended to read as follows:

b. To provide for penalties other than imprisonment for parking violations, provided however, that monetary penalties shall not exceed fifty dollars for each parking violation, provided that monetary penalties shall not exceed one hundred dollars for each parking violation committed in a space where stopping or standing is prohibited and provided, further, that monetary penalties shall not exceed one hundred fifty dollars for each

handicapped parking violation, and provided further that monetary penalties shall not exceed thirty dollars for parking violations committed in violation of officially posted street cleaning rules;

§ 2. Chapter 2 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-216 to read as follows:

§ 19-216 *Refund of street cleaning penalties.* a. The commissioner of finance shall issue a partial refund of monetary penalties paid in connection with any summons issued on or after February 20, 2020 for parking in violation of officially posted street cleaning rules. The amount to be refunded shall consist of the amount paid in excess of the thirty-dollar maximum penalty for such a violation provided in subdivision b of section 19-203, excluding all associated surcharges and fees.

b. The commissioner of finance may promulgate any rules necessary to administer the provisions of this section.

§ 3. This local law takes effect immediately, and section one of this local law is retroactive to and deemed to have been in effect as of February 20, 2020.

Referred to the Committee on Transportation.

Res. No. 1873

Resolution to amend chapter II of the Rules of the Council in relation to a prohibition against using funds from operating expenses for certain travel expenses

By Council Member Yeger.

Rule 2.60 of the Rules of the Council of the City of New York is amended by adding 2.60.b to read as follows:

2.60. Council Members' Operating Expenses - The amounts allocated in the Council budget for the operation of individual members' offices shall be the same for each member. The Speaker may not reduce such amount for any member unless all members are subject to the same reduction. The Speaker may not supplement the amount available to any member through direct or indirect payment, provided that the Speaker may, with notice to all members, supplement the amount available to an individual Councilmember in cases of special need. It is the intent of the body that the total amount allocated for the operation of individual members' offices shall be reasonable in proportion to the amount allocated for central staff.

b. No city funds appropriated to the Council shall be used by the Speaker, a Council Member or Council central staff for expenses related to travel, lodging or meals outside the confines of the City of New York, unless such travel shall have been approved in advance by the Conflicts of Interest Board. In the event the Conflicts of Interest Board approves of such travel outside the confines of the City of New York, a Council Member may use funds allocated in the Council budget for the operation of the individual Council Member's office for the payment of such expenditures, without further approval, except as provided in this rule.

Referred to the Committee on Rules, Privileges and Elections.

Res. No. 1874

Resolution to amend chapter II of the Rules of the Council in relation to limiting the salaries of Council employees.

By Council Member Yeger.

2.95. Council Staff Salaries – No employee of the Council shall be paid a salary that is equal to or greater than the base salary paid to a Council Member. Any employee being paid a salary equal to or greater than the

base salary paid to a Council Member at the time of the adoption of this Rule shall have such salary reduced to an amount that complies with this Rule, within sixty days of adoption.

Referred to the Committee on Rules, Privileges and Elections.

Res. No. 1875

Resolution to amend chapter II of the Rules of the Council, in relation to restricting approval of earning outside earned income to the Conflicts of Interest Board.

By Council Member Yeger.

2.85. Outside Earned Income – Members may not receive outside earned income. Outside earned income means income other than the Council salary and benefits of a member, except that such term does not include (1) investment income, including but not limited to interest, dividends, rents, annuities and capital gains; (2) compensation for personal services actually rendered before the adoption of this rule or before such individual became a member; (3) income received from a pension or retirement account, or from social security; (4) copyright royalties received under usual and customary contractual terms; (5) compensation for speaking engagements or artistic performance, with advance approval by the conflicts of interest board; (6) income received for teaching a course of instruction at an established academic institution for which students receive credit, so long as such compensation does not exceed that normally received by others at the institution for a comparable type and amount of instruction; and (7) with advance approval by the [Office of General Counsel] Conflicts of Interest Board, minimal earned income from activity involving only a limited time commitment, and which does not interfere with the performance of official duties. Any income received by a member shall be subject to the requirements of chapter 68 of the charter. Until January 1, 2018, the provisions of this rule do not apply to any member who submits a letter to the Speaker no later than March 1, 2016 stating that such member has received outside income during the Council's 2014-2017 session and intends to continue to receive outside earned income.

Referred to the Committee on Rules, Privileges and Elections.

L.U. No. 958

By Council Member Salamanca:

Application No. C 210453 ZSM (415 Madison Avenue) submitted by 415 Madison Avenue LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 81-645 of the Zoning Resolution to allow an increase in the amount of floor area ratio permitted on a qualifying site where an above-grade public concourse, in the form of an open publicly accessible space is provided, in connection with a proposed commercial building, on property located at 415 Madison Avenue (Block 1284, Lot 21), in a C5-3 District, within the Special Midtown District (Southern Subarea), Borough of Manhattan, Community District , Council District 4.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

L.U. No. 959

By Council Member Salamanca:

Application No. C 210454 ZSM (415 Madison Avenue) submitted by 415 Madison Avenue LLC pursuant to Sections 197-c and 201 of the New York City Charter for, in conjunction with the related special permit pursuant to Section 81-645, the grant of a special permit pursuant to Section 81-685 of the Zoning Resolution, to modify: the height and setback requirements of Section 81-27 (Alternate Height and Setback Regulations – Daylight Evaluation), as modified by Section 81-66 (Special Height and Setback Requirements); the mandatory district plan elements of Section 81-42 (Retail Continuity Along Designated Streets); and the mandatory street wall requirements of Sections 81-43 (Street Wall Continuity Along Designated Streets) and 81-671 (Special Street Wall Requirements); in connection with a proposed commercial building, on property located at 415 Madison Avenue (Block 1284, Lot 21), in a C5-3 District, within the Special Midtown District (Southern Subarea), Borough of Manhattan, Community District , Council District 4.

Referred to the Committee on Land Use and the Subcommittee on Zoning & Franchises.

NEW YORK CITY COUNCIL

A N N O U N C E M E N T S

Wednesday, January 5, 2022

Charter Meeting

Council Chambers – City Hall..... – 12:00 p.m.

The following comments were among the remarks made by the Speaker (Council Member Johnson) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Johnson) acknowledged that these proceedings were his last as the Speaker of the Council. He noted the unprecedented challenges that the city had faced in the last four years. In response, he pointed out that the Council had passed a record breaking 719 bills in this legislative session. The Speaker (Council Member Johnson) spoke of a number of goals and accomplishments which were achieved by the Council during the last four years that would help change the face of the city for decades to come. He also praised each Council Members’ dedication in serving the constituents of their respective districts. The Speaker (Council Member Johnson) noted that it had been the privilege of a lifetime to serve as Speaker of the City Council and he was humbled by the work which was accomplished collectively together.

The Speaker (Council Member Johnson) wished to congratulate the New York City Football Club for winning the 2021 Major League Soccer Cup. He noted that this was the first MSL Championship in the Club’s history.

The Speaker (Council Member Johnson) acknowledged the presence on the floor of New York State Supreme Court Justice and former Council Member Andrew Cohen and former Council Member and former Assembly Member Mark Weprin. During the meeting, the presence of Assembly Member and former Council Member Erik Martin Dilan and former Council Member Kenneth K. Fisher was also acknowledged by Council Members in the Chambers.

The Speaker (Council Member Johnson) acknowledged that Senior Policy Analyst Nadia Johnson was leaving the Council. He thanked Ms. Johnson for her many contributions to Council efforts in creating and implementing a meaningful food policy and in encouraging a green and sustainable agenda. The Speaker (Council Member Johnson) wished her luck in her future endeavors.

The Speaker (Council Member Johnson) also acknowledged that Finance Division Senior Counsel Rebecca Chasan was leaving after serving seven and a half years with the Council. He thanked Ms. Chasan for her work on the budget and in particular with the capital budget process. He also thanked her for her work on legislation to help low income and vulnerable home owners. The Speaker (Council Member Johnson) wished Ms. Chasan the best of luck as those assembled applauded in appreciation.

The Speaker (Council Member Johnson) acknowledged that Amy Levitan was departing the Council after serving with the Council's Land Use Division for 36 years. He noted that Ms. Levitan literally worked on projects covering every neighborhood in the city and had been an incredible mentor to many staff members. The Speaker (Council Member Johnson) further noted that she was a trusted advisor to several Council Speakers as well as for hundreds of Council Members. He added that few people represented the profession of public service as well as Ms. Levitan had. The Speaker (Council Member Johnson) thanked Ms. Levitan for her contributions to the city and the Council as those assembled applauded in appreciation.

The Speaker (Council Member Johnson) acknowledged that Land Use General Counsel Julie Lubin was leaving after serving with the Council for six years. He noted that Ms. Lubin had worked tirelessly in navigating the complicated legal issues pertaining to land use. He further noted that she had worked on many projects including East Midtown Rezoning, the creation of MIH, and the closure of Rikers Island. The Speaker (Council Member Johnson) thanked Ms. Lubin as those assembled applauded in appreciation.

The Speaker (Council Member Johnson) acknowledged that Finance Director Latonia McKinney was departing the Council. He noted that she had served 23 years with the Council under five Speakers. He spoke of how Ms. McKinney had started as a Finance analyst in 1998 and eventually worked her way up to Finance Director which was a position she held for eight years. The Speaker (Council Member Johnson) noted how she had helped each Council Member individually with their budget priorities and discretionary allocations. He praised Ms. McKinney on her role in ensuring that a fair, balanced, equitable, and responsible budget was passed each year. The Speaker (Council Member Johnson) expressed the Council's deep gratitude for her service and he thanked Ms. McKinney for her work as those assembled applauded in appreciation.

The Speaker (Council Member Johnson) acknowledged and thanked the hundreds of staff members at City Hall and at the Council district offices across the city. He particularly thanked the following individuals: Chief of Staff for the Council Jason Goldman; Cecile Scott of the Speaker's Office; Sean Coughlin of the Speaker's Office; Deputy Chief of Staff Ebony Meeks; Genevieve Michaels of the Speaker's Office; Counsels Kelly Taylor and Jim Caras; Legislative Director Jeff Baker; Director of Policy Louis Cholden-Brown; Counsel Ed Atkin; Anthony Perez of the Speaker's Office; the Speaker's Council District Office 3 Director Matt Green; the Speaker's Council District Office 3 staff members Patrice Comerford, Laurie Hardjowirogo, and Jordan Feiner; and Director of Security Carl D'Alba. On behalf of the Council, the Speaker (Council Member Johnson) thanked every central staff member, every staff member working at the district offices, and anyone who had helped the Council over these past years. He wished everyone and their families a warm and safe holiday season and he hoped to see everyone very soon.

During the Discussion of General Orders segment of this meeting, the Public Advocate (Mr. Williams) participated remotely and spoke briefly in regard to the end of the legislative session. He thanked the Speaker (Council Member Johnson), the Majority Leader (Council Member Cumbo), his colleagues in government, and the staff for all of their work.

Whereupon on motion of the Speaker (Council Member Johnson), the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) adjourned these final proceedings of the 2018-2021 legislative session to meet again for the Charter Meeting of the new session on Wednesday, January 5, 2022.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

*Editor's Local Law Note: Int. Nos. 957-A, 1232-A, 1233-A, 1894-A, 2168-A, 2262-A, 2263-A, 2264-A, 2276-A, 2318-A, 2410-A, 2426-A, and 2427-A, all adopted at the November 10, 2021 Stated Meeting, were **returned unsigned by the Mayor** on December 13, 2021. These items had become law on December 11, 2021 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 141 to 153 of 2021, respectively.*

*Int. No. 2317-A, adopted by the Council at the December 15, 2021 Stated Meeting, and Int. No. 2442-A, adopted by the Council at the December 9, 2021 Stated Meeting, were **signed into law by the Mayor** on December 22, 2021 as, respectively, Local Law Nos. 154 and 155 of 2021.*

*Int. Nos. 139-A, 148-A, 150-A, 167-B, 903-A, 1392-A, 1487-A, 1635-A, 1784-A, 1891-A, 2253-A, 2277-A, 2279-A, 2312-A, 2405-A, 2422-A, 2448-A, and Preconsidered Int. No. 2456, all adopted at the November 23, 2021 Stated Meeting, were **returned unsigned by the Mayor** on December 23, 2021. These items became law on December 24, 2021 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 156 to 173 of 2021, respectively.*

***Editor's End of Session Note:** This Stated Meeting marks the end of the Council's proceedings for the 2018-2021 legislative session. Any and all items that were laid over by the Council at the December 15, 2021 Stated Meeting and any and all items that remained in committee as of December 31, 2021 are deemed to have died at the end of the legislative session. These aforementioned items are considered Filed and are designated as Filed (End of Session) in the Council's Legislative Tracking System.*

The following 32 Council Members departed the Council as of December 31, 2021: Council Members Ampry-Samuel, Barron, Cabrera, Chin, Cornegy, D. Diaz, R. Diaz, Dromm, Eugene, Gibson, Gjonaj, Grodenchik, Kallos, Koo, Koslowitz, Lander, Levin, Levine, Maisel, Menchaca, Miller, Perkins, Reynoso, Rodriguez, Rose, Rosenthal, Treyger, Ulrich, Vallone, Van Bramer, the Majority Leader (Council Member Cumbo,) and The Speaker (Council Member Johnson).

