

HE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Wednesday, December 20, 2023, 3:04 p.m.

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

Council Members

Adrienne E. Adams, *The Speaker*

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

Absent: Council Members Kagan and Ung;
Medical Leave: Council Members Gennaro and Mealy.

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

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

There were 47 Council Members marked present at this Stated Meeting held in the Council Chambers at City Hall, New York, N.Y. (including Council Members Hanks, Louis, Mealy, and Moya who participated remotely).

The Public Advocate (Mr. Williams) also was in attendance at this Stated Meeting.

INVOCATION

The Invocation was delivered by Bishop Darue Bryant, The Bible Church of Christ Inc., located at 1358 Morris Avenue, The Bronx, N.Y. 10450.

Distinguished Council Men and Women
and honored guests,
it is a privilege and honor
to be here before you today to do this Invocation.

Let us bow our heads, please.

Heavenly Father,
Our Father who art in heaven,
as we gather today
on the threshold of the new year,
let us join in unity,
transcending the turbulence of global conflicts,
anchoring our focus on fortifying
the bonds within our community.
Let us foster an environment
of unwavering solidarity,
keeping fervent prayers for global peace
while dedicating ourselves
to contemporary and proactive solutions
as we address the challenges
that have plagued our municipality.

Our Father, consider our city,
a tapestry of diversity and ambition,
[which] faces entrenched issues
that demand our collective resolve
from homelessness to the pursuit of affordable housing;
from battling domestic abuse
to innovative mental and health resources;
from education reforms to nurturing
safe spaces for our unattended children;
from violence and thoughtfulness
to assisting our seniors;
and empowering low income families
with healthy food options;
and opportunities for the creation
of new small businesses.
These are not merely just hurdles,
but rather these are calls to action
demanding our united efforts.

In these Chambers,
where decisions mold our City's destiny,
our gratitude extends to our Mayor,
Borough Presidents, and dedicated Council Members.
Also, to the newly elected officials,
your responsibility to champion truth
guided by morality and love
is both an honor and sacred duty
as you represent your constituents.
Let our actions today, and in the coming year,
be guided by an unwavering commitment
to morality, ethics, and love.

Our faith based organizations:
let us set aside differences
and stand together ecumenically
laboring with our communities,
casting aside cultural divides and biases,
embarking together on the pursuit of common purpose,
as we look forward possessing an unbreakable unity
surpassing the dividing and fostering
an atmosphere where progress thrives.

Oh, Heavenly Father, with humility and with faith,
we invoke divine guidance upon this meeting,
may decisions be made in decency and in order,
echoing the voice of compassion and justice for all.
Let unity prevail over division,
love over hate, peace over conflict,
as we speak these aspirations into existence,
invoking blessings in the name of the Holy Son,
my Lord and Savior and the Savior of others,
Jesus Christ, we pray,
Amen.

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

ADOPTION OF MINUTES

Council Member Brannan moved that the Minutes of the Stated Meeting of December 6, 2023 be adopted as printed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-182

Communication from the Office of Management & Budget - Transfer City funds between various agencies in Fiscal Year 2024 to implement changes to the City's expense budget, pursuant to Section 107(b) of the New York City Charter (MN-1).

December 7, 2023

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(b) of the New York City Charter, I request your approval to transfer City funds between various agencies in fiscal year 2024 to implement changes in the City's expense budget.

This modification (MN-1) will implement expense budget changes which were reflected in the City's November Financial Plan and adjustments in the Independent Budget Office and the Department of Emergency Management. 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 FY 2024 Adopted Budget.

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

Your approval of modification MN-1 is respectfully requested.

Sincerely,

Jacques Jiha, Ph.D
Director

(For text of the MN-1 numbers along with Appendix A and B, please refer to the attachment section of [the M-182 of 2023 file](https://council.nyc.gov/) on the legislation section of the New York City Council website at <https://council.nyc.gov/>.)

Referred to the Committee on Finance.

M-183

Communication from the Office of Management & Budget - Appropriation of new City revenues in Fiscal Year 2024, pursuant to Section 107(e) of the New York City Charter (MN-2).

December 7, 2023

TO THE CITY COUNCIL

Dear Council Members:

In accordance with Section 107(e) of the New York City Charter, I seek your approval to appropriate new City revenues in fiscal year 2024 in the amount of \$776.3 million.

This modification (MN-2) implements revenue budget changes reflected in the City's November Financial Plan. The \$776.3 million of new revenues will be used to partially pay for Department of Education Carter Cases and prepay fiscal year 2025 debt service in fiscal year 2024.

Your approval of modification MN-2 is respectfully requested.

Sincerely,

Jacques Jiha, Ph.D.
Director

(For text of the MN-2 numbers including MN-2 Changes in Revenue by Agency and Source, please refer to the attachment section of [the M-183 of 2023 file](https://council.nyc.gov/) on the New York City Council website at <https://council.nyc.gov/>.)

Referred to the Committee on Finance.

M-184

Communication from the Board of Elections - The Commissioners of Elections at their meeting held on December 5, 2023 certified the November 7, 2023 General Election for Members of the City Council.

(For text of individual certificates, please refer to the attachment section of [the M-184 of 2023 file](https://council.nyc.gov/) in the legislation section of the New York City Council website at <https://council.nyc.gov/>)

Received, Ordered, Printed and Filed.

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Civil and Human Rights

Report for Int. No. 632-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 prohibiting housing discrimination on the basis of criminal history.

The Committee on Civil and Human Rights, to which the annexed proposed amended local law was referred on August 11, 2022 (Minutes, page 1014), respectfully

REPORTS:

I. INTRODUCTION

On December 20, 2023, the Committee on Civil and Human Rights, chaired by Council Member Nantasha Williams, held a vote on Proposed Introduction No. 632-A, sponsored by Council Member Keith Powers, in relation to prohibiting housing discrimination on the basis of criminal history. The Committee heard a previous version of the bill on December 8, 2022. Testimony from those in attendance at hearing, as well as ongoing feedback, has informed the amendments to these bills. The bill passed with 5 votes in the affirmative, 0 votes in the negative and no abstentions.

II. BACKGROUND

a. Housing stability and public safety

In 2022, over 1.5 million people were incarcerated in federal or state prisons in the United States—a population four times larger than in 1980.¹ This has left one in three people in the United States with a criminal record.² Members of marginalized communities such as communities of color, LGBTQIA+, and those with histories of mental illness are disproportionately incarcerated.³ In New York, 2.3 million people have a criminal record of some kind⁴ and approximately 750,000 New York City residents have a criminal conviction.⁵ Where criminal background checks are required as part of tenant application processes, these individuals can struggle to find housing.

The societal barriers to reintegration created by prior justice involvement implicate intersectional and structural inequities.⁶ For example, while Black Americans make up about 13 percent of the U.S. population,

¹ Americans with Criminal Records. THE SENTENCING PROJECT. (Aug. 2022) Available at <https://www.sentencingproject.org/app/uploads/2022/08/Americans-with-Criminal-Records-Poverty-and-Opportunity-Profile.pdf>

² Americans with Criminal Records. THE SENTENCING PROJECT. (August 2022) Available at <https://www.sentencingproject.org/app/uploads/2022/08/Americans-with-Criminal-Records-Poverty-and-Opportunity-Profile.pdf>

³ Americans with Criminal Records. THE SENTENCING PROJECT. (Aug. 2022) Available at <https://www.sentencingproject.org/app/uploads/2022/08/Americans-with-Criminal-Records-Poverty-and-Opportunity-Profile.pdf>

⁴ The Clean Slate Act Can Build a More Prosperous New York. THE BRENNAN CENTER FOR JUSTICE. (Jan. 14, 2022) Available at <https://www.brennancenter.org/our-work/research-reports/clean-slate-act-can-build-more-prosperous-new-york#:~:text=More%20than%202.3%20million%20New,criminal%20record%20of%20some%20kind.>

⁵ Zaveri, Mihir. *Criminal Background Checks May Be Banned in N.Y.C. Housing Applications*. NEW YORK TIMES. (Aug. 9, 2022) Available at <https://www.nytimes.com/2022/08/09/nyregion/criminal-background-checks-nyc-housing.html>.

⁶ Fair Chance Ordinances - An Advocate's Toolkit. NATIONAL HOUSING LAW PROJECT. Available at https://www.nhlp.org/wp-content/uploads/021320_NHLP_FairChance_Final.pdf.

they are incarcerated at a rate of 2,306 per every 100,000 people.⁷ Comparably, white people in the United States are incarcerated at a rate of 450 per every 100,000 people.⁸ As it stands, Black people make up 38 percent of the prison or jail population in the U.S., despite only making up 13 percent of the overall population in the country.⁹ New York, in particular, has an incarceration rate of 443 per 100,000 people.¹⁰ While Black and Latinx people represent 16 percent and 18 percent of New York's population, respectively, they are incarcerated at a disproportionate rate of 53 percent and 22 percent.¹¹ Furthermore, socioeconomic background also appears to play a role in the rate of incarceration.

Inequities in the justice system subsequently translate into housing inequities.¹² Nationwide, formerly incarcerated people are ten times as likely to become homeless after release from jail or prison as those without a criminal record.¹³ Nearly three times as many are housing insecure, meaning that they only have access to "marginal" housing options that require frequent moves.¹⁴ A recent survey of formerly incarcerated people and their families found that 79 percent of participants were denied housing due to either their own or a loved one's criminal record.¹⁵ In New York City, 11 percent of single adults entering shelters cite release from jail or prison as the reason for their homelessness and more than 40 percent of those returning from state prisons—over 22,000 individuals—were released directly to shelters between 2015 and 2021.¹⁶ Other New Yorkers who have served their time are kept in the correctional system beyond their scheduled release dates because they are unable to find a place to live.¹⁷

For individuals exiting the justice system, a lack of stable housing creates a formidable barrier to reintegration and can perpetuate the cycle of criminality if not addressed. Poverty and lack of access to housing are among the strongest predictors of recidivism.¹⁸ The inverse is also true: interventions that provide housing have been shown to reduce recidivism.¹⁹ For example, a study by the Urban Institute found that access to stable

⁷ *Race and Ethnicity*. PRISON POLICY INITIATIVE. (Nov. 8, 2022) Available at: https://www.prisonpolicy.org/research/race_and_ethnicity/.

⁸ *Race and Ethnicity*. PRISON POLICY INITIATIVE. (Nov. 8, 2022) Available at: https://www.prisonpolicy.org/research/race_and_ethnicity/.

⁹ *Race and Ethnicity*. PRISON POLICY INITIATIVE. (Nov. 8, 2022) Available at: https://www.prisonpolicy.org/research/race_and_ethnicity/.

¹⁰ *New York Profile - Prison Policy Initiative*. PRISON POLICY INITIATIVE. Available at <https://www.prisonpolicy.org/profiles/NY.html>.

¹¹ *Id.*; see also Becca Cadoff et al., *Criminal Conviction Records in New York City (1980-2019)*, Data Collaborative for Justice, <https://datacollaborativeforjustice.org/work/racial-justice/criminal-conviction-records-in-new-york-city-1980-2019/>.

¹² HUD Office of Policy Development & Research, *Tenant Screening With Criminal Background Checks: Predictions And Perceptions Are Not Causality* (2022) (finding that housing providers selectively mention criminal background and credit checks to applicants of color, and that white women applicants received preferential treatment to comparable black women applicants), <https://www.huduser.gov/portal/pdredge/pdr-edge-fm-asst-sec-051722.html>; see also, e.g., Britny J. McKenzie & Evan Dash, *Criminal Legal Records: An Impediment to Housing Choice* (2023), FAIR HOUSING JUSTICE CTR. ("Fair housing investigations regularly reveal that the denial of housing based on conviction records is often a proxy for denying people based on race and national origin."), <https://fairhousingjustice.org/policy/criminal-legal-records-an-impediment-to-housing-choice/>. For example, a 2015 study in New Orleans found that when housing providers implemented criminal background policies that were discretionary, ambiguous, or used a "case-by-case" tenant evaluation process, the outcomes favored white renters 55 percent of the time. See Maxwell Ciardullo, *Criminal Background Checks: A Pretext for Housing Discrimination* (2015), VERA INSTITUTE OF JUSTICE, <https://vera.org/news/criminal-background-checks-a-pretext-for-housing-discrimination>.

¹³ Lucius Couloute, *Nowhere to Go: Homelessness Among Formerly Incarcerated People*, Aug. 2018, Prison Policy Initiative, <https://www.prisonpolicy.org/reports/housing.html#:~:text=In%20this%20report%2C%20we%20provide,homeless%20than%20the%20general%20public>.

¹⁴ *Id.*

¹⁵ Saneta deVuono-powell, Chris Schweidler, Alicia Walters, and Azadeh Zohrabi. *Who Pays? The True Cost of Incarceration on Families*. Oakland, CA: Ella Baker Center, Forward Together, Research Action Design. (2015) Available at <https://whopaysreport.org/wp-content/uploads/2015/09/Who-Pays-FINAL.pdf>.

¹⁶ Jacquelyn Simone, e, Vera Institute for Justice, <https://perma.cc/5LRS-KZGR?type=standard>.

¹⁷ *Id.*

¹⁸ See, e.g., Benjamin Steiner et al., *Examining the Effects of Residential Situations and Residential Mobility on Offender Recidivism*, CRIME & DELINQUENCY Vol. 61(3) (2015), <https://doi.org/10.1177/0011128711399409>; Valerie A. Clark et al., *Predicting Two Types of Recidivism Among Newly Released Prisoners: First Addresses as "Launch Pads" for Recidivism or Reentry Success*, CRIME & DELINQUENCY 62(10) (2016), <https://doi.org/10.1177/0011128714555760>.

¹⁹ E.g., F.E. Lutze et al., *Homelessness and reentry: A multisite outcome evaluation of Washington State's reentry housing program for high risk offenders*, CRIMINAL JUSTICE & BEHAVIOR, 41(4) (2014), <https://s3.wp.wsu.edu/uploads/sites/436/2014/11/Criminal-Justice-and-Behavior-2014-Lutze-471-91.pdf>; David S. Kirk et al., *The Impact of Residential Change and Housing Stability on Recidivism: Pilot Results from the Maryland Opportunities through Vouchers Experiment (MOVE)*, E 14(2) (2018), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5993842/>.

housing reduced recidivism by 40%; similarly, after Milwaukee County, Wisconsin instituted a stable housing policy for individuals exiting prison, the county documented an 82% decrease in municipal violations.²⁰

b. Preventing discrimination in housing

The use of criminal background checks in evaluating tenants, while widespread among private housing providers, has not been shown to be useful in predicting tenant success.²¹ Studies have also shown that criminal and credit background checks can produce false, unverified, incomplete, or misleading information and may show sealed, expunged, or obsolete records.²² In addition, housing providers often reject applicants on the basis of conclusory background checks that recommend denial without providing access to the underlying records or information that led to that recommendation.²³ At the same time, many landlords report that they would consider a potential tenant with a prior conviction if shown evidence of rehabilitation or other mitigating information.²⁴

One way to address challenges faced by justice-involved individuals is through the enactment of state or local laws that regulate how criminal records may be considered while requiring individualized evaluations. In 2015, the City Council passed the Fair Chance Act (Local Law 63 of 2015) to increase access to employment opportunities for those with criminal records by requiring employers to evaluate applicants based on other qualifications prior to conducting a criminal background check. This law has enabled job applicants with convictions the opportunity to provide additional context for potential employers when applying for jobs.²⁵ In a similar vein, Int. 632-A would prohibit landlords, real estate brokers or their agents from making any type of criminal history inquiry into an applicant's background until after the applicant has been conditionally approved based on other criteria. San Francisco, Detroit, the District of Columbia, and Cook County in Illinois have all enacted such laws.²⁶ At the state level, New Jersey enacted the Fair Chance in Housing Act, to improve access to housing and reduce recidivism and Colorado restricts owners from reviewing criminal convictions that are older than five years.²⁷ While New York Governor Kathy Hochul has proposed restrictions on criminal background checks in housing, legislation to this effect has not been enacted by the state.²⁸

While there is some variation, these laws generally limit the amount of information that landlords can use when considering an applicant: for example, criminal history that is irrelevant to a tenancy, is significantly old

²⁰ Kimberly Burrowes, *Can Housing Interventions Reduce Incarceration and Recidivism?*, Feb. 27, 2019, <https://housingmatters.urban.org/articles/can-housing-interventions-reduce-incarceration-and-recidivism>.

²¹ HUD Office of Policy Development & Research, *Tenant Screening With Criminal Background Checks: Predictions And Perceptions Are Not Causality* (2022), <https://www.huduser.gov/portal/pdredge/pdr-edge-frm-asst-sec-051722.html>. See also, e.g., Alice Perez, Chancellor's Office, California Community Colleges, *Education Services and Support Division Policy Guidance*, at 5–6 (Feb. 8, 2019); Jenny Roberts, *Expunging America's Rap Sheet in the Information Age*, 2015 WIS. L. REV. 321, 336–37 & n.95 (2015); Rebecca Oyama, *Do Not (Re)enter: The Rise of Criminal Background Tenant Screening as a Violation of the Fair Housing Act*, 15 MICH. J. RACE & L. 181, 213–14 & n.183 (2009).

²² Ariel Nelson, *Broken Records Redux: How Errors by Criminal Background Check Companies Continue to Harm Consumers Seeking Jobs and Housing* (2019), Nat'l Consumer Law Ctr., <https://www.nclc.org/wp-content/uploads/2022/09/report-broken-records-redux.pdf>.

²³ E.g., *Connecticut Fair Hous. Ctr. v. Corelogic Rental Prop. Sols., LLC*, 369 F. Supp. 3d 362, 367 (D. Conn. 2019); see also Nelson, *Broken Records Redux*, *supra* note 24 at 12–15.

²⁴ Lynn M. Clark et al., *Landlord Attitudes Toward Renting to Released Offenders*, 71 Fed. Probation J. 1 (2007), https://www.uscourts.gov/sites/default/files/71_1_4_0.pdf.

²⁵ Shelle Shimizu, *Beyond the Box: Safeguarding Employment for Arrested Employees*, Yale Law J. Blog, Oct. 20, 2018, https://www.yalelawjournal.org/forum/beyond-the-box#_ftnref40.

²⁶ Office of Policy Development and Research. *Tenant Screening With Criminal Background Checks: Predictions And Perceptions Are Not Causality*. DEPT. OF HOUSING AND URBAN DEVELOPMENT. (May 17, 2022) Available at <https://www.huduser.gov/portal/pdredge/pdr-edge-frm-asst-sec-051722.html>; *Ban the Box and Beyond: How to Comply with State Laws and Local Ordinances*. RENT MANAGER, (Sept 25, 2019) <https://www.rentmanager.com/ban-the-box-and-beyond-how-to-comply-with-state-laws-and-local-ordinances/>.

²⁷ *Fair Chance in Housing Act*. N.J.S.A. §§ 46:8-52 to 46:8-54. Available at https://www.njoag.gov/wp-content/uploads/2021/12/Fair-Chance-in-Housing-Act_NJSA-46-8-52-et-seq.pdf; see also Klazema, Michael. *Colorado Enacts New Restrictions on Tenant Background Checks*. BackgroundChecks.com. (May 9, 2019) Available at <https://www.backgroundchecks.com/blog/colorado-enacts-new-restrictions-on-tenant-background-checks>.

²⁸ Cavanaugh, Suzannah. *Hochul aims to stop landlords' knee-jerk rejections of ex-cons*. The Real Deal. (Jan. 11, 2022) Available at <https://therealdeal.com/2022/01/11/hochul-aims-to-stop-landlords-knee-jerk-rejections-of-ex-cons/>

or outdated, or relates to non-conviction offenses. Limiting the scope of what a landlord can consider would expand the pool of housing that is available to previously justice-involved tenants.

III. BILL ANALYSIS

a. Int. 632-A - A Local Law to amend the administrative code of the city of New York, in relation to prohibiting housing discrimination on the basis of criminal history

This bill amends the City’s Human Rights Law to prohibit housing discrimination on the basis of criminal history in rentals, sales, leases, subleases, or occupancy agreements in New York City, with limited exceptions for certain crimes that are considered “reviewable.” Landlords, owners, agents, employees, and real estate brokers (“covered entities”) would be prohibited from accessing information about an applicant or potential applicant’s criminal history except for this reviewable criminal history, and any criminal background check process must follow the fair housing process outlined in the bill.

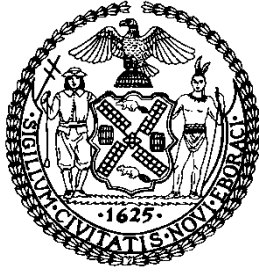
The fair housing process requires three stages. First, in the prequalification stage, an applicant is either rejected or receives a conditional offer based on criteria other than criminal history. Second, a covered entity may choose to conduct a background check; in that case, they must first notify the applicant and provide information about the fair housing process. Third, where a covered entity intends to reject or otherwise take adverse action against an applicant based on their reviewable criminal history, the covered entity must provide a copy of the reviewable criminal history that prompted the adverse action and any other information that the covered entity reviewed, and also allow the applicant 5 days to correct any errors in the record or provide additional information in support of their application. If the landlord, owner, agent, or broker still decides to go forward with the adverse action, they must provide a written explanation to the applicant of how the reviewable criminal history would affect a legitimate business interest, and also explain how any additional information provided by the applicant was taken into account.

Reviewable criminal history includes any registered sex offense, whether in New York or in another jurisdiction, as well as any misdemeanor or felony where less than 3 or 5 years, respectively, has passed from the date of release from prison. Where a conviction did not result in incarceration, it would be reviewable for 3 or 5 years after the date of conviction. Reviewable criminal history may never include non-convictions, sealed or expunged convictions, or adjudications for youth offenders or juvenile delinquency. A covered entity may be liable for relying on criminal history other than reviewable criminal history if it failed to take reasonable steps to ensure compliance with this legislation.

Covered entities would be able to take adverse actions against current occupants for reasons other than a person’s arrest record or criminal history, as long as they are complying with laws protecting victims of domestic violence, sex offenses, or stalking. This law does not apply where federal, state, or local laws, rules or regulations require exclusion based on criminal history or require a criminal background check for eligibility. This bill does not apply to two-family owner-occupied housing or rooms in owner-occupied housing. Covered entities would be immune from civil liability stemming solely from acts or omissions in compliance with this law.

This law takes effect January 1, 2025.

(The following is the text of the Fiscal Impact Statement for Int. No. 632-A:)



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

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

RICHARD LEE, FINANCE DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 632-A

COMMITTEE: Civil and Human Rights

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to prohibiting housing discrimination on the basis of criminal history.

SPONSOR(S): Council Member Powers, the Public Advocate (Mr. Williams), Council Members Rivera, Ayala, Williams, Sanchez, Hudson, Krishnan, Abreu, Brewer, Joseph, De La Rosa, Hanif, Restler, Gutiérrez, Riley, Bottcher, Cabán, Feliz, Stevens, Marte, Avilés, Narcisse, Richardson Jordan, Ossé, Nurse, Farías, Mealy, Barron, Louis, and Won (in conjunction with the Manhattan, Brooklyn, Bronx and Queens Borough Presidents).

SUMMARY OF LEGISLATION: Proposed Intro 632-A would prohibit housing discrimination on the basis of criminal history, with limited exceptions. Landlords, owners, brokers and other covered entities may not consider criminal record until after determining a housing applicant's other qualifications. These entities may consider registered sex offenses as well as misdemeanors and felonies for three and five years, respectively, after completion of a prison sentence. If an applicant is rejected because of this reviewable criminal history, the entity must provide a written explanation for why the rejection was due to a legitimate business interest. Additionally, the bill would not apply where federal, state or local laws, including laws protecting victims of domestic violence, sex offenses or stalking, require or permit exclusion based on criminal history. Furthermore, the bill would not apply to two-family owner-occupied housing or rooms in owner-occupied housing. Covered entities would not be liable under other laws for complying with this law.

EFFECTIVE DATE: This local law would take effect January 1, 2025.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2026

FISCAL IMPACT STATEMENT:

	Effective FY25	Succeeding FY26	Full Fiscal Impact FY26
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$700,000	\$1,400,000	\$1,400,000
Net	(\$700,000)	(\$1,400,000)	(\$1,400,000)

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 estimated that the enactment of this legislation would require the hiring of ten new staff and related costs for a public education campaign at the New York City Commission of Human Rights for a total annual cost of \$1.4 million.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

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

ESTIMATE PREPARED BY: Nia Hyatt, Senior Financial Analyst

ESTIMATE REVIEWED BY: Florentine Kabore, Unit Head
Eisha Wright, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was first introduced to the Council on August 11, 2022 as Intro. No. 632 and was referred to the Committee on Civil and Human Rights (the Committee). The legislation was considered by the Committee at a hearing held on December 8, 2022, and the bill was laid over. The legislation has been amended, and the amended version, Proposed Intro. No. 632-A will be considered by the Committee on December 20, 2023. Upon successful vote by the Committee, Proposed Intro. No. 632-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: 12/19/2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 632-A:)

Int. No. 632-A

By Council Member Powers, the Public Advocate (Mr. Williams), Council Members Rivera, Ayala, Williams, Sanchez, Hudson, Krishnan, Abreu, Brewer, Joseph, De La Rosa, Hanif, Restler, Gutiérrez, Riley, Bottcher, Cabán, Feliz, Stevens, Marte, Avilés, Narcisse, Richardson Jordan, Ossé, Nurse, Farías, Mealy, Barron, Louis and Won (in conjunction with the Manhattan, Brooklyn, Bronx and Queens Borough Presidents).

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting housing discrimination on the basis of criminal history.

Be it enacted by the Council as follows:

Section 1. The administrative code of the city of New York is amended by adding a new section 8-102a to read as follows:

8-102a. For purposes of paragraph (o) of subdivision 5 of section 8-107, the following terms have the following meanings:

Criminal background check. The term “criminal background check” means the following actions:

- 1. Asking an individual, orally or in writing, if they have a criminal history;*
- 2. Searching publicly available records, including through a third party, such as a consumer reporting agency, private database, or website, for information about an individual’s criminal history; or*
- 3. Otherwise gathering records or information relating to an individual’s criminal history.*

Criminal history. The term “criminal history” means an individual’s conviction history, non-convictions and excludable matters, and pending cases.

Excludable matters. The term “excludable matters” means:

1. A criminal action that was resolved in favor of an individual, including actions concluded in one of the following ways:

- (a) Termination in favor of the individual;
- (b) Adjudication as a youthful offender or for juvenile delinquency;
- (c) Conviction of a violation; or
- (d) Conviction that has been sealed;

2. Criminal charges pending for which a court has issued an adjournment in contemplation of dismissal pursuant to sections 170.55, 170.56, 210.46, 210.47, or 215.10 of the New York criminal procedure law, or pursuant to a comparable law of another jurisdiction that is in effect; and

3. A disposition of a criminal matter under federal law or the laws of another jurisdiction that results in a status comparable to what results from an “excludable matter” under New York law.

Pending case. The term “pending case” means a criminal accusation or an arrest based on a criminal accusation that has not yet been adjudicated to a verdict or dismissed at the time the criminal background check or analysis is conducted by a covered entity. An action that has been adjourned in contemplation of dismissal shall not be considered a pending case unless, prior to the time the criminal background check or analysis is conducted by a covered entity the order to adjourn in contemplation of dismissal is revoked and the case is restored to the calendar for further prosecution.

Reviewable criminal history. 1. The term “reviewable criminal history” means:

(a) Any conviction registered on the New York sex offense registry maintained by the state division of criminal justice services pursuant to section 168b of the New York corrections law, on the federal sex offense registry created pursuant to section 20902 of title 34 of the United States code, or on a register in any other jurisdiction for which an individual is required to register as a sex offender;

(b) Any other misdemeanor conviction under the laws of New York or another jurisdiction where less than three years have passed from (a) the date of release from incarceration, or (b) the date of sentencing for an individual who was not sentenced to a period of incarceration;

(c) Any other felony conviction under the laws of New York or another jurisdiction where less than five years have passed from (a) the date of release from incarceration, or (b) the date of sentencing for an individual who was not sentenced to a period of incarceration.

2. However, the term “reviewable criminal history” shall not include:

(a) Convictions that have been sealed, expunged, the subject of an executive pardon, the subject of a certificate of relief from disabilities, or otherwise legally nullified or vacated;

(b) Convictions in another jurisdiction for (i) having sought, obtained, provided, or facilitated reproductive or gender-affirming care, as defined in section 10-184.1 of the administrative code, outside the state of New York under circumstances where the conduct would have been lawful had it occurred in the state of New York; (ii) having engaged in “legally protected health activity” as defined in section 570.17 of the New York criminal procedure law; or (iii) conviction for the possession of cannabis that would not constitute a felony in the state of New York; or

(c) Excludable matters.

§ 2. Subdivision 5 of section 8-107 of title 8 of the administrative code of the city of New York is amended by adding a new paragraph (o) to read as follows:

(o) Protections based on criminal history; housing.

(1) It shall be an unlawful discriminatory practice for the owner, lessor, lessee, sublessee, assignee, or managing agent of, or other person having the right to sell, rent or lease or approve the sale, rental or lease of a housing accommodation, constructed or to be constructed, or an interest therein, or any agent or employee thereof, or any real estate broker or agent or employee thereof to:

(A) Refuse to sell, rent, lease, approve the sale, rental or lease or otherwise deny to or withhold from any individual such a housing accommodation or an interest therein because of such individual’s criminal history, other than an individual’s reviewable criminal history obtained and considered in conformity with this paragraph;

(B) Discriminate against any individual in the terms, conditions, or privileges of the sale, rental, or lease of any such housing accommodation or an interest therein or in the furnishing of facilities or services in connection therewith, because of such individual’s criminal history;

(C) Represent to any individual that any housing accommodation or an interest therein is not available for inspection, sale, rental, or lease because of such individual's criminal history, except when consideration of such criminal history is permitted by, and the covered entity has complied with, the procedures required under this paragraph;

(D) Declare, print, or circulate, or cause to be declared, printed, or circulated, any statement, advertisement, or publication, or use any form of application for the purchase, rental or lease of such a housing accommodation or an interest therein, which expresses, directly or indirectly, any limitation, specification, or discrimination in housing because of an individual's criminal history; except as permitted under this paragraph; or

(E) Conduct a criminal background check in connection with the prospective purchase, or prospective or continuing rental or lease, of a housing accommodation, except where conducted in conformity with this paragraph.

(2) Nothing in subparagraph (1) shall prohibit a covered entity from taking any lawful adverse action against an individual, including a current occupant, for reasons other than such individual's criminal history, including acts of physical violence committed by such individual against other persons or property on the premises, or other acts that would adversely affect the health, safety, or welfare of other residents, nor shall such paragraph excuse a covered entity from complying with applicable laws relating to victims of domestic violence, sex offenses, or stalking.

(3) Nothing in subparagraph (1) shall:

(A) Prohibit a covered entity from making any statement, communication, advertisement, publication, or application that is required or specifically authorized by a federal, state or local law, rule, or regulation, provided that any such statement, communication, advertisement, publication, or application shall include a citation to the law, rule, or regulation that requires or permits such action;

(B) Prohibit a covered entity from denying a housing accommodation based on an individual's criminal history where such denial is required or specifically authorized by federal, state, or local law, rule, or regulation, provided that such covered entity shall provide such individual with notice of the law, rule, or regulation that requires or specifically authorizes such action and, where the law permits but does not require an adverse action, provided that such covered entity complies with the requirements of subparagraphs (4), (5), and (6) of this paragraph; or

(C) Prohibit a covered entity from conducting a criminal background check pursuant to any federal, state, or local law, rule, or regulation that requires or specifically authorizes a criminal background check for housing eligibility, provided that, where the law permits but does not require an adverse action, such covered entity complies with the requirements of subparagraphs (4), (5), and (6) of this paragraph.

(4) Preliminary determination and notice of criminal background check. Except where following this process would conflict with a requirement of federal or state law, rule, or regulation, a covered entity that intends to conduct a criminal background check of an individual in connection with a prospective purchase, or prospective or continuing rental or lease of a housing accommodation, shall not conduct such criminal background check until such covered entity has taken the following actions:

(A) In the case of a transaction involving the purchase of housing or shares in housing, the seller has accepted an offer and agreed in writing that the seller will not revoke the acceptance or change the conditions of the deal on the basis of the buyer's criminal history except as permitted by this paragraph;

(B) In the case of any other transaction involving lease or rental, the covered entity has provided to such individual a rental or lease agreement that commits the housing accommodation to the applicant, which may only be revoked based on a criminal background check conducted in accordance with the fair chance housing process set forth in subparagraph (5), or upon an unrelated material omission, misrepresentation, or change in the qualifications for tenancy that was not known at the time of the conditional offer;

(C) In all such cases, has provided such individual notice of such criminal background check and a written copy of the city's fair chance housing notice summarizing the rights in this paragraph, which shall be created and made publicly available by the commission.

(5) Fair chance housing process. After providing notice of a criminal background check, and prior to taking any adverse action because of an individual's reviewable criminal history, and except where such action conflicts with a requirement of federal or state law, rule, or regulation, the covered entity shall:

(A) Provide the applicant a written copy of:

(i) Any information or records about reviewable criminal history based on which the covered entity intends to take adverse action;

(ii) Any information about such individual's criminal history, other than their reviewable criminal history, that the covered entity received, even if the covered entity did not consider such information in making its determination; and

(iii) Provide notice that such individual may, no later than five business days following the receipt of such information, submit to the covered entity any information identifying errors in the criminal history information provided by the covered entity, and any supplemental or mitigating information in support of their application for purchase, rental, or lease.

(6) Adverse action based on reviewable criminal history. If, after conducting the fair chance housing process pursuant to subparagraph (5) of this paragraph, a covered entity considers taking adverse action because of an individual's reviewable criminal history, such covered entity shall first:

(A) Conduct an individualized assessment of the individual's reviewable criminal history and timely information submitted by such individual pursuant to subparagraph (5) of this paragraph; and

(B) Provide such individual with a written copy of the reason for the adverse action, including:

(i) A copy of supporting documents that were reviewed; and

(ii) A written statement of the reason for such adverse action, demonstrating: (i) how the individual's reviewable criminal history is relevant to a legitimate business interest of the property owner, and (ii) how any information submitted in support of such individual's tenancy was taken into account.

(7) If a covered entity utilizes a third party to conduct a consumer background check or criminal background check on their behalf, such covered entity shall take reasonable steps to ensure that such check is conducted consistent with the provisions of this paragraph. Except where a covered entity's actions are required or authorized pursuant to federal, state, or local law, a covered entity may be liable for relying on criminal history other than reviewable criminal history if the covered entity failed to take reasonable steps to ensure compliance with this paragraph. Where a covered entity knowingly receives criminal history information other than reviewable criminal history information, such receipt creates a rebuttable presumption that the covered entity relied on such information in violation of this paragraph, which such covered entity may rebut by affirmatively showing that they complied with the fair housing process described in subparagraphs (4), (5), and (6) and did not rely on such information in making a determination about a sale, rental, or lease.

(8) This paragraph shall not apply to the sale or rental of:

(A) A housing accommodation, other than a publicly-assisted housing accommodation, in a building that contains housing accommodations for not more than two families living independently of each other, if the owner or members of the owner's family reside in one of such housing accommodations; or

(B) A room or rooms in a housing accommodation, other than a publicly-assisted housing accommodation, if such rental is by the occupant of the housing accommodation or by the owner of the housing accommodation and the owner or members of the owner's family reside in such housing accommodation.

(9) A covered entity shall be immune from liability in any civil action arising as a result of an alleged act of an individual with a criminal history based on the claim that the covered entity should not have sold, rented or leased, or otherwise granted a housing accommodation or an interest therein, to such individual or as a result of a covered entity's decision not to perform a criminal background check.

§ 3. This local law takes effect January 1, 2025.

NANTASHA M. WILLIAMS, Chairperson; RAFAEL SALAMANCA, Jr., RITA C. JOSEPH, CHRISTOPHER MARTE, KRISTIN RICHARDSON JORDAN; 5-0-0; Committee on Civil and Human Rights, December 20, 2023. Other Council Members Attending: The Majority Leader (Council Member Powers).

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

Report of the Committee on Civil Service and Labor

Report for Int. No. 563-A

Report of the Committee on Civil Service and Labor 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 creating a private right of action to enforce the provisions of the earned safe and sick time Act

The Committee on Civil Service and Labor, to which the annexed proposed amended local law was referred on July 14, 2022 (Minutes, page 1816), respectfully

REPORTS:**I. Introduction**

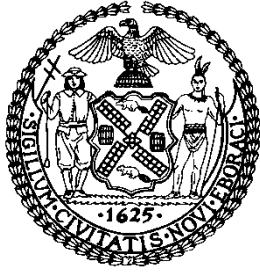
On December 20, 2023, the Committee on Civil Service and Labor, chaired by Council Member Carmen De La Rosa, will hold a vote on Int. No. 563-A, sponsored by Council Member Brewer, in relation to creating a private right of action to enforce the provisions of the earned safe and sick time act (ESSTA). The Committee held a hearing on the topic of safe and sick time for private and nonprofit sector workers on June 20, 2023, during which it heard testimony on Int. No. 563. Witnesses who testified at the hearing included representatives from the New York City Department of Consumer and Worker Protection (DCWP), local chambers of commerce, organized labor, workers' rights advocates, and other interested parties. On December 20, 2023, the Committee on Civil Service and Labor voted to pass Int. No 563-A with 8 votes in the affirmative, 0 votes in the negative, and 0 abstentions.

II. Legislative Analysis***a. Int. No. 563-A***

Int. No. 563-A would allow employees who are alleging a violation of their rights under ESSTA to commence a civil action in any court of competent jurisdiction. Filing a complaint with DCWP for the same alleged violation would be neither a prerequisite nor a bar to bringing a civil action. Employees alleging a violation of their rights under ESSTA would have two years from the date they knew or should have known of the alleged violation to commence a civil action or file a complaint with DCWP.

Since its introduction, this bill received edits that would allow DCWP to stay an investigation into an aggrieved employee's administrative complaint while a civil action for the same alleged violation is ongoing in a court of competent jurisdiction. Additionally, the bill received edits that would require DCWP to annually update its website with the number and nature of civil actions and investigations regarding alleged violations of ESSTA. This bill also received technical edits.

(The following is the text of the Fiscal Impact Statement for Int. No. 563-A:)



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

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

RICHARD LEE, FINANCE DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 563-A

COMMITTEE: Civil Service and Labor

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to creating a private right of action to enforce the provisions of the earned safe and sick time Act.

SPONSOR(S): By Council Members Brewer, Hanif, Cabán, Joseph, Nurse, Gutiérrez, Sanchez, Louis, Richardson Jordan, Avilés, Schulman, Hudson, Rivera, Riley, Farías, Menin, Ayala and Krishnan.

SUMMARY OF LEGISLATION: This bill would allow employees who are alleging a violation of their rights under the Earned Safe and Sick Time Act (ESSTA) to commence a civil action in any court of competent jurisdiction. Filing a complaint with the Department of Consumer and Worker Protection (DCWP) for the same alleged violation would be neither a prerequisite nor a bar to bringing a civil action. Employees alleging a violation of their rights under ESSTA will have two years of the date they knew or should have known of the alleged violation to commence a civil action or file a complaint with DCWP.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
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 DCWP would use existing resources to fulfill its requirement.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Andrew Lane-Lawless, Legislative Financial Analyst,
NYC Council Finance Division

ESTIMATE REVIEWED BY: Aliya Ali, Unit Head, NYC Council Finance Division
Chima Obichere, Deputy Director, NYC Council Finance Division
Jonathan Rosenberg, Managing Deputy Director, NYC Council Finance
Division
Kathleen Ahn, Counsel, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on July 14, 2022, as Intro. No. 563 and referred to the Committee on Civil Service and Labor (Committee). The Committee heard the legislation on June 20, 2023, and the legislation was laid over. The legislation was subsequently amended, and the amended legislation, Proposed Intro. No. 563-A, will be considered by the Committee on December 20, 2023. Upon successful vote by the Committee, Proposed Intro. No. 563-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: December 15, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 563-A:)

Int. No. 563-A

By Council Members Brewer, Hanif, Cabán, Joseph, Nurse, Gutiérrez, Sanchez, Louis, Richardson Jordan, Avilés, Schulman, Hudson, Rivera, Riley, Farías, Menin, Ayala, Krishnan, Won and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to creating a private right of action to enforce the provisions of the earned safe and sick time Act

Be it enacted by the Council as follows:

Section 1. Section 20-924 of the administrative code of the city of New York, as amended by local law number 97 for the year 2020, is amended to read as follows:

§ 20-924 Enforcement and penalties. a. The department shall enforce the provisions of this chapter. In effectuating such enforcement, the department shall establish a system utilizing multiple means of communication to receive complaints regarding non-compliance with this chapter and investigate complaints received by the department in a timely manner. The department may open an investigation upon receipt of a complaint or on its own initiative.

b. Any person alleging a violation of this chapter shall have the right to file a complaint with the department within [two] 2 years of the date the person knew or should have known of the alleged violation. The department shall maintain confidential the identity of any natural person providing information relevant to enforcement of this chapter unless disclosure of such person's identity is necessary to the department for resolution of its investigation or otherwise required by federal or state law. The department shall, to the extent practicable, notify such person that the department will be disclosing [his or her] *such person's* identity prior to such disclosure.

c. 1. Upon receiving a complaint alleging a violation of this chapter, the department shall investigate such complaint, *provided that if the complainant commences a civil action pursuant to subdivision f of this section for the same alleged violation, the department shall stay such investigation until the department is notified such civil action is withdrawn or dismissed without prejudice. Upon notice of a final judgment or settlement in such a civil action, the department shall dismiss the complaint unless the department determines the complaint alleges*

a violation not resolved by such judgment or settlement. The complainant must notify the department, in a manner prescribed by the commissioner and described on the department's website, within 30 days of the date that the time for any appeal has lapsed that such complaint is withdrawn, dismissed without prejudice, or resolved by final judgment or settlement. Nothing in this paragraph shall affect the authority of the department to open an investigation on its own initiative pursuant to subdivision a of this section.

2. Within [fourteen] 14 days of written notification of an investigation by the department, the person or entity under investigation shall provide the department with a written response and such other information as the department may request. The department shall keep complainants reasonably notified regarding the status of their complaint and any resultant investigation. If, as a result of an investigation of a complaint or an investigation conducted upon its own initiative, the department believes that a violation has occurred, it shall issue to the offending person or entity a notice of violation. The commissioner shall prescribe the form and wording of such notices of violation. The notice of violation shall be returnable to the administrative tribunal authorized to adjudicate violations of this chapter.

d. The department shall have the power to impose penalties provided for in this chapter and to grant each and every employee or former employee all appropriate relief. Such relief shall include: (i) for each instance of safe/sick time taken by an employee but unlawfully not compensated by the employer: [three] 3 times the wages that should have been paid under this chapter or [two hundred fifty dollars] \$250, whichever is greater; (ii) for each instance of safe/sick time requested by an employee but unlawfully denied by the employer and not taken by the employee or unlawfully conditioned upon searching for or finding a replacement worker, or for each instance an employer requires an employee to work additional hours without the mutual consent of such employer and employee in violation of section 20-915 of this chapter to make up for the original hours during which such employee is absent pursuant to this chapter: [five hundred dollars] \$500; (iii) for each violation of section 20-918 not including discharge from employment: full compensation including wages and benefits lost, [five hundred dollars] \$500, and equitable relief as appropriate; (iv) for each instance of unlawful discharge from employment: full compensation including wages and benefits lost, [two thousand five hundred dollars] \$2,500, and equitable relief, including reinstatement, as appropriate; and (v) for each employee covered by an employer's official or unofficial policy or practice of not providing or refusing to allow the use of accrued safe/sick time in violation of section 20-913, [five hundred dollars] \$500.

e. Any entity or person found to be in violation of the provisions of sections 20-913, 20-914, 20-915, or 20-918 of this chapter shall be liable for a civil penalty payable to the city not to exceed [five hundred dollars] \$500 for the first violation and, for subsequent violations that occur within [two] 2 years of any previous violation, not to exceed [seven hundred and fifty dollars] \$750 for the second violation and not to exceed [one thousand dollars] \$1,000 for each succeeding violation. Penalties shall be imposed on a per employee *and per instance* basis.

f. *Any person alleging a violation of this chapter may commence a civil action in any court of competent jurisdiction to seek compensatory damages, including, but not limited to, the relief set forth in subdivision d of this section, injunctive and declaratory relief, attorney's fees and costs, and such other relief as such court deems appropriate. Such civil action shall be commenced within 2 years of the date the person knew or should have known of the alleged violation.*

g. *Filing a complaint with the department in accordance with subdivision b of this section shall be neither a prerequisite nor a bar to bringing a civil action pursuant to subdivision f of this section.*

h. The department shall annually report on its website: the number and nature of the complaints [received] filed pursuant to this chapter, [the results of investigations undertaken pursuant to this chapter,] including the number of such complaints not substantiated and the number of notices of violations issued[,]; the number [and nature of adjudications] of civil actions, *to the extent the department is notified of such civil actions pursuant to this chapter[,]; the number of investigations opened and closed pursuant to this chapter;* and the average time for a complaint to be resolved pursuant to this chapter.

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

CARMEN N. De La ROSA, *Chairperson*; ERIK D. BOTTCHER, TIFFANY CABÁN, ERIC DINOWITZ, OSWALD FELIZ, RITA C. JOSEPH, JULIE MENIN, SANDY NURSE; 8-0-0, *Medical*: Kamillah Hanks and Francisco P. Moya; Committee on Civil Service and Labor, December 20, 2023.

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

Report of the Committee on Contracts

Report for Int. No. 1048-A

Report of the Committee on Contracts 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 establishment of a document vault to store certain procurement-related documents.

The Committee on Contracts, to which the annexed proposed amended local law was referred on May 11, 2023 (Minutes, page 1324), respectfully

REPORTS:

I. INTRODUCTION

On December 20, 2023, the Committee on Contracts, chaired by Council Member Julie Won, held a vote on Introduction Number 1048-A (Int. No. 1048-A), a local law to amend the administrative code of the city of New York, in relation to requiring the establishment of a document vault to store certain procurement-related documents. An earlier version of this bill was heard by the Committee on October 25, 2023, where the Committee received testimony from the Mayor's Office of Contract Services, nonprofit contracted service providers, and other interested stakeholders. A summary of that hearing can be found along with the materials for this hearing at <https://bit.ly/nyc-gov1048>. The bill passed the committee vote with five votes in the affirmative, zero in the negative and zero abstentions.

II. INT. NO. 1048-A

Int. No. 1048-A would require the City Chief Procurement Officer to establish a secure electronic document vault to store procurement-related records. The bill defines "procurement-related documents" to include, but not be limited to, vendor certificates, corporate organizational documents, and financial reports. Documents in the vault would be made available upon request to any agency authorized by the vendor who submitted such documents. The purpose of the legislation is to reduce the need for duplicative submissions by contractors and ease access to documents for contractors and agencies.

Int. No. 1048-A differs from Int. 1048 in four primary ways.

First, Int. 1048 had more expansive definitions for "document vault" and "procurement-related documents" compared to the narrower definitions in Int. No. 1048-A, though the definitions are functionally similar.

Second, Int. 1048 required retaining procurement-related documents for at least 10 years, while Int. No. 1048-A has no mandated retention period specified, and thus implies the indefinite retention of such documents.

Third, Int. 1048 allowed access to the document vault to any agency or contracted entity in furtherance of a contract, while Int. No. 1048-A specifies that only persons authorized by the vendor who submitted a document can access that document in the vault.

Finally, Int. 1048 would have taken effect 120 days after enactment, while Int. No. 1048-A would take effect 1 year after becoming law.

III. LEGISLATIVE ANALYSIS

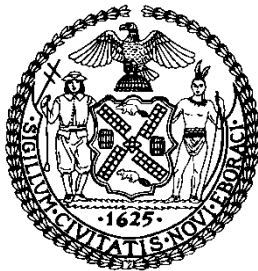
Section 1 of Int. 1048-A would add a new section 6-116.3 to the Administrative Code titled "Document vault for procurement-related documents."

Subdivision a provides definitions for "covered procurement," "document vault," and "procurement-related document."

Subdivision b requires the City Chief Procurement Officer or their designee to establish a document vault for procurement-related documents, as defined in the bill.

Section 2 states the local law takes effect 1 year after becoming law.

(The following is the text of the Fiscal Impact Statement for Int. No. 1048-A:)



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

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

RICHARD LEE, FINANCE DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 1048-A

COMMITTEE: Contracts

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the establishment of a document vault to store certain procurement-related documents.

SPONSOR(S): Council Member Won, Menin, Riley, Velázquez, Hanif, Stevens, Gennaro, Avilés, Hanks, Louis, Schulman, Hudson and Cabán.

SUMMARY OF LEGISLATION: Proposed Intro. 1048-A would require the Mayor's Office of Contract Services to create a secure electronic "document vault" to store all procurement-related documents. This would include, among other things, vendor certificates, corporate organizational documents, and financial reports. The purpose of the vault would be to reduce duplicative requests from agencies and streamline the internal document retrieval processes. Documents in the vault would be accessible to persons authorized by the vendors upon request in furtherance of a contract or procurement.

EFFECTIVE DATE: One year after enactment

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2026

FISCAL IMPACT STATEMENT:

	Effective FY25	Succeeding FY26	Full Fiscal Impact FY26
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 agencies responsible for carrying out its requirements will utilize existing resources to fulfill its requirements.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Nia Hyatt, Senior Financial Analyst

ESTIMATE REVIEWED BY: Florentine Kabore, Unit Head
Eisha Wright, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was first introduced to the Council on May 11, 2023 as Intro. No. 1048 and was referred to the Committee on Contracts (the Committee). The legislation was considered by the Committee at a hearing held on October 25, 2023 and the bill was laid over. The legislation was amended, and the amended version, Proposed Intro. No. 1048-A will be considered by the Committee on December 20, 2023. Upon successful vote by the Committee, Proposed Intro. No. 1048-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED 12/15/2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1048-A:)

Int. No. 1048-A

By Council Members Won, Menin, Riley, Velázquez, Hanif, Stevens, Gennaro, Avilés, Hanks, Louis, Schulman, Hudson, Cabán and Rivera.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the establishment of a document vault to store certain procurement-related documents

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 6 of the administrative code of the city of New York is amended by adding a new section 6-116.3 to read as follows:

§ 6-116.3 Document vault for procurement-related documents.

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

Covered procurement. The term "covered procurement" means a procurement of goods, services, or construction by an agency that is managed through the citywide computerized system for comprehensive contract management.

Document vault. The term "document vault" means an electronic repository for maintaining documents, where any document therein is accessible to natural persons authorized by the person who submitted such document.

Procurement-related document. The term "procurement-related document" means any document, including but not limited to certificates, corporate organizational documents, and financial reports, that a contractor submits in connection with a covered procurement.

b. The city chief procurement officer or their designee shall establish a document vault for procurement-related documents.

§ 2. This local law takes effect 1 year after it becomes law.

JULIE WON, *Chairperson*; JAMES F. GENNARO, LINDA LEE, SANDY NURSE, JOANN ARIOLA; 5-0-0; Committee on Contracts, December 20, 2023. *Other Council Members Attending: Council Members Sanchez and Farías.*

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

Report of the Committee on Criminal Justice

Report for Int. No. 549-A

Report of the Committee on Criminal Justice 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 banning solitary confinement in city jails and establishing standards for the use of restrictive housing and emergency lock-ins.

The Committee on Criminal Justice, to which the annexed proposed amended local law was referred on June 16, 2022 (Minutes, page 1550), respectfully

REPORTS:

I. INTRODUCTION

On December 20, 2023, the Committee on Criminal Justice, chaired by Council Member Carlina Rivera, will vote on Proposed Introduction Number 549-A ("Prop. Int. No. 549-A") in relation to banning solitary confinement in city jails and establishing standards for the use of restrictive housing and emergency lock-ins, Proposed Introduction Number 1203-A ("Prop Int. No. 1203-A") in relation to requiring the department of correction to provide a letter of incarceration to all individuals as they leave the department's custody, and Proposed Resolution Number 241-A ("Prop. Res. No. 241-A"), calling upon the New York State Legislature to pass, and the Governor to sign, the Fair and Timely Parole Act (S307/A162) and Elder Parole Act (S2423/A2035). On September 28, 2022, the Committee heard a prior version of Prop. Int. No. 549-A, on February 17, 2023 the Committee heard a prior version of Prop. Res. 241-A, and on September 29, 2023 the

Committee heard a prior version of Prop. Int. 1203-A. During those hearings, the Committee heard testimony from the Department of Correction (DOC), and other interested parties.

II. BACKGROUND ON PROPOSED INTRO 549-A

Punitive Segregation in New York City Jails:

In New York City, DOC provides for the care, custody, and control of persons accused of crimes or convicted and sentenced to one year or less of jail time.¹ As of December 17, 2023, there are 6,102 people incarcerated in New York City jails.²

Prior to 2013, the Department placed incarcerated individuals found guilty of committing rule infractions in "punitive segregation," regardless of age.³ Punitive segregation, also known as "solitary confinement," consisted of housing an incarcerated individual in a single-occupancy cell for 23 hours per day, with access to daily showers in the housing unit and access to medical care.⁴ There were also significant restrictions on visitation and recreational time.⁵ Reports indicate that at its peak, there were 1,035 people in punitive segregation in 2012.⁶ According to the Board of Correction (BOC), on December 31, 2014, there were 414 people in punitive segregation.⁷ In January of 2015, BOC amended its Minimum Standards to include provisions limiting the use of punitive segregation. By December 31, 2015, the number of people in punitive segregation was reduced to 181.⁸ On November 2, 2021, the population was reduced to 68.⁹ As of last year, the Department indicated there were no individuals in punitive segregation and around 117 people in restrictive housing.¹⁰ However, reports indicate that individuals held in certain "de-escalation units" or those in "involuntary protective custody" may be confined in conditions that arguably meet definitions of solitary confinement.¹¹

In June 2020, former Mayor de Blasio and then Board Chair Jennifer Jones Austin announced the formation of a working group to eliminate punitive segregation in the City's jails.¹² On June 7, 2021, the Board unanimously approved its proposed rules on restrictive housing ("the Rule"). The Rule was revised to address concerns from the public and to comply with new state law requirements in the Humane Alternatives to Long-Term Solitary Confinement Act ("HALT Act"), signed into law on April 1, 2021. According to the de Blasio Administration, the Rule, when implemented, which was anticipated to be in the fall of 2021, would end solitary confinement¹³. The Administration described solitary confinement as a long-practiced form of restrictive housing where people are locked in their cells for 20-24 hours each day, which would be replaced with a new alternative disciplinary

¹ "About the New York City Department of Correction" New York City Department of Correction, <https://www1.nyc.gov/site/doc/about/about-doc.page>.

² <https://greaterjusticenyc.org/nycjail/>

³ New Mental Health Initiative Will Intervene and Provide Treatment for Seriously Mental Ill among Jail Population (May 2013), NYC Department of Correction, at http://www.nyc.gov/html/doc/downloads/pdf/NEWS_from_Mental_Health_051313.pdf

⁴ United States Attorney General's Office for the Southern District of New York, RE: CRIPA Investigation of the New York City Department of Correction Jails on Rikers Island (August 4, 2014), U.S. Department of Justice, p. 47, available at <https://www.justice.gov/sites/default/files/usao-sdny/legacy/2015/03/25/SDNY%20Rikers%20Report.pdf>

⁵ *Id.*

⁶ The Safe Alternatives to Segregation Initiative: Findings and Recommendations for the New York City Department of Correction (June 2017), at

<https://www.vera.org/downloads/publications/safe-alternatives-segregation-initiative-findings-recommendations-nycsas.pdf>

⁷ Punitive Segregation Reforms and Exceptions: Recent Results, at

<https://www1.nyc.gov/site/boc/reports/BOC-Reports/punitive-segregation-reports.page>

⁸ *Id.*

⁹ <https://www.thecity.nyc/2021/11/2/22760112/de-blasio-delays-solitary-confinement-reform-over-rikers-chaos>

¹⁰ <https://www1.nyc.gov/site/boc/meetings/july-12-2022.page>, <https://www.nytimes.com/2023/12/18/nyregion/solitary-confinement-adams-nyc.html>

¹¹ <https://gothamist.com/news/solitary-confinement-persists-at-rikers-island-just-by-different-names>,

<https://comptroller.nyc.gov/newsroom/nyc-comptroller-lander-public-advocate-williams-council-member-rivera-recognize-improvements-call-out-solitary-confinement-conditions-following-surprise-inspection-of-rikers/>

¹² City of New York, Mayor de Blasio and Board of Correction Chair Jennifer Jones Austin Announce Working Group to End Punitive Segregation (Jun. 29, 2020), available at <https://www1.nyc.gov/office-of-the-mayor/news/481-20/mayor-de-blasio-board-correction-chair-jennifer-jones-austin-working-group-end>

¹³ <https://www1.nyc.gov/assets/boc/downloads/pdf/RULE-AND-SBP-6-4-21-Legal-11833206.pdf>

model, the Risk Management Accountability System (RMAS). The de Blasio Administration described RMAS as a two-level progression model that includes:¹⁴

- Attorney Representation at the infraction hearing and throughout the process
- Minimum 10 hours out of cell, socializing with at least one other person
- A strong presumption of progression from Level 1 to Level 2 in 15 days, and out of Level 2 in 15 days
- The ability for the Department to extend placement in RMAS only when necessary; extension must be documented with a clear threat to safety; person in custody has ability to appeal with attorney representation
- Individualized behavioral support plans
- Steady, experienced case managers
- Hours of daily programming, including required therapeutic programming in space outside the dayroom space; and
- Daily rounding by health and mental health staff
- Post-RMAS, step-down Restorative Rehabilitation Unit with 14 hours of lock out, full access to Minimum Standards, and intensive programming.¹⁵

Some advocates were critical of the RMAS.¹⁶ Among the issues raised, they pointed out there are no strict limits on how many days a detainee could remain in segregation and contend that out-of-cell time should not include walking around in a "fenced in porch" adjacent to their cell.¹⁷

Ultimately, after announcing the RMAS would go into effect on November 1, 2021, just prior to implementation, Mayor de Blasio signed an emergency executive order putting the plan on hold, initially for five days, but subsequently repeated, citing a jail system unable to staff required security posts with more than 1,000 correction officers reportedly calling out sick daily at that time.¹⁸ The Adams Administration continued to sign similar emergency executive orders while indicating they anticipated the new system would go into effect on July 1, 2022.¹⁹

On June 30, 2022, the court-appointed Monitor, appointed as part of the consent settlement in the case of *Nunez vs. City of New York*,²⁰ issued a status report stating that, at that juncture, they did not approve the Department's proposal to implement RMAS on July 1, 2022.²¹ The Monitor outlined a rationale for why proceeding with RMAS was not prudent and posed significant safety concerns. The report noted that for the past six years, the Monitoring Team has observed a pattern of hasty, ill-planned implementation of these types of critical programs that fail because the time needed to develop a strong foundation was short-circuited (e.g., staff selection and training), in combination with poor fidelity to design and that therefore, the Department must adopt lessons learned from previous attempts to address serious misconduct and develop both a credible program model and invest the time necessary to select, train, guide and coach staff.²² The Monitor also stated that the RMAS program design would be unlikely to hold individuals accountable for violent misconduct in a safe and effective manner.²³

The Monitoring Team recommended the Department retain a consultant with the requisite expertise to support the creation of a program model that provides the necessary structure and security on the housing units and an implementation plan that avoids the pitfalls of the past. Finally, the Monitor noted that the Monitoring Team intends to work closely with the Department and the consultant that the Department has already retained, Dr. Austin, on the development of a program that can ultimately be approved by the Monitor.²⁴ Citing the

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ <https://www.thecity.nyc/2021/6/7/22523617/solitary-confinement-reforms-set-for-nyc-jails-after-polanco>

¹⁷ <https://www.thecity.nyc/2021/11/2/22760112/de-blasio-delays-solitary-confinement-reform-over-rikers-chaos>

¹⁸ <https://www.thecity.nyc/2021/11/2/22760112/de-blasio-delays-solitary-confinement-reform-over-rikers-chaos>

¹⁹ *Supra* note 10

²⁰ No. 11 CIV. 5845 LTS JCF, 2013 WL 2149869 (S.D.N.Y. May 17, 2013)

²¹ <https://www1.nyc.gov/assets/doc/downloads/pdf/Status-Report-06-30-22-As-Filed.pdf>

²² *Id.*

²³ *Id.*

²⁴ *Id.*

Monitor's report, the Department indicated that they would not be implementing RMAS on July 1, 2022 as planned but rather would work with the consultant as requested by the Monitor to develop an alternative plan.²⁵

Most recently, as of March 2023, DOC instituted a new Enhanced Supervision Housing (ESH) system for the selection and housing of incarcerated individuals who engage in acts that threaten the safety and security of the jail.²⁶ Under this system, if an incarcerated individual commits a qualifying offense, they can be separated from general population, and placed in pre-hearing detention for seven days before they must be afforded a hearing with certain due process protections. If an individual is found guilty at a hearing, they may be placed in an ESH unit. There are two levels of ESH and a person must successfully complete Level I before being eligible for Level 2 and must successfully complete Level II before being returned to general population. To progress through these levels, individuals are evaluated every thirty days to determine whether they are complying with program participation requirements. There are no durational caps on placement in ESH. At each level of ESH, individuals must be provided seven hours of out-of-cell time. In ESH Level II, the use of restraints is relaxed, individuals can participate in congregate outdoor recreation, and they have a greater ability to make purchases at the commissary.²⁷

As of June 2023, DOC opened new ESH units in the Rose M. Singer Center, commonly referred to as "RESH."²⁸ In a status report issued by the Nunez monitor on October 5, 2023, they described conditions in RESH as "chaotic, violent, and unsafe" and noted that in July and August of 2023 RESH had the highest use-of-force rate in the Department and the largest number of slashings and stabbings of any command.²⁹ As a result of DOC's failure to properly implement the ESH program and the high levels of violence and fear in those units, the Monitor described RESH as an environment that "in practice, is not substantially different than punitive segregation."³⁰

Impact of Punitive Segregation:

A study cited by the National Institute of Justice in 2016 stated that "there is little evidence that [solitary confinement] has had effects on overall levels of violence within individual institutions or across correctional systems."³¹ For example, in Cook County, Illinois, where the use of solitary confinement was reportedly eliminated in 2016, assaults on people in custody and staff plummeted to an all-time low in 2018.³² This was reportedly achieved by placing disruptive incarcerated people in a "Special Management Unit" where they spend time in open rooms or yards with other people in custody for up to eight hours at a time under direct supervision from correctional staff who are trained in de-escalation and conflict resolution.³³ Similarly, other states that have decreased the use of solitary confinement, such as Colorado, Mississippi and Maine, have seen corresponding reductions in assaults and other violent behavior.³⁴

²⁵ *Id.*

²⁶ https://www.nyc.gov/assets/doc/downloads/directives/4491_Enhanced_Supervision_Housing.pdf

²⁷ *Id.*

²⁸ Nunez Monitor's Report, October 5, 2023, available at <https://tillidgroup.com/projects/nunez-monitorship/>

²⁹ *Id.*

³⁰ *Id.*

³¹ Natasha Frost and Carlos Monteiro, Administrative Segregation in U.S. Prisons Executive Summary (March 2016), National Institute of Justice of U.S. Department of Justice, at <https://www.ncjrs.gov/pdffiles1/nij/249750.pdf>

³² Sheriff Tom Dart, My Jail Stopped Using Solitary Confinement: Here's Why (April 2019), *Washington Post*, available at https://www.washingtonpost.com/opinions/my-jail-stopped-using-solitary-confinement-it-should-be-eliminated-everywhere/2019/04/04/f06da502-5230-11e9-88a1-ed346f0ec94f_story.html

³³ *Id.*

³⁴ SB 11-176 Annual Report: Administrative Segregation for Colorado Inmates (Jan. 2015), Office of Planning and Analysis of Colorado Department of Corrections, p. 3, available

<https://www.colorado.gov/pacific/sites/default/files/Ad%20Seg%20Annual%20Report%20FY%202013-14.pdf>; Shira Gordon, Solitary Confinement, Public Safety, and Recidivism, 47 U. Mich. J. L. Reform 495 (2014), p. 516, available at https://prospectusmjl.files.wordpress.com/2014/02/47_2_gordon.pdf;

Change is Possible A Case Study of Solitary Confinement Reform in Maine (Mar. 2013), American Civil Liberties Union of Maine, pp. 14-17 and 30-31, available at https://www.aclumaine.org/sites/default/files/field_documents/aclu_solitary_report_webversion.pdf

Research shows that solitary confinement has hardly any individual or general deterrence effect on violent behavior and misconduct.³⁵ One study found that exposure to short-term punitive segregation for initial violent behavior did not deter incarcerated people from engaging in more violence.³⁶ The study found that in about 2% of incarcerated people, exposure to punitive segregation might have increased their propensity to commit more violence.³⁷ Researchers explain that the condition of segregated housing and mistreatment of persons held in this setting lead them to become more violent.³⁸

Research also shows that solitary confinement is harmful to the people in custody who are subjected to the practice. A 2014 study of New York City Jails found that people in custody who were placed in punitive segregation committed self-harm at disproportionately high rates.³⁹ The study found that people who were placed in punitive segregation were over seven times more likely to harm themselves and six times more likely to commit fatal self-harm.⁴⁰ The deaths of Kalief Browder,⁴¹ Bradley Ballard,⁴² and Jason Echeverria⁴³ are tragic illustrations of this phenomenon; all of these individuals took their own life after spending time in punitive segregation in New York City jails.⁴⁴ In addition to self-harm, solitary confinement leads to other or overlapping mental health problems. Research shows that people who spent time in restrictive housing in prisons and jails experienced serious psychological distress.⁴⁵ Similarly, research found that solitary confinement can lead to hallucinations and paranoia.⁴⁶ Almost a third of the people in custody interviewed in a study described hearing voices, while almost half reported paranoid and persecutory fears.⁴⁷

III. BACKGROUND ON PROPOSED INTRO 1203-A

Letters of Incarceration:

A letter of incarceration, sometimes referred to as "jail release papers" or "discharge papers," is a document that specifies the time a person is in jail. During incarceration, Federal Law prohibits the collection of certain public benefits such as Social Security or Medicaid. To regain access to these benefits, a person must obtain a letter of incarceration to prove they have been released from custody. Right now, DOC does not automatically provide letters of incarceration to those leaving their custody. Instead, to receive this document, an individual must request a copy from DOC's Office of Constituent and Grievance Services. It's often difficult for individuals to obtain their letter of incarceration and the resulting lapses in access to benefits can make the re-entry process more difficult.⁴⁸

³⁵ Craig Haney, Restricting the Use of Solitary Confinement (Nov. 3, 2017), *Annual Review of Criminology*, p. 288, available at https://www.researchgate.net/profile/Craig_Haney2/publication/320845455_Restricting_the_Use_of_Solitary_Confinement/links/5b61f65a458515c4b2591804/Restricting-the-Use-of-Solitary-Confinement.pdf

³⁶ Robert Morris, Exploring the Effect of Exposure to Short-term Solitary Confinement Among Violent Prison Inmates, 32 J. Quant. Criminology (2016), pp. 15, 19, available at https://politicalscience.gsu.edu/files/2016/04/Morris_solitary_joqc2015.pdf

³⁷ *Id.*, p. 15.

³⁸ Shira Gordon, Solitary Confinement, Public Safety, and Recidivism, 47 U. Mich. J. L. Reform 495 (2014), p. 516, available at https://prospectusmjl.files.wordpress.com/2014/02/47_2_gordon.pdf;

³⁹ Fatos Kaba, et. al, Solitary confinement and risk of self-harm among jail inmates, *American Journal of Public Health*, 2014 104(3): 442–447, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3953781/>. Note, the report refers to punitive segregation as solitary confinement.

⁴⁰ *Id.*

⁴¹ Jennifer Gonnerman, Kalief Browder 1993-2015 (Jun. 7, 2015), *The New Yorker*, available at <https://www.newyorker.com/news/news-desk/kalief-browder-1993-2015>

⁴² Rikers Island inmate died after seven days alone in New York City cell (May 22, 2014), *The Guardian*, available at <https://www.theguardian.com/world/2014/may/22/rikers-island-inmate-mental-health-died-cell>

⁴³ Stephen Rex Brown, EXCLUSIVE: City settles for \$3.8M in Rikers Island inmate's soap-swallowing horror (Nov. 17, 2015), *New York Daily News*, available at <https://www.nydailynews.com/new-york/nyc-crime/city-settles-4m-rikers-inmate-poison-horror-article-1.2437263>

⁴⁴ *Supra* note 72-75

⁴⁵ Allen Beck, Use of Restrictive Housing in U.S. Prisons and Jails, 2011-12 (Oct. 2015), Bureau of Justice Statistics of the U.S. Department of Justice, available at <https://www.bjs.gov/content/pub/pdf/urhuspj1112.pdf>

⁴⁶ Stuart Grassian, Psychiatric Effects of Solitary Confinement, 22 Wash. U. J. L. & POL'Y 325 (2006), available at https://openscholarship.wustl.edu/cgi/viewcontent.cgi?article=1362&context=law_journal_law_policy

⁴⁷ *Id.*

⁴⁸ <https://nysfocus.com/2023/07/12/rikers-medicaid-eric-adams-nyc>

IV. BILL ANALYSIS AND AMENDMENTS

Prop. Int. 549- A:

This bill would ban the use of solitary confinement in city jails and provide individuals in DOC custody due process protections before being placed in restrictive housing or continued use of restraints. The bill also limits how DOC can use emergency lock-ins and requires regular reporting on the Department's use of de-escalation confinement, restrictive housing, and emergency lock-ins. The bill would take effect 180 days after enactment.

Since introduction, the bill has been amended in several respects: 1) by adding or amending definitions for de-escalation confinement, legal advocate, pre-hearing temporary restrictive housing, restraints, suicide prevention aides, out-of cell, restrictive housing, solitary confinement, and violent grade I offense; 2) by removing requirements that medical and mental health assessments and medical rounding occur during periods of de-escalation confinement, restrictive housing, and emergency lock-in and shifting responsibility to conduct regular rounding to DOC staff and suicide prevention aides; 3) by removing bill provisions that gave medical staff the authority to remove an individual from de-escalation confinement, restrictive housing, or an emergency lock-in; 4) by adding a provision that states suicide prevention aides shall not face retaliation for carrying out duties outlined in the bill; 5) by requiring that persons in de-escalation confinement and those subject to an emergency lock-in have access to a tablet or device that can make phone calls outside the facility or to medical staff; 6) by mandating that de-escalation confinement not be located in intake areas or decontamination showers; 7) by requiring that the Department not maintain locked decontamination showers and not place an incarcerated individual in a decontamination shower or any locked space that does not meet BOC minimum standards; 8) by adding limited exceptions for instances in which the department may use restraints on incarcerated persons under the age of 22; 9) by adding subdivision (g) which outlines the procedures and policies for when a person may be placed pre-hearing temporary restrictive housing following de-escalation confinement but before a hearing for placement in restrictive housing; 10) by adding requirements that all housing for medical or mental health support, including for those in contagious disease units, and units for transgender and gender non-conforming individuals, voluntary protective custody, and for purposes of school attendance comply with new standards established in this bill and 11) by changing the effective date from 60 days to 180 days after the bill becomes law. The bill also received technical edits.

V. BILL ANALYSIS AND AMENDMENTS

Prop. Int. 1203- A:

This bill would require the DOC to provide a letter of incarceration, also known as jail release papers or discharge papers, to every person at the time of their release from the Department's custody. Right now, people in custody must make a request to the DOC Office of Constituent and Grievance Services to receive this letter. The bill requires the letter of incarceration to include the specific date the person entered and the date they were released from DOC custody.

Since its introduction, the bill has been amended to make technical changes.

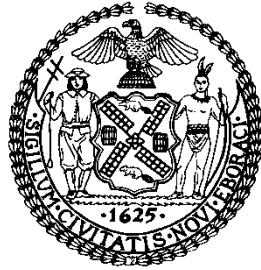
VI. RESOLUTION ANALYSIS

Prop. Res. 241- A:

This resolution calls on the New York State Legislature to pass, and the Governor to sign the Fair and Timely Parole Act (S307/A162) and Elder Parole Act (S2423/A2035). The Elder Parole Act (S2423/A2035) would establish parole consideration for people at least 55 years old who have served 15 consecutive years in prison. The Fair and Timely Parole Act (S307/A162) would ensure that the parole release process is based on rehabilitation and risk to public safety.

Since introduction, this resolution has been amended to reflect updated bill numbers for the 2023 New York State legislative session.

(The following is the text of the Fiscal Impact Statement for Int. No. 549-A:)



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. 549-A

COMMITTEE: Criminal Justice

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to banning solitary confinement in city jails and establishing standards for the use of restrictive housing and emergency lock-ins.

Sponsors: By the Public Advocate (Mr. Williams) and Council Members Rivera, Cabán, Hudson, Won, Restler, Hanif, Avilés, Nurse, Sanchez, Narcisse, Krishnan, Abreu, Louis, Farías, De La Rosa, Ung, Ossé, Gutiérrez, Richardson Jordan, Joseph, Brannan, Menin, Schulman, Barron, Moya, Williams, Powers, Marte, Stevens, Brooks-Powers, Bottcher, Dinowitz, Ayala, Riley, Feliz, Brewer, and the Speaker (Council Member Adams)(by request of the Brooklyn Borough President).

SUMMARY OF LEGISLATION: This bill would ban the use of solitary confinement in city jails and provide individuals in custody of the Department of Correction (DOC) due process protections prior to being placed in restrictive housing or continued use of restraints. The bill also sets limits on how DOC can use emergency lock-ins and requires regular reporting on department's use of de-escalation confinement, restrictive housing, and emergency lock-ins.

EFFECTIVE DATE: This local law takes effect 180 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There is no estimated impact on revenues as a result 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 agency responsible for carrying out its requirements would use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Casey Lajszky, Financial Analyst

ESTIMATE REVIEWED BY: Jonathan Rosenberg, Managing Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 549 on June 16, 2022 and was referred to the Committee on Criminal Justice (Committee). The Committee heard the legislation on September 28, 2022, and the bill was laid over. The legislation has been amended and the amended version, Proposed Intro. No. 549-A, will be considered by the Committee on December 20, 2023. Upon a successful vote by the Committee, Proposed Int. No. 549-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: DECEMBER 19, 2023.

(For text of Int. No. 1203 and its Fiscal Impact Statement, please see the Report of the Committee on Criminal Justice for Int. No. 1203 printed in these Minutes; for text of Res. No. 241-A, please see the Report of the Committee on Criminal Justice for Res. No. 241-A printed in the voice-vote Resolutions calendar section of these Minutes; for text of Int. No. 549-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 549-A, 1203, and Res. No. 241-A.

(The following is the text of Int. No. 549-A:)

Int. No. 549-A

By the Public Advocate (Mr. Williams) and Council Members Rivera, Cabán, Hudson, Won, Restler, Hanif, Avilés, Nurse, Sanchez, Narcisse, Krishnan, Abreu, Louis, Farías, De La Rosa, Ung, Ossé, Gutiérrez, Richardson Jordan, Joseph, Brannan, Menin, Schulman, Barron, Moya, Williams, Powers, Marte, Stevens, Brooks-Powers, Bottcher, Dinowitz, Ayala, Riley, Feliz, Brewer and The Speaker (Council Member Adams) (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to banning solitary confinement in city jails and establishing standards for the use of restrictive housing and emergency lock-ins

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code is amended by adding a new section 9-167 to read as follows:

§ 9-167 Solitary confinement. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Advocate. The term “advocate” means a person who is a law student, paralegal, or an incarcerated person.

Cell. The term “cell” means any room, area or space that is not a shared space conducive to meaningful, regular and congregate social interaction among many people in a group setting, where an individual is held for any purpose.

De-escalation confinement. The term “de-escalation confinement” means holding an incarcerated person in a cell immediately following an incident where the person has caused physical injury or poses a specific risk of imminent serious physical injury to staff, themselves or other incarcerated persons.

Emergency lock-in. The term “emergency lock-in” means a department-wide emergency lock-in, a facility emergency lock-in, a housing area emergency lock-in, or a partial facility emergency lock-in as defined in section 9-155.

Out-of-cell. The term “out-of-cell” means being in a space outside of, and in an area away from a cell, in a group setting with other people all in the same shared space without physical barriers separating such people that is conducive to meaningful and regular social interaction and activity or being in any space during the time of carrying out medical treatment, individual one-on-one counseling, an attorney visit or court appearance.

Pre-hearing temporary restrictive housing. The term “pre-hearing temporary restrictive housing” means any restrictive housing designated for incarcerated persons who continue to pose a specific risk of imminent serious physical injury to staff, themselves, or other incarcerated persons after a period of de-escalation confinement has exceeded time limits established by this section and prior to a hearing for recommended placement in restrictive housing has taken place.

Restraints. For the purposes of this section, the term “restraints” means any object, device or equipment that impedes movement of hands, legs, or any other part of the body.

Restrictive housing. The term “restrictive housing” means any housing area that separates incarcerated persons from the general jail population on the basis of security concerns or discipline, or a housing area that poses restrictions on programs, services, interactions with other incarcerated persons or other conditions of confinement. This definition excludes housing designated for incarcerated persons who are: (1) in need of medical or mental health support as determined by the entity providing or overseeing correctional medical and mental health, including placement in a contagious disease unit, (2) transgender or gender non-conforming, (3) in need of voluntary protective custody, or (4) housed in a designated location for the purpose of school attendance.

Solitary confinement. The term “solitary confinement” means any placement of an incarcerated person in a cell, other than at night for sleeping for a period not to exceed eight hours in any 24-hour period or during the day for a count not to exceed two hours in any 24-hour period.

Suicide prevention aide. For the purposes of this section, the term “suicide prevention aide” means a person in custody who has been trained to identify unusual and/or suicidal behavior.

Violent grade I offense. The term “violent grade I offense” shall have the same meaning as defined by the rules of the department of correction as of January 1, 2022.

b. *Ban on solitary confinement.* The department shall not place an incarcerated person in a cell, other than at night for sleeping for a period not to exceed eight hours in any 24-hour period or during the day for count not to exceed two hours in any 24-hour period, unless for the purpose of de-escalation confinement or during emergency lock-ins.

c. *De-escalation confinement.* The department’s uses of de-escalation confinement shall comply with the following provisions:

1. De-escalation confinement shall not be located in intake areas and shall not take place in decontamination showers. Spaces used for de-escalation confinement must, at a minimum, have the features specified in sections 1-03 and 1-04 of title 40 of the rules of the city of New York and be maintained in accordance with the personal hygiene and space requirements set forth in such sections;

2. Department staff must regularly monitor a person in de-escalation confinement and engage in continuous crisis intervention and de-escalation to support the person’s health and well-being, attempt de-escalation, work toward a person’s release from de-escalation confinement and determine whether it is necessary to continue to hold such person in such confinement;

3. The department shall conduct visual and aural observation of each person in de-escalation confinement every 15 minutes, shall refer any health concerns to medical or mental health staff, and shall bring any person displaying any indications of any need for medical documentation, observation, or treatment to the medical clinic. Suicide prevention aides may conduct check-ins with a person in de-escalation confinement at least every

15 minutes and refer any health concerns to department staff who will get medical or mental health staff to treat any reported immediate health needs. No suicide prevention aide shall face any retaliation or other harm for carrying out their role;

4. Throughout de-escalation confinement, a person shall have access to a tablet or device that allows such person to make phone calls outside of the facility and to medical staff in the facility;

5. A person shall be removed from de-escalation confinement immediately following when such person has sufficiently gained control and no longer poses a significant risk of imminent serious physical injury to themselves or others;

6. The maximum duration a person can be held in de-escalation confinement shall not exceed four hours immediately following the incident precipitating such person's placement in such confinement. Under no circumstances may the department place a person in de-escalation confinement for more than four hours total in any 24-hour period, or more than 12 hours in any seven-day period; and

7. In circumstances permitted in subdivision g of this section, the department may transfer a person from de-escalation confinement to pre-hearing temporary restrictive housing.

(a) The department shall not place any incarcerated person in a locked decontamination shower nor in any other locked space in any facility that does not have, at a minimum, the features specified in sections 1-03 and 1-04 of title 40 of the rules of the city of New York and maintained in accordance with the personal hygiene and space requirements as set forth in such sections.

(b) The department shall not maintain any locked decontamination showers. Any other locked spaces in any facility for holding incarcerated people must at least have the features specified in and maintained in accordance with the personal hygiene and space requirements set forth in 40 RCNY § 1-03 and § 1-04.

d. Reporting on de-escalation confinement. For each instance an incarcerated person is placed in de-escalation confinement as described in subdivision c of this section, the department shall prepare an incident report that includes a detailed description of why isolation was necessary to de-escalate an immediate conflict and the length of time the incarcerated person was placed in such confinement. Beginning on July 15, 2024, and within 15 days of the end of each subsequent quarter, the department shall provide the speaker of the council and the board of correction all such reports for the preceding quarter and post all such reports on the department's website. The department shall redact all personally identifying information prior to posting such reports on the department's website. Beginning July 31, 2024, and within 30 days of the end of each subsequent quarter, the department shall provide to the speaker of the council and the board of correction, and post on the department's website, a report with data for the preceding quarter on the total number of people placed in such confinement, disaggregated by race, age, gender identity and mental health treatment level, as well as the total number of people held in such confinement disaggregated by whether confinement lasted less than one hour, between one and two hours, between two and three hours, and between three and four hours.

e. Use of restraints. 1. The department shall not place an incarcerated person in restraints unless an individualized determination is made that restraints are necessary to prevent an imminent risk of self-injury or injury to other persons. In such instances, only the least restrictive form of restraints may be used and may be used no longer than is necessary to abate such imminent harm. Restraints shall not be used on an incarcerated person under the age of 22 except in the following circumstances: (i) during transportation in and out of a facility, provided that during transportation no person shall be secured to an immovable object; and (ii) during escorted movement within a facility to and from out-of-cell activities where an individualized determination is made that restraints are necessary to prevent an immediate risk of self-injury or injury to other persons. The department is prohibited from engaging in attempts to unnecessarily prolong, delay or undermine an individual's escorted movements.

2. The department shall not place an incarcerated person in restraints beyond the use of restraints described in paragraph 1 of this subdivision, or on two consecutive days, until a hearing is held to determine if the continued use of restraints is necessary for the safety of others. Such hearing shall comply with the rules of the board of correction as described in paragraph 1 of subdivision f of this section. Any continued use of restraints must be reviewed by the department on a daily basis and discontinued once there is no longer an imminent risk of self-injury or injury to other persons. Continued use of restraints may only be authorized for seven consecutive days.

f. Restrictive housing hearing. Except as provided in subdivision g of this section, the department shall not place an incarcerated person in restrictive housing until a hearing on such placement is held and the person is

found to have committed a violent grade I offense. Any required hearing regarding placement of a person into restrictive housing shall comply with rules to be established by the board of correction.

1. The board of correction shall establish rules for restrictive housing hearings that shall, at a minimum, include the following provisions:

- (i) An incarcerated person shall have the right to be represented by their legal counsel or advocate;
- (ii) An incarcerated person shall have the right to present evidence and cross-examine witnesses;
- (iii) Witnesses shall testify in person at the hearing unless the witnesses' presence would jeopardize the safety of themselves or others or security of the facility. If a witness is excluded from testifying in person, the basis for the exclusion shall be documented in the hearing record;
- (iv) If a witness refuses to provide testimony at the hearing, the department must provide the basis for the witness's refusal, videotape such refusal, or obtain a signed refusal form, to be included as part of the hearing record;
- (v) The department shall provide the incarcerated person and their legal counsel or advocate written notice of the reason for proposed placement in restrictive housing and any supporting evidence for such placement, no later than 48 hours prior to the restrictive housing hearing;
- (vi) The department shall provide the legal counsel or advocate adequate time to prepare for such hearings and shall grant reasonable requests for adjournments;
- (vii) An incarcerated person shall have the right to an interpreter in their native language if the person does not understand or is unable to communicate in English. The department shall take reasonable steps to provide such interpreter;
- (viii) A refusal by an incarcerated person to attend any restrictive housing hearings must be videotaped and made part of the hearing record;
- (ix) If the incarcerated person is excluded or removed from a restrictive housing hearing because it is determined that such person's presence will jeopardize the safety of themselves or others or security of the facility, the basis for such exclusion must be documented in the hearing record;
- (x) A restrictive housing disposition shall be reached within five business days after the conclusion of the hearing. Such disposition must be supported by substantial evidence, shall be documented in writing, and must contain the following information: a finding of guilty or not guilty, a summary of each witness's testimony and whether their testimony was credited or rejected with the reasons thereof, the evidence relied upon by the hearing officer in reaching their finding, and the sanction imposed, if any; and
- (xi) A written copy of the hearing disposition shall be provided to the incarcerated person and their counsel or advocate within 24 hours of the determination.

2. Failure to comply with any of the provisions described in paragraph 1 of this subdivision, or as established by board of correction rule, shall constitute a due process violation warranting dismissal of the matter that led to the hearing.

g. Pre-hearing temporary restrictive housing. In exceptional circumstances, the department may place a person in pre-hearing temporary restrictive housing prior to conducting a restrictive housing hearing as required by subdivision f of this section.

1. Such placement shall only occur upon written approval of the Commissioner or a Deputy Commissioner, or another equivalent member of department senior leadership over the operations of security. Such written approval shall include: the basis for a reasonable belief that the incarcerated person has committed a violent grade I offense, and whether such person has caused serious physical injury or poses a specific and significant risk of imminent serious physical injury to staff or other incarcerated persons.

2. A restrictive housing hearing shall occur as soon as reasonably practicable following placement in pre-hearing temporary restrictive housing, and must occur within five days of such placement, unless the person placed in such restrictive housing seeks a postponement of such hearing.

3. If a person is found guilty at a restrictive housing hearing, time spent in pre-hearing temporary restrictive housing prior to such hearing determination shall be deducted from any sentence of restrictive housing and such time shall count toward the time limits in restrictive housing.

4. Pre-hearing temporary restrictive housing shall comply with all requirements for restrictive housing, including but not limited to those established in subdivision h of this section.

5. During the first day of placement in pre-hearing temporary restrictive housing, department staff must regularly monitor the person and engage in continuous crisis intervention and attempt de-escalation, work

toward a person's release from pre-hearing temporary restrictive housing and determine whether it is necessary to continue to hold the person in pre-hearing temporary restrictive housing.

h. Restrictive housing regulations. The department's use of restrictive housing must comply with the following provisions:

1. The department shall not place an incarcerated person in restrictive housing for longer than necessary and for no more than a total of 60 days in any 12 month period.

2. Within 15 days of placement of an incarcerated person in restrictive housing, the department shall meaningfully review such placement to determine whether the incarcerated person continues to present a specific, significant and imminent threat to the safety and security of other persons if housed outside restrictive housing. If an individual is not discharged from restrictive housing after review, the department shall provide in writing to the incarcerated person: (i) the reasons for the determination that such person must remain in restrictive housing and (ii) any recommended program, treatment, service, or corrective action. The department shall provide the incarcerated person access to such available programs, treatment and services.

3. The department shall discharge an incarcerated person from restrictive housing if such person has not engaged in behavior that presents a specific, significant, and imminent threat to the safety and security of themselves or other persons during the preceding 15 days. In all circumstances, the department shall discharge an incarcerated person from restrictive housing within 30 days after their initial placement in such housing.

4. A person placed in restrictive housing must have interaction with other people and access to congregate programming and amenities comparable to those housed outside restrictive housing, including access to at least seven hours per day of out-of-cell congregate programming or activities with groups of people in a group setting all in the same shared space without physical barriers separating such people that is conducive to meaningful and regular social interaction. If a person voluntarily chooses not to participate in congregate programming, they shall be offered access to comparable individual programming. A decision to voluntarily decline to participate in congregate programming must be done in writing or by videotape.

5. The department shall utilize programming that addresses the unique needs of those in restrictive housing. The department shall provide persons in restrictive housing with access to core educational and other programming comparable to core programs in the general population. The department shall also provide persons in restrictive housing access to evidence-based therapeutic interventions and restorative justice programs aimed at addressing the conduct resulting in their placement in restrictive housing. Such programs shall be individualized and trauma-informed, include positive incentive behavior modification models, and follow best practices for violence interruption. Staff that routinely interact with incarcerated persons must be trained in de-escalation techniques, conflict resolution, the use of force policy, and related topics to address the unique needs of those in restrictive housing units.

6. The department shall use positive incentives to encourage good behavior in restrictive housing units and may use disciplinary sanctions only as a last resort in response to behavior presenting a serious and evident danger to oneself or others after other measures have not alleviated such behavior.

7. All housing for medical or mental health support provided to persons recommended to receive such support by the entity providing and/or overseeing correctional medical and mental health, including placement in contagious disease units, housing for people who are transgender or gender non-conforming, housing for voluntary protective custody, and housing for purposes of school attendance, shall comply with subdivisions (b), (c), (e), (i), (j) and (k) of this section and paragraphs 4, 5, and 6 of this subdivision.

8. For purposes of contagious disease units, after a referral from health care staff, a person may be held in a medical unit overseen by health care staff, for as limited a time as medically necessary as exclusively determined by health care staff, in the least restrictive environment that is medically appropriate. Individuals in a contagious disease unit must have comparable access as individuals incarcerated in the general population to phone calls, emails, visits, and programming done in a manner consistent with the medical and mental health treatment being received, such as at a physical distance determined appropriate by medical or mental health staff. Such access must be comparable to access provided to persons incarcerated outside of restrictive housing units.

9. Reporting on restrictive housing. For each instance a disciplinary charge that could result in restrictive housing is dismissed or an incarcerated individual is found not guilty of the disciplinary charge, the department shall prepare an incident report that includes a description of the disciplinary charge and the reasons for the dismissal or not guilty determination. For each instance an incarcerated person is placed in restrictive housing,

the department shall prepare an incident report that includes a detailed description of the behavior that resulted in placement in restrictive housing and why restrictive housing was necessary to address such behavior, including if a person was placed in pre-hearing temporary restrictive housing and the reasons why the situation met the requirements in paragraph 1 of subdivision g of this section. For each instance in which confinement in restrictive housing is continued after a 15-day review of an incarcerated person's placement in restrictive housing, the department shall prepare an incident report as to why the person was not discharged, including a detailed description of how the person continued to present a specific, significant and imminent threat to the safety and security of the facility if housed outside restrictive housing and what program, treatment, service, and/or corrective action was required before discharge. Beginning on July 15, 2024, and within 15 days of the end of each subsequent quarter, the department shall provide the speaker of the council and the board of correction all such reports for the prior quarter and post all such reports on the department's website. The department shall redact all personally identifying information prior to posting the reports on the department's website. Beginning July 31, 2024, and within 30 days of the end of each subsequent quarter, the department shall provide to the speaker of the council and the board of correction, and post on the department's website, a report with data for the preceding quarter on the total number of people placed in restrictive housing during that time period, disaggregated by race, age, gender identity, mental health treatment level and length of time in restrictive housing, and data on all disposition outcomes of all restrictive housing hearing during such time period, disaggregated by charge, race, age, gender identity and mental health treatment level.

i. Out-of-cell time. 1. All incarcerated persons must have access to at least 14 out-of-cell hours every day except while in de-escalation confinement pursuant to subdivision c of this section and during emergency lock-ins pursuant to subdivision j of this section.

2. Incarcerated persons may congregate with others and move about their housing area freely during out-of-cell time and have access to education and programming pursuant to section 9-110 of the administrative code.

j. Emergency lock-ins. 1. Emergency lock-ins may only be used when the Commissioner, a Deputy Commissioner, or another equivalent member of department senior leadership with responsibility for the operations of security for a facility determines that such lock-in is necessary to de-escalate an emergency that poses a threat of specific, significant and imminent harm to incarcerated persons or staff. Emergency lock-ins may only be used when there are no less restrictive means available to address an emergency circumstance and only as a last resort after exhausting less restrictive measures. Emergency lock-ins must be confined to as narrow an area as possible and limited number of people as possible. The department shall lift emergency lock-ins as quickly as possible. The Commissioner, a Deputy Commissioner, or another equivalent member of department senior leadership over the operations of security shall review such lock-ins at least every hour. Such lock-ins may not last more than four hours.

2. Throughout an emergency lock-in, the department shall conduct visual and aural observation of every person locked in every fifteen (15) minutes, shall refer any health concerns to medical or mental health staff, and shall bring any person displaying any indications of any need for medical documentation, observation, or treatment to the medical clinic. Throughout an emergency lock-in, other than in a department-wide emergency lock-in or a facility emergency lock-in, each person locked in shall have access to a tablet or other device that allows the person to make phone calls both outside of the facility and to medical staff in the facility.

3. The department shall immediately provide notice to the public on its website of an emergency lock-in, including information on any restrictions on visits, phone calls, counsel visits or court appearances.

4. For each instance an emergency lock-in is imposed, the department shall prepare an incident report that includes:

(a) A description of why the lock-in was necessary to investigate or de-escalate an emergency, including the ways in which it posed a threat of specific, significant and imminent harm;

(b) A description of how other less restrictive measures were exhausted;

(c) The number of people held in lock-in;

(d) The length of lock-in;

(e) The areas affected and the reasons such areas were subject to the emergency lock-in;

(f) The medical and mental health services affected, the number of scheduled medical and or mental health appointments missed and requests that were denied;

(g) Whether visits, counsel visits or court appearances were affected;

- (h) What programs, if any, were affected;
- (i) All actions taken during the lock-in to resolve and address the lock-in; and
- (j) The number of staff diverted for the lock-in.

Beginning July 15, 2024, and within 15 days of the end of each subsequent quarter, the department shall provide the speaker of the council and the board of correction all such reports for the preceding quarter and shall post all such reports on the department's website with any identifying information redacted. Beginning July 15, 2024, and within 15 days of the end of each subsequent quarter, the department shall provide to the speaker of the council and the board of correction a report on the total number of lock-ins occurring during the preceding quarter, the areas affected by each such lock-in, the length of each such lock-in and number of incarcerated people subject to each such lock-in, disaggregated by race, age, gender identity, mental health treatment level and length of time in cell confinement.

k. Incarcerated persons under the age of 22 shall receive access to trauma-informed, age-appropriate programming and services on a consistent, regular basis.

§ 2. This local law takes effect 180 days after it becomes law. The board of correction shall take any actions necessary for the implementation of this local law, including the promulgation of rules relating to procedures and penalties necessary to effectuate this section before such date.

CARLINA RIVERA, *Chairperson*; SHAUN ABREU, SHAHANA K. HANIF, MERCEDES NARCISSE, LINCOLN RESTLER, LYNN C. SCHULMAN; 6-1-0; *Negative*: David M. Carr; *Absent*: Althea V. Stevens; Committee on Criminal Justice, December 20, 2023. *Others Attending*: The Public Advocate (Mr. Williams).

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

Report for Int. No. 1203-A

Report of the Committee on Criminal Justice 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 department of correction to provide a letter of incarceration to all individuals as they leave the department's custody.

The Committee on Criminal Justice, to which the annexed proposed amended local law was referred on September 28, 2023 (Minutes, page 2548), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Criminal Justice for Int. No. 549-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1203-A:



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. 1203-A

COMMITTEE: Criminal Justice

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to provide a letter of incarceration to all individuals as they leave the department's custody.

Sponsors: Council Members Riley, Restler, Brewer, Brooks-Powers, Stevens, Velázquez, Hudson, Cabán and the Public Advocate (Mr. Williams)

SUMMARY OF LEGISLATION: This bill would require the Department of Correction (DOC) to provide a letter of incarceration, also known as jail release papers or discharge papers, to every person that gets released from the department's custody. The letter of incarceration must specify the date that a person entered and was released from custody.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$15,000	\$15,000
Net	\$0	\$15,000	\$15,000

IMPACT ON REVENUES: There is no estimated impact on revenues as a result of this legislation.

IMPACT ON EXPENDITURES: It is anticipated that there would be net impact on expenditures of \$15,000 to meet the requirements of this legislation in order to cover overhead costs, such as printing and administrative needs.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: DOC

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Casey Lajszky, Financial Analyst

ESTIMATE REVIEWED BY: Jonathan Rosenberg, Managing Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 1203 on September 28, 2023 and was referred to the Committee on Criminal Justice (Committee). The Committee heard the legislation on September 29, 2023, and the bill was laid over. The legislation has been amended and the amended version, Proposed Intro. No. 1203-A, will be considered by the Committee on December 20, 2023. Upon a successful vote by the Committee, Proposed Int. No. 1203-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: DECEMBER 18, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1203-A:)

Int. No. 1203-A

By Council Members Riley, Restler, Brewer, Brooks-Powers, Stevens, Velázquez, Hudson, Cabán, Won, Hanif, Dinowitz, Rivera and the Public Advocate (Mr. Williams).

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to provide a letter of incarceration to all individuals as they leave the department's custody

Be it enacted by the Council as follows:

Section 1. Section 9-128 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. Upon release, the department of correction shall provide a letter of incarceration to every person discharged from a New York city correctional facility, regardless of whether such person was held pre-trial or was subject to an order of commitment that provided that such incarcerated individual remain in the custody of the department. Such letter shall specify both the date the person entered and the date such person was released from the custody of the department.

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

CARLINA RIVERA, *Chairperson*; SHAUN ABREU, SHAHANA K. HANIF, MERCEDES NARCISSE, LINCOLN RESTLER, LYNN C. SCHULMAN, DAVID M. CARR; 7-0-0; *Absent:* Althea V. Stevens; Committee on Criminal Justice, December 20, 2023. *Others Attending: The Public Advocate (Mr. Williams).*

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

Report of the Committee on Education

Report for Int. No. 3-A

Report of the Committee on Education 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 responding to students in emotional crisis in public schools.

The Committee on Education, to which the annexed proposed amended local law was referred on February 10, 2022 (Minutes, page 95), respectfully

REPORTS:

I. INTRODUCTION

On December 19, 2023, the Committee on Education, chaired by Council Member Rita Joseph, will consider Proposed Introduction Number (Int. No.) 3-A, sponsored by Council Member Diana Ayala, related to responding to students in emotional crisis in public schools; and Proposed Int. No. 542-A, sponsored by Council Member Mercedes Narcisse, related to requiring the department of education and the administration for children's services to report on educational programming for juvenile delinquents, juvenile offenders, and adolescent offenders.

The Committee previously held a hearing on Int. No. 3 on October 25, 2023 and heard testimony from the New York City (NYC) Department of Education (DOE) and the NYC Police Department (Department). The Committee previously held a hearing on Int. No. 542 on October 13, 2023 and heard testimony from the NYC DOE, the NYC Administration for Children's Services (ACS) and the NYC Department of Correction (DOC). At both hearings the Committee also heard testimony from community-based organizations, service providers and members of the public.

II. BILL ANALYSIS

Proposed Int. No. 3-A – A Local Law to amend the administrative code of the city of New York, in relation to responding to students in emotional crisis in public schools

This bill would regulate the Department's response to children in emotional crisis within public schools. Specifically, the bill establishes procedures for Department personnel responding to children in emotional crisis and limits the use of mechanical restraints on children in emotional crisis. Additionally, the Department would be required to report on any training for school safety personnel on (1) identifying and responding to children in emotional crisis or (2) the impacts of trauma on child development.

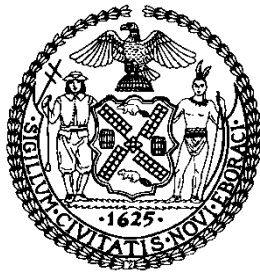
Since it was heard, required training on identifying students in emotional crisis for Department personnel was removed from the bill. This bill was also amended to allow Department personnel to directly respond to a student in emotional crisis when necessary to prevent an imminent and substantial risk of "physical injury" or "serious physical injury" to any person, as such terms are defined in Penal Law. Except under these limited circumstances, Department personnel would not be allowed to respond to a student in emotional crisis, unless responding to a 911 call or unless a request to intervene has been received by appropriate DOE staff. Additionally, this bill was amended to limit the use of mechanical restraints to when the behavior of a student in emotional crisis creates an imminent and substantial risk of physical injury to any person. This bill also received technical edits.

Proposed Int. No. 542-A – A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education and the administration for children’s services to report on educational programming for juvenile delinquents, juvenile offenders, and adolescent offenders

This bill would require DOE and ACS to issue a yearly report on educational statistics and related incidents pertaining to juvenile delinquents, juvenile offenders and adolescent offenders in ACS division facilities. This report must include statistics on educational programming enrollment, available services, attendance, use of restraints, and other related indicators.

Since it was heard, DOC was removed from required reporting. This bill was also amended to require reporting on (1) educational services for students with disabilities and English language learners; (2) the average number of days between release from ACS division custody and re-enrollment into department of education schools; and (3) the reasons why students do not attend educational programming. This bill also received technical edits.

(The following is the text of the Fiscal Impact Statement for Int. No. 3-A:)



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 3-A

COMMITTEE: EDUCATION

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to responding to students in emotional crisis in public schools.

SPONSOR(S): Council Members Ayala, Louis, Won, Riley, Restler, Joseph, Rivera, Narcisse, Stevens and Hudson.

SUMMARY OF LEGISLATION: This bill would regulate the Police Department’s response to children in emotional crisis within public schools. Specifically, the bill establishes procedures for department personnel responding to children in emotional crisis and limits the use of mechanical restraints on children in emotional crisis. Additionally, the department would be required to report on any training for school safety personnel on (1) identifying and responding to children in emotional crisis or (2) the impacts of trauma on child development.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
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 fiscal impact on expenditures resulting from the enactment of this legislation. The costs surrounding reporting on department training and service impact is anticipated to be absorbed with 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: Monica Saladi, Principal Financial Analyst

ESTIMATE REVIEWED BY: Kathleen Ahn, Counsel
Aliya Ali, Unit Head
Elizabeth Hoffman, Assistant Director
Chima Obichere, Deputy Director
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: This legislation was first introduced by the Council, as Intro. No. 3 and referred to the Committee on Education (the Committee) on February 10, 2022. A joint hearing was held by the Committee and the Committee on Public Safety on October 25, 2023 and the legislation was laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. No. 3-A, will be considered by the Committee on December 19, 2023. Upon a successful vote by the Committee, Proposed Int. No. 3-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: December 14, 2023.

(For text of Int. Nos. 542-A and its Fiscal Impact Statement, please see the Report of the Committee on Education for Int. No. 542-A printed in these Minutes; for text of Int. No. 3-A, please see below)

Accordingly, this Committee recommends the adoption of Int. No. 3-A and 542-A.

(The following is the text of Int. No. 3-A:)

Int. No. 3-A

By Council Members Ayala, Louis, Won, Riley, Restler, Joseph, Rivera, Narcisse, Stevens, Hudson, De La Rosa and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to responding to students in emotional crisis in public schools

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 14-197 to read as follows:

§ 14-197 Response to students in emotional crisis. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Chancellor. The term "chancellor" means the chancellor of the city school district of the city of New York.

Crisis intervention team. The term “crisis intervention team” means school staff trained in the use of de-escalation techniques who respond to behavioral crises or other crises within schools pursuant to chancellor’s regulation A-411 or any successor regulation or provision.

De-escalation technique. The term “de-escalation technique” means a method used to respond to a student in emotional crisis or other potentially dangerous or harmful situation in a school, such as verbal communication, body language, or active listening.

Mechanical restraints. The term “mechanical restraints” means any device or material attached to the body of a person that restricts the movement of such person or any portion of such person’s body, and that such person cannot easily remove, including but not limited to metal, cloth, velcro, or plastic handcuffs.

Physical injury. The term “physical injury” has the same meaning as set forth in section 10.00 of the penal law.

Precinct officer. The term “precinct officer” means a uniformed member of the department who is not assigned to the school safety division of the department.

Principal. The term “principal” means the principal of a school of the department of education, or such principal’s designee.

School safety personnel. The term “school safety personnel” means civilian personnel employed by the department to provide security and ensure the safety of students, faculty, and visitors in a school, or a uniformed member of the department who is assigned to the school safety division of the department.

Serious physical injury. The term “serious physical injury” has the same meaning as set forth in section 10.00 of the penal law.

Student in emotional crisis. The term “student in emotional crisis” means a student in a school who is displaying an emotional or behavioral reaction to the student’s surroundings or circumstances that escalates or intensifies and exceeds the student’s ability to cope and self-regulate.

b. Except when necessary to prevent an imminent and substantial risk of physical injury to any person, school safety personnel or a precinct officer shall not respond to a student in emotional crisis unless responding to a 911 call, or unless a request to intervene has been received from the principal of the school or, where applicable, a member of the crisis intervention team of the school.

c. School safety personnel or a precinct officer responding to a student in emotional crisis following a request to intervene from the principal of the school, or where applicable, a member of the crisis intervention team of the school, shall:

1. Inquire of school staff: (i) what de-escalation techniques school staff used before contacting such school safety personnel or such precinct officer; (ii) whether the parent or guardian of such student has been contacted; and (iii) whether the student has a disability or other medical, mental, physical, or emotional condition, if known;

2. Inquire of school staff whether the crisis intervention team of such school has been contacted and whether the crisis intervention plan of such school has been followed prior to the request to intervene being made to the school safety personnel or precinct officer;

3. Use mechanical restraints on such student only where such school safety personnel or such precinct officer determines that the behavior of such student creates an imminent and substantial risk of physical injury to such student or any other person, and shall limit the duration of such use to the period of time that the behavior of such student presents such risk; provided that, where practicable, such school safety personnel or such precinct officer shall consult with the crisis intervention team, where applicable, regarding such determination; and

4. Request emergency medical services only where: (i) such school safety personnel or such precinct officer determines that the behavior of such student creates an imminent and substantial risk of physical injury to such student or any other person and that the use of de-escalation techniques to manage such behavior would not be successful; or (ii) any person requires medical attention; provided that, where practicable, such school safety personnel or such precinct officer shall notify and consult with the principal of such school, or where applicable, a member of the crisis intervention team of such school, prior to contacting emergency medical services.

d. School safety personnel or a precinct officer responding to a student in emotional crisis as the result of a 911 dispatch or a request to intervene from a person other than the principal of the school or a member of the crisis intervention team of the school shall:

1. Notify the principal of such school if such principal is not aware of the incident;

2. Request the presence of members of the crisis intervention team of such school;

3. Inquire of school staff whether the crisis intervention plan of such school has been followed prior to the 911 dispatch or request to intervene being made to the school safety personnel or precinct officer;

4. Use mechanical restraints on such student only where such school safety personnel or such precinct officer determines that the behavior of such student creates an imminent and substantial risk of physical injury to such student or any other person, and shall limit the duration of such use to the period of time that the behavior of such student presents such risk; provided that, where practicable, such school safety personnel or such precinct officer shall consult with the crisis intervention team, where applicable, regarding such determination; and

5. Request emergency medical services only where: (i) such school safety personnel or such precinct officer determines that the behavior of such student creates an imminent and substantial risk of physical injury to such student or any other person and that the use of de-escalation techniques to manage such behavior would not be successful; or (ii) any person requires medical attention; provided that, where practicable, such school safety personnel or such precinct officer shall notify and consult with the principal of such school, or where applicable, a member of the crisis intervention team of such school, prior to contacting emergency medical services.

e. Subdivisions b, c, and d of this section shall not apply where a student in emotional crisis presents an imminent and substantial risk of serious physical injury to such student or to any other person.

f. In all incident reports filed by school safety personnel or a precinct officer following a response to a student in emotional crisis as described in this section, such school safety personnel or such precinct officer shall document:

1. De-escalation techniques used by such school safety personnel or such precinct officer;

2. Where applicable, the title of any school staff who called such school safety personnel or such precinct officer;

3. Where emergency medical services were requested, whether school staff or such school safety personnel or such precinct officer requested such services;

4. Whether a clinically trained mental health professional was available onsite;

5. Whether the parent or guardian of the student in emotional crisis was notified prior to the response to such student;

6. Where applicable, whether the parent or guardian of such student objected to the provision of medical services to such student; and

7. Whether such student or any other person suffered physical injury.

g. This section shall not be construed in a manner inconsistent with the requirements and procedures of article 55 of the education law or actions taken in accordance with such article.

h. Nothing contained in this section or in the administration or application hereof shall be construed as creating any private right of action on the part of any person or entity against the city or the department, or any official or employee thereof.

i. No later than October 1, 2024, and no later than October 1 of each year thereafter, the department shall submit to the speaker of the council and the mayor and post on the department's website a report on any training for school safety personnel to identify a student in emotional crisis, or any training on the impacts of trauma on child development, including the identification of any outside expert consulted to develop such training and a description of the format of each component of such training. Such report shall also include the following information for the previous academic year:

1. The number of school safety personnel who received such training; and

2. The number of school safety personnel who successfully demonstrated proficiency on the subject matter contained in such training.

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

RITA C. JOSEPH, Chairperson; ERIC DINOWITZ, OSWALD FELIZ, ALEXA AVILÉS, CARMEN N. De La ROSA, SHAHANA K. HANIF, SHEKAR KRISHNAN, LINDA LEE, JULIE MENIN, MERCEDES NARCISSE, LINCOLN RESTLER, PIERINA ANA SANCHEZ, LYNN C. SCHULMAN; 13-0-0; Jennifer Gutierrez, Althea V. Stevens, and Sandra Ung; Medical: James F. Gennaro, Kamillah Hanks, and Farah N. Louis; Committee on Education, December 19, 2023. Other Council Members Attending: Council Member Ayala.

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

Report for Int. No. 542-A

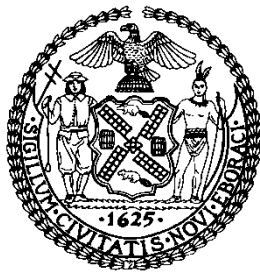
Report of the Committee on Education in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education and the administration for children's services to report on educational programming for juvenile delinquents, juvenile offenders, and adolescent offenders.

The Committee on Education, to which the annexed proposed amended local law was referred on June 16, 2022 (Minutes, page 1541), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Education for Int. No. 3-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 542-A:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

TANISHA S. EDWARDS, ESQ., CFO, AND DEPUTY
CHIEF OF STAFF TO THE SPEAKER

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 542-A

COMMITTEE: EDUCATION

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education and the administration for children's services to report on educational programming for juvenile delinquents, juvenile offenders and adolescent offenders.

SPONSOR(S): Council Members Narcisse, Hanks, Williams, Cabán, Abreu, Louis, Ung, Gutiérrez, Restler, Won, Sanchez, Riley, Rivera, Nurse, Brewer, Krishnan, Lee, Feliz, Avilés, Hudson and Hanif.

SUMMARY OF LEGISLATION: This bill would require the Department of Education and the Administration for Children's Services (ACS) to issue a yearly report on educational statistics and related incidents pertaining to juvenile delinquents, juvenile offenders and adolescent offenders in ACS division facilities. This report must

include statistics on educational programming enrollment, available services, attendance, use of restraints, and other related indicators.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
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 fiscal impact resulting from the enactment of this legislation as the responsible agencies will utilize existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Monica Saladi, Principal Financial Analyst

ESTIMATE REVIEWED BY: Kathleen Ahn, Counsel
Aliya Ali, Unit Head
Elizabeth Hoffman, Assistant Director
Chima Obichere, Deputy Director
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: This legislation was introduced to the Council on June 16, 2022, as Intro. No. 542 and referred to the Committee on Education (the Committee). A joint hearing was held by the Committee and the Committee on General Welfare, and the Committee on Criminal Justice on October 13, 2023 and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. No. 542-A, will be considered by the Committee on December 19, 2023. Upon a successful vote by the Committee, Proposed Int. No. 542-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: December 14, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 542-A:)

Int. No. 542-A

By Council Members Narcisse, Hanks, Williams, Cabán, Abreu, Louis, Ung, Gutiérrez, Restler, Won, Sanchez, Riley, Rivera, Nurse, Brewer, Krishnan, Lee, Feliz, Avilés, Hudson, Hanif, De La Rosa and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education and the administration for children's services to report on educational programming for juvenile delinquents, juvenile offenders, and adolescent offenders

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 21-924 to read as follows:

§ 21-924 *Education reports for juvenile delinquents, juvenile offenders, and adolescent offenders.* a. *Definitions. For the purposes of this section, the following terms have the following meanings:*

ACS division. The term "ACS division" means the division of youth and family justice of the ACS.

Adolescent offender. The term "adolescent offender" means any individual who is charged pursuant to the criminal procedure law as an adolescent offender, as such term is defined in subdivision 44 of section 1.20 of the criminal procedure law, and who is in custody of ACS.

Children and youth in ACS division facilities. The term "children and youth in ACS division facilities" shall include all children between the ages of 13 and 20 who are in custody in facilities operated by the ACS division, pursuant to a court order.

Commissioner. The term "commissioner" means the commissioner of education of the state of New York.

Custody. The term "custody" means the confinement, in secure and non-secure detention, of an individual by the ACS division pursuant to a court order.

Department of education site. The term "department of education site" means any site that is (i) operated by the department of education and offers educational programming to individuals who are required to receive a public education pursuant to education law 3205 and chancellor's regulation A-210 or any successor regulation or provision and who are in custody pursuant to a court order and (ii) located on property that is either under the control of the department of education or ACS or that is contracted by the department of education or ACS for the purpose of providing services for the department of education or for ACS.

Department of education staff. The term "department of education staff" means any employee of the department of education assigned to work at a department of education site.

Educational programming. The term "educational programming" means educational programming provided by the department of education pursuant to section 112 or part 1 of article 65 of title 4 of the education law, and any regulation promulgated by the commissioner of education thereto.

High school equivalency diploma. The term "high school equivalency diploma" means the diploma established pursuant to part 100.7 of the regulations of the commissioner or any successor regulation.

High school equivalency diploma test. The term "high school equivalency diploma test" means any test that the New York state education department offers for the purpose of establishing the equivalent of a high school diploma, including, but not limited to, a general education development test or the test assessing secondary completion.

Individualized education program. The term "individualized education program" has the same meaning as is set forth in paragraph (1) of subsection (d) of section 1414 of title 20 of the United States code and any regulations promulgated thereto.

Juvenile delinquent. The term "juvenile delinquent" means any individual in the custody of the ACS division who is charged pursuant to the family court act as a juvenile delinquent, as such term is defined in subdivision 1 of section 301.2 of the family court act.

Juvenile offender. The term "juvenile offender" means any individual in the custody of the ACS division who is charged pursuant to the criminal procedure law as a juvenile offender, as such term is defined in subdivision 42 of section 1.20 of the criminal procedure law.

Local or regents diploma. The term "local or regents diploma" means the diploma established pursuant to part 100.5 of the regulations of the commissioner or any successor regulation or provision.

School re-entry. The term “school re-entry” means the process by which a student, following release from an ACS division facility, is re-enrolled in the school of the department of education in which such student was enrolled prior to being placed in custody of ACS.

Skills and achievement commencement credential. The term “skills and achievement commencement credential” means the credential established pursuant to part 100.6 of the regulations of the commissioner or any successor regulation or provision.

Special education plan. The term “special education plan” means the plan created by the department of education to describe the services a student in custody who has an individualized education program will receive in a department of education site.

b. The department of education and ACS shall each produce an annual report on educational programming for children and youth in ACS division facilities. On October 1, 2024, and every October 1 thereafter, the department of education and ACS shall post such report on their respective websites and provide a link in each such report to the other report.

c. The department of education report shall provide data about children and youth in ACS division facilities and shall include, but need not be limited to, the following information:

1. The number and percentage of children and youth in ACS division facilities enrolled in educational programming at department of education sites, both in total and disaggregated by age. Such number and percentage shall be reported for the school year and for each month. Such percentage shall be calculated on the final day of each month by dividing the number of children and youth in ACS division facilities enrolled in educational programming by the respective number of children and youth in custody on such date.

2. The number of hours of educational programming offered to children and youth in ACS division facilities on each school day and the curriculum subject areas included in educational programming.

3. The number of children and youth in ACS division facilities whose educational programming includes the required courses of study for the first 8 years of full-time public day school, pursuant to section 3204 of the education law, disaggregated by grade level.

4. The number of children and youth in ACS division facilities whose educational programming is designed for the (i) skills and achievement commencement credential, (ii) local or regents diploma, or (iii) high school equivalency diploma test.

5. The number of children and youth in ACS division facilities who, while in custody, completed the required courses of study for the first 8 years of full-time public day school, pursuant to section 3204 of the education law, disaggregated by grade level.

6. The number of children and youth in ACS division facilities who graduated, dropped out, or otherwise exited from high school while in custody, in total and disaggregated by the number of children and youth who completed requirements for a (i) local or regents diploma, or (ii) skills and achievement commencement credential.

7. The number of children and youth in ACS division facilities to whom a high school equivalency diploma test was administered while in custody.

8. The number of children and youth in ACS division facilities who met high school equivalency diploma requirements while in custody.

9. The number of children and youth in ACS division facilities who are enrolled in college level coursework.

10. The average functional level of children and youth in ACS division facilities on tests such as the STAR assessment, the test of basic adult education, or similar testing.

11. The number and percentage of children and youth in ACS division facilities enrolled in educational programming and have an individualized education program as of the date of enrollment in educational programming, disaggregated by disability classification. Such number and percentage shall be reported for the school year as well as for each month. Such percentage shall be calculated by dividing the number of children and youth in ACS division facilities so enrolled on the final day of each month by the respective number of children and youth in ACS division facilities in custody on such date.

12. The number of children and youth in ACS division facilities who, as of the date of enrollment in educational programming, had an individualized education program recommendation of:

- (a) related services only;*
- (b) special education teacher support services;*
- (c) integrated co-teaching services;*

- (d) special class in a school located in districts 1 through 32, including high schools;
- (e) special class in a school in district 75; or
- (f) non-public school placement.

13. The number and percentage of children and youth in ACS division facilities for whom the department of education has completed special education plans within 30 school days of enrolling in educational programming.

14. The average and median number of days the department of education requires to complete special education plans, from the date children and youth in ACS division facilities with individualized education programs are enrolled in educational programming.

15. The number and percentage of children and youth in ACS division facilities who have special education plans and are receiving the full range of special education services indicated in their special education plan. This information shall be further disaggregated by whether such children and youth have been detained in secure or non-secure facilities.

16. The number and percentage of children and youth in ACS division facilities who have special education plans and are receiving the related services indicated in their special education plans. This information shall be further disaggregated by each related service, and whether such children and youth have been detained in secure or non-secure facilities.

17. The number and percentage of children and youth in ACS division facilities who have individualized education programs and have received special education evaluations while in custody. This information shall be further disaggregated by (i) the type of evaluation, including initial evaluation, mandated triennial reevaluation, or related service evaluation and (ii) whether such children and youth have been detained in secure or non-secure facilities.

18. The number and percentage of children and youth in ACS division facilities enrolled in educational programming whom the department of education identifies as having an English language learner status. Such number and percentage shall be reported for the school year as well as for each month. Such percentage shall be calculated by dividing the number of children and youth so enrolled on the final day of each month by the total number of children and youth in custody on such date.

19. The number and percentage of children and youth in ACS division facilities enrolled in educational programming who are identified as having an English language learner status who are receiving language instruction, in total and disaggregated by language and the type of instruction, including instruction by a certified English as a new language teacher, bilingual instruction, bilingual special education instruction, or language specific high school equivalency test preparation instruction.

20. The number of full-time equivalent teachers working at department of education sites assigned to teach children and youth in ACS division facilities, in total and disaggregated by (i) general education teachers, (ii) English-as-a-new-language teachers, and (iii) special education teachers.

21. The number of department of education staff other than teachers assigned to work at department of education sites, in total and disaggregated by staff role and by those working with children and youth in ACS division facilities.

22. The average class size for educational programming that the department of education provides to children and youth in ACS division facilities, disaggregated by facility location.

23. The number of children and youth in ACS division facilities participating in department of education career and technical education and the number of children and youth who complete such training.

24. The mean and median number of credits per quarter, semester, or other period of time that children and youth in ACS division facilities who are enrolled in high school educational programming attempted to earn and earn while in custody. This paragraph only applies to those children and youth who are in custody for a sufficient period to permit earning of credits.

25. The number of children and youth in ACS division facilities enrolled in physical education.

26. The mean and median rate of attendance in a department of education school for children and youth in ACS division facilities upon six months after their release from custody and upon one year post-release, disaggregated by age, race, disability classification, and English language learner status.

27. The mean and median number of days between release from ACS division custody and re-enrollment into schools of the department of education for children and youth in ACS division facilities, for students who are not returned to the schools of the department of education that such students attended preceding confinement

in ACS division custody through the school re-entry process and the number of students re-enrolled in such schools through the school re-entry process.

28. The plans, if any, of the department of education to ensure the educational progress of children and youth in ACS division facilities, after their release from custody.

29. All high school courses offered to children and youth in ACS division facilities at department of education sites.

30. All socio-emotional, behavioral, and mental health supports and services provided by the department of education to children and youth in ACS division facilities, disaggregated by whether such services were mandated pursuant to the special education plan of such children and youth.

31. The number and percentage of children and youth in ACS division facilities who did not attend educational programming, and if known, disaggregated by the reason such children and youth did not attend educational programming, including, but not limited to, unexplained absence, illness, special needs or circumstances, unavailable mandated transportation, required court appearance, or school closure due to medical or health issue; and the average and median number of days such children and youth missed school, and if known, disaggregated by reason such children and youth did not attend educational programming. Such number shall be reported for each month.

d. The ACS report shall provide data about children and youth in custody in ACS division facilities and shall include, but need not be limited to, the following information:

1. The number of incidents of use of physical restraints at a department of education site, in total and disaggregated by (i) whether such physical restraints were used on a juvenile delinquent, juvenile offender, or adolescent offender and (ii) the reason for using such physical restraints.

2. The number of incidents of use of mechanical restraints at a department of education site, in total and disaggregated by (i) whether such mechanical restraints were used on a juvenile delinquent, juvenile offender, or adolescent offender and (ii) the reason for using such mechanical restraints.

3. The number of incidents of restraints resulting in injuries and the type of injuries to children and youth in ACS division facilities when attending educational programming.

e. No data required to be reported by subdivisions c and d of this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of information respecting children and youth placed in custody in ACS division facilities or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between 1 and 5 such children and youth, or allows another category to be narrowed to between 1 and 5 such children and youth, the number shall be replaced with a symbol. A category that contains zero shall be reported as zero, unless such reporting would violate any applicable provision of federal, state, or local law relating to the privacy of student information.

§ 2. This local law takes effect immediately.

RITA C. JOSEPH, Chairperson; ERIC DINOWITZ, OSWALD FELIZ, ALEXA AVILÉS, CARMEN N. De La ROSA, SHAHANA K. HANIF, SHEKAR KRISHNAN, LINDA LEE, JULIE MENIN, MERCEDES NARCISSE, LINCOLN RESTLER, PIERINA ANA SANCHEZ, LYNN C. SCHULMAN; 13-0-0; Jennifer Gutierrez, Althea V. Stevens, and Sandra Ung; Medical: James F. Gennaro, Kamillah Hanks, and Farah N. Louis; Committee on Education, December 19, 2023. Other Council Members Attending: Council Member Ayala.

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

Report of the Committee on Environmental Protection, Resiliency and Waterfronts

Report for Int. No. 532-A

Report of the Committee on Environmental Protection, Resiliency and Waterfronts 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 installing pumpout facilities to establish the coastal waters of the city as no-discharge zones.

The Committee on Environmental Protection, Resiliency and Waterfronts, to which the annexed proposed amended local law was referred on June 16, 2022 (Minutes, page 1522), respectfully

REPORTS:

I. INTRODUCTION

On December 20, 2023, the New York City Council Committee on Environmental Protection, Resiliency, and Waterfronts (the “Committee”), chaired by Council Member James Gennaro, will hold a hearing to vote on Proposed Int. No. 532-A, sponsored by Council Member Gennaro, in relation to installing pumpout facilities to establish the city’s coastal waters as no-discharge zones. Proposed Int. No. 532-A was first heard by the Committee on February 3, 2023.

II. BACKGROUND

No-discharge zones (“NDZs”) are areas in which treated and untreated sewage discharges from vessels are prohibited under federal law.¹ Designating a body of water as an NDZ may address both human health and environmental concerns, as sewage discharges from boats can contain bacteria, viruses, chemical products, and nutrients that may stimulate harmful algal growth.² In 2010, New York State and the United States Environmental Protection Agency (“EPA”) announced a joint initiative to establish NDZs in all coastal and navigable connecting waterways of the State.³ Currently, the bodies of water in New York City (“NYC” or the “City”) with an NDZ designation are the portions of the Hudson River and Long Island Sound within New York State, as well as Jamaica Bay.⁴

The Clean Water Act (“CWA”) provides that states may apply to the EPA to designate a body of water as an NDZ.⁵ The EPA may approve the NDZ application if it determines that the protection and enhancement of the water body requires an NDZ; it determines that the water body has adequate⁶ pumpout facilities and the state determines in its application that the water body requires an NDZ; or if it establishes that water body is a drinking water intake zone.⁷ To enforce the NDZ designation, the federal government may assess a civil penalty of not more than \$2,000 against owners or operators of vessels that illegally discharge sewage from a vessel.⁸

¹ US EPA, “Vessel Sewage No-Discharge Zones,” August 14, 2023. Available at <https://www.epa.gov/vessels-marinas-and-ports/vessel-sewage-no-discharge-zones>.

² Massachusetts Office of Coastal Zone Management, “Benefits of No Discharge Zones (NDZs).” Available at <https://www.mass.gov/info-details/benefits-of-no-discharge-zones-ndzs>.

³ New York Department of Environmental Conservation, “New York State’s No Discharge Zones.” Available at <https://dec.ny.gov/environmental-protection/water/water-quality/no-discharge-zones>.

⁴ *Id.*

⁵ 33 USC § 1322(f).

⁶ The federal government has determined that an adequate number of pumpout stations is one station per 300 to 600 boats; US Fish and Wildlife Service, “Clean Vessel Act: Pumpout Station and Sump Station Technical Guidelines,” March 10, 1994. Available at <https://www.govinfo.gov/content/pkg/FR-1994-03-10/html/94-5530.htm>.

⁷ 33 USC § 1322 (f)(3)–(4). Available at <https://www.govinfo.gov/content/pkg/USCODE-2020-title33/pdf/USCODE-2020-title33-chap26-subchapIII-sec1322.pdf>.

⁸ 33 USC §§ 1322 (j). Available at <https://www.govinfo.gov/content/pkg/USCODE-2020-title33/pdf/USCODE-2020-title33-chap26-subchapIII-sec1322.pdf>.

Additionally, the United States Coast Guard may inspect and, under certain conditions, detain vessels suspected of illegally discharging sewage.⁹

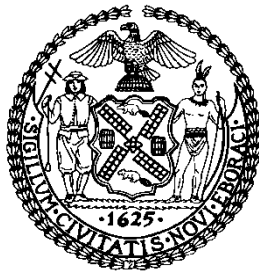
III. LEGISLATION

Proposed Int. No. 532-A

Federal law requires sufficient vessel waste pumpout facilities for a body of water to be designated as an NDZ for water protection purposes. This bill would require the Department of Environmental Protection (“DEP”) to report by December 31, 2025 on the additional construction and installation of pumpout facilities needed to establish each of the City’s coastal bodies of water as an NDZ. The report would also include information such as anticipated costs, and identification of the coastal bodies of water for which establishment of an NDZ would be most beneficial to water quality, and whether DEP has made a determination that establishment of an NDZ is not feasible for any individual coastal body of water in the City. Additionally, the bill would require DEP to install at least two pumpout facilities per year until each of the City’s coastal bodies of water hosts the number of operational pumpout facilities required to become an NDZ as determined by such report. However, DEP would not have to install pumpout facilities pursuant to this bill if the report determines that it would be infeasible to establish any individual coastal body of water in the City as an NDZ. The bill would require DEP to report every two years on progress regarding the foregoing, and to make best efforts to ensure that no-discharge zones continue to meet federal eligibility criteria for no-discharge zones once they are established.

This local law would take effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No. 532-A:)



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. NO. 532-A

COMMITTEE: Environmental Protection, Resiliency
and Waterfronts

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to installing pumpout facilities to establish the coastal waters of the city as no-discharge zones.

Sponsors: Council Members Gennaro, Restler, Holden, Riley, Velazquez and Cabán.

⁹ 33 USC §§ 1322 (k). Available at <https://www.govinfo.gov/content/pkg/USCODE-2020-title33/pdf/USCODE-2020-title33-chap26-subchapIII-sec1322.pdf>.

SUMMARY OF LEGISLATION: This bill would require the Department of Environmental Protection to report on the additional construction and installation needed to establish the City's coastal bodies of water as vessel no-discharge zones, to install at least two pumpout facilities per year until all coastal bodies of water in the City are designated as no-discharge zones or the department determines that it is infeasible for any coastal body of water, to report every two years on progress regarding the foregoing, and to make best efforts to ensure that no-discharge zones continue to meet federal eligibility criteria for no-discharge zones once they are established.

EFFECTIVE DATE: This bill would take effect immediately.

FISCAL YEAR (FY) IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY27

FISCAL IMPACT STATEMENT:

	Effective FY24	Succeeding FY25	Full Fiscal Impact FY27
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$360,000
Net	\$0	\$0	\$360,000

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

IMPACT ON EXPENDITURES: According to the Department of Environmental Protection (DEP), the projected cost for the construction of a pumpout station is \$180,000. As a result, the potential capital cost of the legislation would be \$360,000 annually to install two pumpout stations each year. This legislation calls for the installation of no less than two pumpout stations per year until such a time as the City's coastal bodies of water are designated as no-discharge zones. There are several potential costs relating to the legislation that would not be able to be determined until it was implemented, including: land acquisition, sewer extensions, additional staffing.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Department of Environmental Protection

ESTIMATE PREPARED BY: Tanveer Singh, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Aliya Ali , Unit Head
Eisha Wright, Deputy Director
Kathleen Ahn, Finance Division Counsel
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: This legislation was introduced to the Council on June 16, 2022, as Intro. No. 532 and referred to the Committee on Environmental Protection, Resiliency and Waterfronts (the Committee). This legislation was re-referred to the Committee on March 7, 2023. The legislation was considered by the Committee at a hearing held on February 3, 2023, and laid over. The legislation was subsequently amended, and the amended version, Proposed Intro. No. 532-A will be considered by the Committee on December 20, 2023. Upon successful vote by the Committee, Proposed Intro. No. 532-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: 12/13/2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 532-A:)

Int. No. 532-A

By Council Members Gennaro, Restler, Holden, Riley, Velázquez, Cabán, Hanif and Rivera.

A Local Law to amend the administrative code of the city of New York, in relation to installing pumpout facilities to establish the coastal waters of the city as no-discharge zones

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 1 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-112.1 to read as follows:

§ 22-112.1 *a. Definitions. For purposes of this section, the term “pumpout facility” has the meaning ascribed to such term in the environmental conservation law.*

b. No later than December 31, 2025, the department of environmental protection shall develop a report that would summarize the additional construction and installation needed for all coastal bodies of water of the city to be designated as no-discharge zones. Such report shall include, at a minimum:

- 1. Which coastal bodies of water of the city have been designated as no-discharge zones;*
- 2. The existing number and locations of pumpout facilities in or adjacent to the city’s coastal bodies of water;*
- 3. Determine the number of additional pumpout facilities required to establish a no-discharge zone in each coastal body of water in the city, and the necessary locations of such pumpout facilities;*
- 4. The costs that would be incurred in order to establish a no-discharge zone in each remaining coastal body of water in the city; and*
- 5. The coastal bodies of water in which the establishment of a no-discharge zone would be most beneficial to water quality.*

c. If the department of environmental protection determines that establishing certain coastal bodies of water as no-discharge zones is not feasible despite the best efforts of city government, or if the fiscal cost of the installation of pumpout facilities along a particular coastal body of water would be significantly in excess of the typical cost of installation for equivalent pumpout facilities in other locations in the city, the department of environmental protection shall include such determination in the report and make recommendations with respect to actions that may be undertaken to achieve no-discharge zone status in all of the coastal bodies of water of the city.

d. Each calendar year, beginning in the calendar year following the issuance of the report required pursuant to subdivision b of this section, until all of the coastal bodies of water of the city are designated as no-discharge zones or the department of environmental protection determines that establishing all of the coastal bodies of water of the city as no-discharge zones is not feasible pursuant to subdivision c of this section, the department of environmental protection shall install at least 2 public pumpout facilities until each coastal body of water hosts the number of operational pumpout facilities the department of environmental protection determines is required to be established as a no-discharge zone pursuant to the report required by subdivision b of this section or any update of such report. The department of environmental protection shall prioritize installing pumpout facilities in or around the coastal bodies of water that would most benefit from being designated no-discharge zones, as identified pursuant to the report required by subdivision b of this section or any update of such report.

e. By December 31, 2027, and by December 31 of every second year thereafter, until all of the coastal bodies of water of the city have been designated as no-discharge zones by the United States environmental protection agency, other than any portions of such coastal bodies of water for which a determination has been made pursuant to subdivision c of this section, the department of environmental protection shall submit a report to the mayor and the council including but not limited to the following:

1. *The number and locations of pumpout facilities constructed in or adjacent to the city's coastal bodies of water since the date of the most recent report issued pursuant to this section and the number and locations of pumpout facilities to be constructed during the following calendar year;*
 2. *Which coastal bodies of water of the city have been designated as a no-discharge zone since the date of the most recent report issued pursuant to this section;*
 3. *An assessment of priorities pursuant to subdivision d of this section; and*
 4. *An assessment of progress toward establishing all of the city's coastal bodies of water as no-discharge zones.*
 - f. *The department of environmental protection shall use best efforts to ensure that all no-discharge zones continue to meet federal eligibility criteria for no-discharge zones promulgated pursuant to the clean water act.*
- § 2. This local law takes effect immediately.

JAMES F. GENNARO, *Chairperson*; JENNIFER GUTIÉRREZ, ROBERT F. HOLDEN, JULIE MENIN, SANDY NURSE, LINCOLN RESTLER; 6-0-0; *Medical*: Kamillah Hanks; Committee on Environmental Protection, Resiliency & Waterfronts, December 20, 2023.

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

Report of the Committee on Finance

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

Report for Res. No. 864

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

The Committee on Finance, to which the annexed preconsidered resolution was referred on December 20, 2023, 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, 2021, the Council adopted the expense budget for fiscal year 2022 with various programs and initiatives (the “Fiscal 2022 Expense Budget”). On June 13, 2022, the Council adopted the expense budget for fiscal year 2023 with various programs and initiatives (the “Fiscal 2023 Expense Budget”). On June 30, 2023, the Council adopted the expense budget for fiscal year 2024 with various programs and initiatives (the “Fiscal 2024 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 2024, Fiscal 2023, and Fiscal 2022 Expense Budgets (“Charts”).

This Resolution, dated December 20, 2023, approves the new designations and the changes in the designation of certain organizations receiving local, aging, youth, anti-poverty, boroughwide, and Speaker's initiative to address citywide needs and community safety and victims' services discretionary funding and funding for certain initiatives in accordance with the Fiscal 2024 Expense Budget; approves the changes in designation of certain organizations receiving local and youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2023 Expense Budget; approves the changes in the designation of certain organizations receiving youth discretionary funding and funding for certain initiatives in accordance with the Fiscal 2022 Expense Budget; and amends the description for the Description/Scope of Services of certain organizations receiving local, youth, and community safety and victims' services discretionary funding in accordance with the Fiscal 2024 Expense Budget. All new designations and changes in designations are as described in the attached Charts and the Resolution text.

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.

It should also be noted that changes to funding for organizations in the attached Charts with a triple asterisk (***) are corrections to designations listed in Schedule C and/or a subsequent Transparency Resolution.

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2024, Fiscal 2023, and Fiscal 2022 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. 864:)

Preconsidered Res. No. 864

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

By Council Member Brannan.

Whereas, On June 30, 2023, the Council of the City of New York (the "City Council") adopted the expense budget for Fiscal Year 2024 with various programs and initiatives (the "Fiscal 2024 Expense Budget"); and

Whereas, On June 13, 2022, the Council of the City of New York (the "City Council") adopted the expense budget for Fiscal Year 2023 with various programs and initiatives (the "Fiscal 2023 Expense Budget"); and

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, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2024 and Fiscal 2023 and Fiscal 2022 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, youth, anti-poverty, boroughwide, and Speaker's initiative 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 2024 Budget by approving new Description/Scope of Services for certain organizations receiving local

discretionary funding and certain organization receiving funding pursuant to certain initiatives; now, therefore, be it

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2024 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Community Safety and Victim Services Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designations and change in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving funding pursuant to the Support Our Older Adults Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designations and change in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the AAPI Community Support Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Welcome NYC Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Support for Educators Initiative in accordance with the Fiscal 2024 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 Alternatives to Incarceration (ATI's) Initiative in accordance with the Fiscal 2024 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 Ending the Epidemic Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council approves the new designation and change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 27; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 28; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Educational Programs for Students Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 29; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the AAPI Community Support Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 30; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Educational Programs for Students Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 31; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 32; and be it further

Resolved, That the City Council amends the Purpose of Funds for certain organizations receiving funding in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 33.

(For text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 864 of 2023 file](https://council.nyc.gov) in the legislation section of the New York City Council website at <https://council.nyc.gov>)

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, JULIE WON; 17-1-0; *Negative*: David M. Carr; Committee on Finance, December 20, 2023.

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

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

Report for L.U. No. 298

Report of the Committee on Finance in favor of a Resolution approving Sojourner Truth: Block 1841, Lot 1, Block 1863, Lot 29; Manhattan; Community District No. 7; Council District No. 7.

The Committee on Finance, to which the annexed preconsidered resolution was referred on December 20, 2023, respectfully

REPORTS:

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

THE COUNCIL OF THE CITY OF NEW YORK

December 20, 2023

TO: Hon. Justin Brannan Chair, Finance Committee
Members of the Finance Committee

FROM: Michael Twomey, Assistant Counsel, Finance Division
Kathleen Ahn, Counsel, Finance Division

RE: Finance Committee Agenda of December 20, 2023 – Resolution approving a tax exemption for two Land Use items (Council Districts 7, 9, 10)

Item #1: Sojourner Truth Houses

Sojourner Truth (“Project”) currently has an Article V tax exemption and is looking to obtain an additional period of exemption through Article V. At closing, the owner and HPD will enter into a 40-year and 4-month regulatory agreement as a condition of receiving the new Article V tax exemption for the 40-year exemption period beginning April 22, 2024, and amending the existing Article V expiring on April 21, 2024 to adjust the taxes due for FY24 to reflect HPD’s term sheet requirements. Being that the original Article V tax exemption

cannot be longer or shorter than forty years, Program has decided to execute the Regulatory Agreement in December 2023 while letting the original Article V exemption expire April 21, 2024 to have the regulatory agreement and the new tax exemption end at the same time.

The Project consists of three buildings that are located at 980 Columbus Avenue, 988 Columbus Avenue, and 73 West 105th Street (AKA 921 Columbus Avenue). Combined, these buildings have 92 total units including one superintendent's unit. 91 units are covered under a 20-year Mark-Up-to-Market HAP contract under Project Based Section 8. The super's unit is not covered by the HAP contract. The buildings contain a total of 5 studios, 42 one-bedrooms, 44 two-bedrooms (one of which is a superintendent's unit), and 1 three-bedroom.

Summary:

- Borough – Manhattan
- Block 1841, Lot 1; Block 1863, Lot 29
- Council District – 7
- Council Member – Abreu
- Council Member approval – Yes
- Number of buildings – 3
- Number of units – 92 residential
- Type of exemption – Article V, partial, 40-year
- Population – Rental
- Sponsors – LIHC Investment Group
- Purpose – preservation
- Cost to the city – \$5.29 million (net present value)
- Housing Code Violations
 - Class A – 7
 - Class B – 9
 - Class C – 4

Anticipated AMI Targets: 50% for all units

Item #2: Aulder Preservation Portfolio

Aulder Preservation Portfolio (the “Project”) currently consists of eight residential rental buildings with 195 units located in Hamilton Heights and Washington Heights in Manhattan. The buildings are currently owned by three different LLCs: 146th Apartments LLC, 147th Apartments LLC, and 176th APTS LLC. The Project intends to have each building ownership under one HDLC entity. There are currently 5 studios, 74 one-bedrooms, 97 two-bedrooms, 19 three-bedrooms, and inclusive of 2 superintendent units. Of the 195 units, 18 are currently vacant. Aulder Property Management is the in-house property management. None of the properties are currently under a regulatory agreement.

The goals of the project are to close on a full 40-year Article XI property tax exemption that will take effect upon the execution of the HPD Regulatory Agreement. In conjunction with the Article XI, HPD will issue a new City Capital loan. As part of this closing, the owner will sign a new 40-year HPD Regulatory Agreement that will set rent and income restrictions as shown below. The scope of work includes moderate rehabilitation that will include but is not limited to window replacements, CFL (Compact Fluorescent Light) lighting to LED replacement, steam vent installation, exterior façade repairs, roof replacement, electrical repairs, exterior doors, unit entry doors, and stairway repairs.

Summary:

- Borough – Manhattan
- Block 2032, Lots 5, 6, 7, 8 and 9; Block 2045, Lot 37; Block 2133, Lots 10 and 13
- Council Districts – 9 and 10
- Council Members – Richardson Jordan and De La Rosa
- Council Members approval – Yes
- Number of buildings – 8
- Number of units – 195 residential
- Type of exemption – Article XI, full, 40 years
- Population – Rental
- Sponsors – Aulder Capital LLC
- Purpose – preservation
- Cost to the city – \$15.55 million (net present value)
- Housing Code Violations
 - Class A – 136
 - Class B – 373
 - Class C – 172
- Anticipated AMI Targets: 28 units at 55%, 97 units at 75%, 68 units at 85%

(For text of the coupled resolution for L.U. No. 299, please see the Report of the Committee on Finance for L.U. No. 299 printed in these Minutes; for the two coupled resolutions for L.U. No. 298, please see below:)

Accordingly, this Committee recommends the adoption of L.U. No. 298 and L.U. No. 299.

In connection herewith, Council Member Brannan offered the following two resolutions (Res. Nos. 869 and 870):

Preconsidered Res. No. 869

Resolution approving an amendment to a previously approved real property tax exemption pursuant to Section 125(1)(a) of the Private Housing Finance Law for property located at (Block 1841, Lot 1; Block 1863, Lot 29), Manhattan (Preconsidered L.U. No. 298).

By Council Member Brannan.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated December 7, 2023 that the Council amend a previously approved tax exemption for real property located at (Block 1841, Lot 1; Block 1863, Lot 29), Manhattan (“Exemption Area”) pursuant to Section 125(1)(a) of the Private Housing Finance Law;

WHEREAS, the HPD’s request for amendments is related to a previously approved Board of Estimate Resolution adopted on April 16, 1982 (Cal. No. 2) (the “Prior Resolution”), granting the Exemption Area a real property tax exemption pursuant to Section 125(1)(a) of the Private Housing Finance Law;

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

RESOLVED:

The Council approves the amendments to the Prior Resolution requested by HPD for the Exemption Area pursuant to Section 125(1)(a) of the Private Housing Finance Law as follows:

Paragraph 2 of the Prior Resolution is deleted in its entirety and replaced with the following:

2. That the Board of Estimate, pursuant to subdivision 1(a) of the PHFL, does hereby approve the exemption from local and municipal taxes, other than assessments for local improvements, of all of the value of the property included in the Project (excluding, however, those portions, if any, authorized to be used for business and commercial purposes), provided that the amount of such taxes to be paid shall be as follows: (a) for all tax years prior to July 1, 2023, the annual aggregate amount of \$27,164, representing the Minimum Annual Ten Percent of Shelter Rent taxes for the residential portion of the Project, plus an additional amount after the tax exemption first becomes effective, which additional amount shall equal 25% of the amount by which the Contract Rent applicable to the Project annually exceeds the Contract Rent in effect as of the date of occupancy of the Project by eligible tenants, and (b) for the period commencing upon July 1, 2023 and ending upon April 20, 2024, in the sum of \$383,105. Solely for purposes of subparagraph (a) hereof, (i) Contract Rent is defined in the HUD Regulations promulgated pursuant to Section 8 of the United States Housing Act of 1937, as amended, and (ii) local annual real estate taxes for the residential portion of the Project shall not, at any time, exceed the lesser of either 17 percent of Contract Rent for that year or the amount of real estate taxes that otherwise would be due in the absence of any form of tax exemption or abatement provided for by existing or future local law or state legislation.

The exemption granted herein shall operate and continue for so long as a federally-aided and/or assisted mortgage is outstanding, but in no event for a period of more than forty (40) years, commencing on the date on which the benefits of such exemption first become available and effective.

The tax exemption shall first become available and effective, at the option of the Redevelopment Company, upon either of the following dates: (a) July 1st of that year in which the Project would be subject to tax based upon an increase in assessment resulting from improvements made to the property by the Redevelopment Company, or (b) the date of issuance of the Certificate of Occupancy, temporary or permanent, for each such stage. In the event the Redevelopment Company shall elect alternative (a) as the effective and available tax exemption date, it shall notify the Finance Department, the Bureau of Real Property Assessment and the Department of Housing Preservation and Development of its election prior to the last date upon which the taxable status of real property can be altered or modified for a particular tax year. If alternative (a) is not so elected, alternative (b) shall be the effective and available tax exemption date.

Except as specifically amended above, all other terms, conditions, provisions and requirements of the Prior Resolution remain in full force and effect.

And be it further Resolved;

Preconsidered Res. No. 870

Resolution approving an additional period of exemption from real property taxes for property located at (Block 1841, Lot 1; Block 1863, Lot 29) Manhattan, pursuant to Section 125(1)(a-3) of the Private Housing Finance Law (Preconsidered L.U. No. 298).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated December 7, 2023 that the Council take the following action regarding a housing project located at (Block 1841, Lot 1; Block 1863, Lot 29) Manhattan (“Exemption Area”):

Approve an additional period of tax exemption from real property taxes pursuant to Section 125(1)(a-3) of the Private Housing Finance Law (the “Tax Exemption”);

WHEREAS, The project description that HPD provided to the Council states that the owner of the Project (the “Owner”) for the subject period of the requested exemption was a duly organized housing redevelopment company formed pursuant to Article V of the Private Housing Finance Law;

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

RESOLVED:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a) “Company” shall mean Columbus Avenue Redevelopment Company L.P..
 - b) “Contract Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Contract Rent Differential Tax for the applicable tax year.
 - c) “Contract Rent Differential” shall mean the amount by which the total contract rents applicable to the Exemption Area for such tax year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the total contract rents which are authorized as of the date of the Regulatory Agreement.
 - d) “Contract Rent Differential Tax” shall mean the sum of (i) \$510,807 plus (ii) twenty-five percent (25%) of the Contract Rent Differential; provided, however, that the total annual real property tax payment by the Owner shall not at any time exceed the lesser of (A) seventeen percent (17%) of the contract rents in the applicable tax year, or (B) the amount of real property taxes that would otherwise be due in the absence of any form of exemption from, or abatement of, real property taxation provided by an existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, if the Owner fails to provide the contract rents on or before the Contract Rent Deadline, Contract Rent Differential Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - e) “Effective Date” shall mean April 21, 2024.
 - f) “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - g) “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 1841, Lot 1 and Block 1863, Lot 29 on the Tax Map of the City of New York.
 - h) “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Redevelopment Agreement, (iii) the date of the expiration or termination of the Regulatory Agreement, (iv) the date of the expiration or termination of the Restrictive Agreement, (v) the date upon which the Exemption Area ceases to be owned by the Owner, (vi) the date upon which the City terminates the partial tax exemption pursuant to the terms of the Regulatory Agreement, or (vii) the date of the expiration or termination of the Exemption Area’s Section 8 Housing Assistance Payments contract.
 - i) “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.

- j) "Owner" shall mean the Company or, with the prior written approval of HPD, any future owner of the Exemption Area that is a redevelopment company organized pursuant to Article V of the Private Housing Finance Law.
 - k) "Redevelopment Agreement" shall mean the Agreement dated April 16, 1982 between the City of New York and the Owner, establishing certain controls upon the operation of the Exemption Area in accordance with Private Housing Finance Law Section 125 and recorded on reel 664, page 376, in the office of the City Register of the City of New York.
 - l) "Regulatory Agreement" shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area on and after the date such regulatory agreement is executed.
 - m) "Restrictive Agreement" shall mean an agreement between HPD and the Owner that is entered into on or after November 1, 2023 and that requires the Exemption Area to remain a redevelopment company development organized under and operated pursuant to Article V of the Private Housing Finance Law for a period of forty years from the date of execution.
- 2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 - 3. Commencing upon the Effective Date, the Owner shall make real property tax payments in the sum of (i) for the period beginning on the Effective Date and ending on June 30, 2024, \$127,702, and (ii) for each year thereafter until the Expiration Date, the Contract Rent Differential Tax.
 - 4. Notwithstanding any provision hereof to the contrary:
 - a) The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article V of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Redevelopment Agreement, (iii) the Exemption Area is not being operated in accordance with the Regulatory Agreement, (iv) the Exemption Area is not being operated in accordance with the requirements of the Restrictive Agreement; (v) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (vi) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, (vii) the owner of the Exemption Area did not apply for a new Section 8 Housing Assistance Payments contract on or before June 29, 2038 or did not receive a new HAP contract effective June 30, 2038, or (viii) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b) The Exemption shall apply to all land in the Exemption Area but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
 - c) Nothing herein shall entitle the Company, the Owner or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

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

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, JULIE WON, DAVID M. CARR; 18-0-0; Committee on Finance, December 20, 2023.

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

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

Report for L.U. No. 299

Report of the Committee on Finance in favor of a Resolution approving a Aulder Preservation Portfolio: Block 2032, Lots 5, 6, 7, 8, and 9; Block 2045, Lot 37; Block 2133, Lots 10 and 13; Manhattan; Community District No. 10 and 12; Council District No. 9 and 10.

The Committee on Finance, to which the annexed preconsidered resolution was referred on December 20, 2023, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 298 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 871

Resolution approving an exemption from real property taxes for property located at (Block 2032, Lots 5, 6, 7, 8, & 9; Block 2045, Lot 37; Block 2133, Lots 10 & 13), Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 299).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated December 7, 2023 that the Council take the following action regarding a housing project located at (Block 2032, Lots 5, 6, 7, 8, & 9; Block 2045, Lot 37; Block 2133, Lots 10 & 13), Manhattan (“Exemption Area”):

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

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

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

RESOLVED:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean 146th Apartments LLC, 147th Apartments LLC, and 176th APTS LLC or any other entities that acquire all or a portion of the beneficial interests in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 2032, Lots 5, 6, 7, 8, and 9, Block 2045, Lot 37, and Block 2133, Lots 10 and 13.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “HDFC” shall mean HP Alder Capital Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - g. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - h. “Owner” shall mean, collectively, the HDFC and the Company.
 - i. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be

exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.

3. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
4. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, JULIE WON, DAVID M. CARR; 18-0-0; Committee on Finance, December 20, 2023.

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

Report of the Committee on General Welfare

Report for Int. No. 1153-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 requiring reports on removals involving individuals experiencing homelessness and the outcomes for those individuals.

The Committee on General Welfare, to which the annexed proposed amended local law was referred on August 3, 2023 (Minutes, page 2254), respectfully

REPORTS:**I. Introduction**

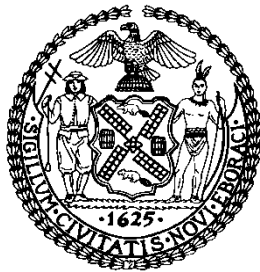
On December 19, 2023, the Committee on General Welfare, chaired by Deputy Speaker Diana Ayala, will consider Proposed Introduction Number (Int. No.) 1153-A, sponsored by Council Member Sandy Nurse. The Committee previously held a hearing on Int. No. 1153 on December 7, 2023, where the Committee received testimony from the Department of Social Services and various advocacy organizations.

II. Bill Analysis

This bill would require the Commissioner of Social Services to produce two quarterly reports, in consultation with the Police Commissioner, the Commissioner of Sanitation, and the Commissioner of Parks and Recreation. The first report would track each time a city agency worked to remove a person experiencing homelessness from a public space, including when the removal was coordinated among multiple agencies and when a person was asked to vacate a public space by a police officer. The second report would track how many individuals were affected by the removal, what housing services they were offered and whether there were any involuntary removals or arrests.

Since introduction, the bill was amended to require reporting on a quarterly basis, rather than a monthly basis. Since introduction, the bill was also amended to include a definition of affected individual, to mean any individual perceived as experiencing homelessness who is temporarily or permanently removed from a location or whose personal property has been cleared at a location.

(The following is the text of the Fiscal Impact Statement for Int. No. 1153-A:)



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

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

RICHARD LEE, FINANCE DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 1153-A

COMMITTEE: General Welfare

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring reports on removals of individuals experiencing homelessness and the outcomes for those individuals.

SPONSOR(S): Council Members Nurse, Hanif, Ossé, Restler, Cabán, Ayala, Richardson Jordan, Won, Feliz, De La Rosa, Williams, Marte, Sanchez, Avilés, Narcisse, Hudson, Brewer, Krishnan, Gutiérrez, Farías, and Rivera.

SUMMARY OF LEGISLATION: Proposed Int. No. 1153-A would require the Department of Homeless Services (DHS) to produce two quarterly reports, in consultation with the Police Department, the Department of Sanitation, and the Department of Parks and Recreation. The first report would track each time a City agency worked to remove a person experiencing homelessness from a public space, including when the removal was coordinated among multiple agencies and when a person was asked to vacate a public space by a police officer. The second report would track how many individuals were affected by the removal, what housing services they were offered, and whether there were any involuntary removals or arrests. Reporting will start one month after the effective date of this local law.

EFFECTIVE DATE: This local law would take effect 100 days after it becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
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 DHS will utilize existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Phariha Rahman, Financial Analyst

ESTIMATE REVIEWED BY: Julia K. Haramis, Unit Head
Chima Obichere, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on August 3, 2023, as Int. No. 1153 and was referred to the Committee on General Welfare (the Committee). A joint hearing was held by the Committee and the Committee on Housing and Buildings, the Committee on Mental Health, Disabilities, and Addiction, and the Committee on Veterans on December 7, 2023, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 1153-A, will be voted on by the Committee at a hearing on December 19, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 1153-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: December 13, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1153-A:)

Int. No. 1153-A

By Council Members Nurse, Hanif, Ossé, Restler, Cabán, Ayala, Richardson Jordan, Won, Feliz, De La Rosa, Williams, Marte, Sanchez, Avilés, Narcisse, Hudson, Brewer, Krishnan, Gutiérrez, Fariás and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to requiring reports on removals involving individuals experiencing homelessness and the outcomes for those individuals

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 21-152 to read as follows:

§ 21-152 *Reports on removals involving individuals experiencing homelessness. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Affected individual. The term “affected individual” means any individual perceived as experiencing homelessness who is temporarily or permanently removed from a location or whose personal property has been cleared at a location.

Agency removal. The term “agency removal” means a removal by or on behalf of any agency or agencies or a removal where an agency representative was present, except that such term does not include a police-directed removal.

Police-directed removal. The term “police-directed removal” means a removal by an employee of the police department without coordination with another agency or entity.

Removal. The term “removal” means an action or directive by or on behalf of any agency, that results in an individual perceived as experiencing homelessness temporarily or permanently leaving a location or the clearing by or on behalf of any agency of personal property, which may include a sleeping bag, shelter, tarp, tent, bed, cardboard, metal sheeting, furniture, or other objects at a location.

Robot. The term “robot” means an artificial object or system that senses, processes, and acts, to at least some degree, and is operated either autonomously by computers or by an individual remotely. The term does not include unmanned aerial vehicles.

Shelter. The term “shelter” means a building or individual units within a building, used by the department or by a person under contract or similar agreement with the department to provide temporary emergency housing.

Transitional housing. The term “transitional housing” means placement in a shelter, stabilization bed, or safe haven.

b. No later than 1 month after the effective date of the local law that added this section, and quarterly thereafter, the commissioner, in consultation with the police commissioner, the commissioner of sanitation, and the commissioner of parks and recreation, shall submit to the speaker of the council, the public advocate, and the mayor, and publish on the department’s website, in a machine readable format, a report on removals conducted during the prior month. The report shall include a table in which each row references a unique occurrence of a removal. Each such row shall include the following information and any additional information the commissioner deems appropriate, set forth in separate columns:

- 1. A unique identification number for each removal;*
- 2. Whether the removal was an agency removal or a police-directed removal;*
- 3. The council district where the removal occurred;*
- 4. Whether or not at removal has previously been conducted at that location;*
- 5. The source of initiation for the removal, including but not limited to requests by an agency, office, organization, or 311 report;*

6. *The date and time of the start of the removal;*
 7. *The agencies and divisions within agencies with personnel present for the removal;*
 8. *The non-government entities present for the removal;*
 9. *The number of agency personnel present and total hours spent on the removal by personnel, disaggregated by agency;*
 10. *The number of affected individuals involved in the removal; and*
 11. *The cost of removals, including, but not limited to, the costs associated with the following information:*
 - (a) *The number of agency staff present during and before a removal, disaggregated by the agency and relevant job title;*
 - (b) *The total time an agency was present before and during a removal;*
 - (c) *Any overtime hours used to conduct a removal, including a methodology on how overtime hours were calculated; and*
 - (d) *Any additional costs such as the use of any specialized equipment during a removal, including unmanned aerial vehicles and robots.*
 - c. *No later than 1 month after the effective date of the local law that added this section, and quarterly thereafter, the commissioner shall submit to the speaker of the council, the public advocate, and the mayor and publish on the department's website, in a machine readable format, a report on the same-day outcomes for individuals experiencing homelessness involved in a removal during the prior month. Such report shall include a table in which each row references a unique occurrence of a removal. Each such row shall include the following information, as well as any additional information the commissioner deems appropriate, set forth in separate columns:*
 1. *A reference to the unique removal identification number as reported in subdivision b of this section;*
 2. *The council district where the removal occurred;*
 3. *The number of affected individuals on the date of the removal;*
 4. *The number of affected individuals who were offered housing vouchers on the date of the removal;*
 5. *The number of affected individuals who were offered housing voucher applications on the date of the removal;*
 6. *The number of affected individuals who were offered direct permanent housing placements on the date of the removal;*
 7. *The number of affected individuals who were offered supportive housing on the date of the removal;*
 8. *The number of affected individuals who were offered placement in transitional housing on the date of the removal;*
 9. *Any services not listed in paragraphs 4 to 8 of this subdivision offered to an affected individual on the date of the removal;*
 10. *The number of affected individuals who were detained involuntarily and brought to a hospital for a mental health evaluation pursuant to section 9.41 or 9.58 of the mental hygiene law;*
 11. *The number of affected individuals who entered transitional housing on the date of the removal; and*
 12. *The number of affected individuals who were arrested on the date of the removal.*
 - d. *The reports required by subdivisions b and c of this section shall include a data dictionary.*
 - e. *Except as otherwise expressly provided in this section, no report required by subdivision b or c of this section shall contain personally identifiable information.*
 - f. *No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of information.*
- § 2. This local law takes effect 100 days after it becomes law.

DIANA I. AYALA, Chairperson; KEVIN C. RILEY, TIFFANY CABÁN, CRYSTAL HUDSON, LINDA LEE, CHI A. OSSÉ, LINCOLN RESTLER, NANTASHA M. WILLIAMS; 8-0-0; Absent: Althea V. Stevens and Sandra Ung; Committee on General Welfare, December 19, 2023.

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

Report of the Committee on Land Use

Report for L.U. No. 281

Report of the Committee on Land Use in favor of approving Application number G 230036 XAM (506 West 135th Street ANCP) submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law and Article XI of the Private Housing Finance Law for approval of an Urban Development Action Area Project (UDAAP), and an exemption from real property taxes for property located at Block 1988, Lot 131; Block 1988, Lot 40; and Block 2070, Lot 26, Borough of Manhattan, Community District 9, Council District 7.

The Committee on Land Use, to which the annexed Land Use item was referred on October 19, 2023 (Minutes, page 2756) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 9

G 230036 XAM

Application submitted by the New York City Department of Housing Preservation and Development (HPD) pursuant to Article 16 of the General Municipal Law, requesting approval of an Urban Development Action Area Project, waiver of the designation requirement of Section 693 of the General Municipal Law, and waiver of the requirements of Sections 197-c and 197-d of the New York City Charter, and a real property tax exemption pursuant to Article XI of the Private Housing Finance Law, for properties located at 536-38 West 136th Street (Block 1988, Lot 131), 506 West 135th Street (Block 1988, Lot 40), and 507 West 138th Street (Block 2070, Lot 26), Borough of Manhattan, Community District 9, Council District 7.

INTENT

To approve the Project as an Urban Development Action Area Project and a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for the project will provide approximately sixty-three (63) affordable cooperative dwelling units.

PUBLIC HEARING

DATE: October 11, 2023

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: December 5, 2023

The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.

In Favor:

Louis

Against:

None

Abstain:

None

Feliz
De La Rosa
Marte
Nurse
Ung
Vernikov

COMMITTEE ACTION

DATE: December 12, 2023

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Salamanca	None	None
Moya		
Rivera		
Louis		
Riley		
Abreu		
Brooks-Powers		
Bottcher		
Hanks		
Krishnan		
Mealy		
Sanchez		
Borelli		

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

Res. No. 872

Resolution approving an Urban Development Action Area Project and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure pursuant to Article 16 of the General Municipal Law, and approving a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at 536-38 West 136th Street (Block 1988, Lot 131), 506 West 135th Street (Block 1988, Lot 40), and 507 West 138th Street (Block 2070, Lot 26), Borough of Manhattan, Community District 9 (L.U. No. 281; G 230036 XAM).

By Council Members Salamanca and Louis.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on September 26, 2023 its request dated September 26, 2023 that the Council take the following actions regarding the proposed Urban Development Action Area Project (the "Project") located at 536-38 West 136th Street (Block 1988, Lot 131), 506 West 135th Street (Block 1988, Lot 40), and 507 West 138th Street (Block 2070, Lot 26), Community District 9, Borough of Manhattan (the "Disposition Area"):

1. Find that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;

2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to Section 693 of the General Municipal Law;
3. Waive the requirements of Sections 197-c and 197-d of the Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve an exemption of the Exemption Area from real property taxes pursuant to Section 577 of Article XI of the Private Housing Finance Law.

WHEREAS, the Project is to be developed on land that is an eligible area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings, and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on the Project on October 11, 2023; and

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

RESOLVED:

The Council finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the area designation requirement pursuant to Section 693 of the General Municipal Law.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law.

The Council approves the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Project shall be developed in a manner consistent with the Project Summary that HPD has submitted to the Council on September 26, 2023, a copy of which is attached hereto.

Pursuant to Section 577 of Article XI of the Private Housing Finance Law, the Council approves an exemption of the Exemption Area from real property taxes as follows:

- a. For the purposes hereof, the following terms shall have the following meanings:
 - a. All of the value of the property in the Disposition Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the later of (i) the date of conveyance of the Disposition Area to the Sponsor, or (ii) the date that HPD and the Sponsor enter into a regulatory agreement governing the operation of the Disposition Area ("Effective Date") and

terminating upon the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the regulatory agreement between HPD and the Sponsor, or (iii) the date upon which the Disposition Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company ("Expiration Date").

- b. Notwithstanding any provision hereof to the contrary, the exemption from real property taxation provided hereunder ("Exemption") shall terminate if HPD determines at any time that (i) the Disposition Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Disposition Area is not being operated in accordance with the requirements of the regulatory agreement between HPD and the Sponsor, (iii) the Disposition Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, or (iv) the demolition of any private or multiple dwelling on the Disposition Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the owner of the Disposition Area and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified herein, the Exemption shall prospectively terminate.
- c. In consideration of the Exemption, the Sponsor and any future owner of the Disposition Area, for so long as the Exemption shall remain in effect, shall waive the benefits, if any, of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.
- d. The provisions of the Exemption shall apply separately to each individual property comprising the Disposition Area, and a sale or other event which would cause the expiration, termination, or revocation of the Exemption with respect to one property in the Disposition Area shall not affect the continued validity of the Exemption with respect to other properties in the Disposition Area.

ATTACHMENT:

PROJECT SUMMARY

- | | | | |
|-------------------------------|--|------------|----------------|
| 1. PROGRAM: | AFFORDABLE NEIGHBORHOOD
COOPERATIVE PROGRAM | | |
| 2. PROJECT: | 506 W 135 th Street Cluster | | |
| 3. LOCATION: | | | |
| a. BOROUGH: | Manhattan | | |
| b. COMMUNITY DISTRICT: | 9 | | |
| c. COUNCIL DISTRICT: | 7 | | |
| d. DISPOSITION AREA: | <u>BLOCK</u> | <u>LOT</u> | <u>ADDRESS</u> |

1988	131	536-38 W 136 th Street
1988	40	506 W 135 th Street
2070	26	507 W 138 th Street

4. **BASIS OF DISPOSITION PRICE:** Nominal (\$1.00 per building). The Sponsor will also deliver a note and mortgage for the remainder of the appraised value ("Land Debt"). For a period of up to sixty (60) years following cooperative conversion, the Land Debt or the City's capital subsidy may be repayable out of resale or refinancing profits. The remaining balance, if any, may be forgiven in the final year of that period.
5. **TYPE OF PROJECT:** Rehabilitation
6. **APPROXIMATE NUMBER OF BUILDINGS:** 3 Multiple Dwellings
7. **APPROXIMATE NUMBER OF UNITS:** Approximately 63 Dwelling Units
8. **HOUSING TYPE:** Cooperative. If units remain unsold at the end of the marketing period and HPD determines in writing that (i) sale is not feasible within a reasonable time, and (ii) a rental fallback is the best available alternative, then Sponsor may operate the building as rental housing in accordance with the written instructions of HPD.
9. **ESTIMATE OF INITIAL PRICE:** The cooperative interests attributable to occupied apartments will be sold to the existing tenants for \$2,500 per apartment, or \$250 per apartment for qualifying households under a purchase savings plan. The cooperative interests attributable to vacant apartments will be sold for a price affordable to families earning no more than 120% of the area median income
10. **INCOME TARGETS:** The Disposition Area contains partially-occupied buildings which will be sold subject to existing tenancies. After sale, units must be resold in compliance with federal regulations, where applicable. Units not subject to such regulation may be resold to purchasers with annual household incomes up to 120% of the area median income.
11. **PROPOSED FACILITIES:** None
12. **PROPOSED CODES/ORDINANCES:** None
13. **ENVIRONMENTAL STATUS:** Type II

14. PROPOSED TIME SCHEDULE:

Approximately 42 months from closing to cooperative conversion.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHEER, KAMILLAH HANKS, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, December 12, 2023.

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

Report for L.U. No. 282

Report of the Committee on Land Use in favor of approving Application number G 230037 NUK (Linden Gardens – UDAAP) submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of an Urban Development Action Area Project (UDAAP) for property located at Blake Avenue (Block 4072, Lots 25 and 27), Essex Street (Block 4083, Lot 146), Jerome Street (Block 4078, Lot 11), Barbey Street (Block 4076, Lot 25), Livonia Avenue (Block 4074, Lot 39), Van Siclen Avenue (Block 4009, Lot 47; Block 4010, Lot 6), and Warwick Street (Block 4030, Lots 19 and 20), Borough of Brooklyn, Community District 5, Council Districts 37 and 42.

The Committee on Land Use, to which the annexed Land Use item was referred on October 19, 2023 (Minutes, page 2756) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB-5 – TWO APPLICATIONS RELATED TO LINDEN GARDENS

G 230037 NUK (L.U. No. 282)

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article 16 of the General Municipal Law for approval of an Urban Development Action Area Project (UDAAP) for property located at Blake Avenue (Block 4072, Lots 25 and 27), Essex Street (Block 4083, Lot 146), Jerome Street (Block 4078, Lot 11), Barbey Street (Block 4076, Lot 25), Livonia Avenue (Block 4074, Lot 39), Van Siclen Avenue (Block 4009, Lot 47; Block 4010, Lot 6), and Warwick Street (Block 4030, Lots 19 and 20), Borough of Brooklyn, Community District 5, Council Districts 37 and 42.

G 230038 XAK (L.U. No. 283)

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for approval of an exemption from real property taxes for property located at Milford Street & Logan Street (Block 4208, Lots 10, 35), Blake Avenue (Block 4072, Lots 25 and 27), Essex Street (Block 4083, Lot 146), Jerome Street (Block 4078, Lot 11), Barbey Street (Block 4076, Lot 25), Livonia Avenue (Block 4074, Lot 39), Van Siclen Avenue (Block 4009, Lot 47; Block 4010, Lot 6), and Warwick Street (Block 4030, Lots 19 and 20), Borough of Brooklyn, Community District 5, Council Districts 37 and 42.

INTENT

To approve UDAAP designation, project approval, and disposition; and a real property tax exemption for the project to provide approximately 12 new buildings and 37 cooperative units.

PUBLIC HEARING

DATE: October 11, 2023

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: December 5, 2023

The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development on L.U. Nos. 282 and 283.

In Favor:

Louis
Feliz
De La Rosa
Marte
Nurse
Ung
Vernikov

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: December 12, 2023

The Committee recommends that the Council approve the attached resolutions.

In Favor:

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

Against:

None

Abstain:

None

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

Res. No. 873

Resolution approving an Urban Development Action Area Project pursuant to Article 16 of the General Municipal Law for property located at Block 4009, Lot 47; Block 4010, Lot 6; Block 4030, Lots 19 and 20; Block 4072, Lots 25 and 27; Block 4074, Lot 39; Block 4076, Lot 25; Block 4078, Lot 11; and Block 4083, Lot 146, Borough of Brooklyn; and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, Community District 5, Borough of Brooklyn (L.U. No. 282; G 230037 NUK).

By Council Members Salamanca and Louis.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on October 2, 2023 its request dated October 2, 2023 that the Council take the following action regarding the proposed Urban Development Action Area Project (the "Project") located at Block 4009, Lot 47; Block 4010, Lot 6; Block 4030, Lots 19 and 20; Block 4072, Lots 25 and 27; Block 4074, Lot 39; Block 4076, Lot 25; Block 4078, Lot 11; and Block 4083, Lot 146, Community District 5, Borough of Brooklyn (the "Disposition Area"):

1. Find that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to Section 693 of the General Municipal Law;
3. Waive the requirements of Sections 197-c and 197-d of the Charter pursuant to Section 694 of the General Municipal Law; and
4. Approve the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

WHEREAS, the Application is related to application G 230038 XAK (L.U. No. 283), for approval of an exemption from real property taxes;

WHEREAS, the Project is to be developed on land that is an eligible area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings, and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on the Project on October 11, 2023; and

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

RESOLVED:

The Council finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the designation requirement of the Disposition Area as an Urban Development Action Area pursuant to Section 693 of the General Municipal Law.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law.

The Council approves the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Project shall be developed in a manner consistent with the Project Summary that HPD has submitted to the Council on October 2, 2023, a copy of which is attached hereto.

ATTACHMENT:

PROJECT SUMMARY

1. **PROGRAM:** OPEN DOOR PROGRAM
2. **PROJECT:** Linden Gardens
3. **LOCATION:**
 - a. **BOROUGH:** Brooklyn
 - b. **COMMUNITY DISTRICT:** 5
 - c. **COUNCIL DISTRICTS:** 37 & 42
 - d. **DISPOSITION AREA:**

<u>BLOCKS</u>	<u>LOTS</u>	<u>ADDRESSES</u>
4072	25	1118 Blake Ave
4072	27	1122 Blake Ave
4083	146	654 Essex St
4078	11	581 Jerome St
4076	25	872 Dumont Ave
4074	39	781 Livonia Ave
4009	47	342 Van Siclen Ave
4010	6	329 Van Siclen Ave
4030	19	480 Warwick St
4030	20	482 Warwick St
4. **BASIS OF DISPOSITION PRICE:** Nominal. Sponsor will pay one dollar per tax lot and deliver a note and mortgage for the remainder of the appraised value ("Land Debt").
5. **TYPE OF PROJECT:** New Construction

6. **APPROXIMATE NUMBER OF BUILDINGS:** 10
7. **APPROXIMATE NUMBER OF UNITS:** 31
8. **HOUSING TYPE:** Cooperative Units. If homes remain unsold at the end of the Marketing Period and HPD determines in writing that (i) sale is not feasible within a reasonable time, and (ii) a rental fallback is the best available alternative, then the unsold homes may be rented in accordance with the written instructions of HPD.
9. **ESTIMATE OF INITIAL PRICE:** Sales prices will be affordable to families with annual household up to 110% of the area median income (AMI).
10. **LIENS FOR LAND DEBT:** Each of the Land Debt and the amount of any construction financing provided through loans from the City ("City Subsidy") will be secured by a mortgage on the Disposition Area. Upon conversion to a cooperative, the HDFC cooperative and/or CLT will repay the Land Debt and City Subsidy, if any, attributable to the property by delivering one or more notes and mortgages and/or a conditional grant agreement to the City. At such time, HPD may unsecure or forgive all or a portion of the Land Debt, and unsecure, but not forgive, all or a portion of the City Subsidy, based on the appraised value of a homeownership unit and/or, in the case of forgiveness of Land Debt, if HPD determines that the forgiveness is necessary to reduce the taxable consideration for a unit. The sum evidenced by the note and secured by the mortgage will be reduced to zero upon maturity of the Land Debt and City Subsidy, respectively, if the owner has complied with the program's restrictions.
11. **INCOME TARGETS:** Families with annual household incomes up to 110% of AMI.
12. **PROPOSED FACILITIES:** None
13. **PROPOSED CODES/ORDINANCES:** None
14. **ENVIRONMENTAL STATUS:** Negative Declaration
15. **PROPOSED TIME SCHEDULE:** Approximately 24 months from closing to completion of construction.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHEER, KAMILLAH HANKS, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, December 12, 2023.

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

Report for L.U. No. 283

Report of the Committee on Land Use in favor of approving Application number G 230038 XAK (Linden Gardens – Article XI) submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for approval of an exemption from real property taxes for property located at Milford Street & Logan Street (Block 4208, Lots 10, 35), Blake Avenue (Block 4072, Lots 25 and 27), Essex Street (Block 4083, Lot 146), Jerome Street (Block 4078, Lot 11), Barbey Street (Block 4076, Lot 25), Livonia Avenue (Block 4074, Lot 39), Van Siclen Avenue (Block 4009, Lot 47; Block 4010, Lot 6), and Warwick Street (Block 4030, Lots 19 and 20), Borough of Brooklyn, Community District 5, Council Districts 37 and 42.

The Committee on Land Use, to which the annexed Land Use item was referred on October 19, 2023 (Minutes, page 2756) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 282 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Res. No. 874

Resolution approving a tax exemption pursuant to Article XI of the Private Housing Finance Law (L.U. No. 283; Non-ULURP No. G 230038 XAK).

By Council Members Salamanca and Louis.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council on October 2, 2023 its request dated October 2, 2023 that the Council approve a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (the “Tax Exemption Request”) for property located at Block 4009, Lot 47; Block 4010, Lot 6; Block 4030, Lots 19 and 20; Block 4072, Lots 25 and 27; Block 4074, Lot 39; Block 4076, Lot 25; Block 4078, Lot 11; Block 4083, Lot 146; and Block 4208, Lots 10 and 35, Community District 5, Borough of Brooklyn, Council Districts 37 and 42 (the “Exemption Area”);

WHEREAS, the Tax Exemption Request is related to application G 230037 NUK (L.U. No. 282), for approval of an Urban Development Action Area Project (UDAAP);

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption Request on October 11, 2023; and

WHEREAS, the Council has considered the land use and financial implications and other policy issues relating to the Tax Exemption Request.

RESOLVED:

Pursuant to Section 577 of the Private Housing Finance Law, the Council approves an exemption of the Exemption Area from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean Linden Gardens LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Coop HDFC” shall mean Linden Gardens Cooperative Housing Development Fund Corporation and/or any other housing development fund companies that acquire all or a portion of the leasehold interest in the Exemption area with the prior written consent of HPD.
 - c. “CLT HDFC” shall mean CLT Interboro CLT Housing Development Fund Corporation or any other community land trust housing development fund company that acquires all or a portion of the Exemption Area with the prior written consent of HPD.
 - d. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - e. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - f. “Exemption Area” shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 4009, Lot 47, Block 4010, Lot 6, Block 4030, Lots 19 and 20, Block 4072, Lots 25 and 27, Block 4074, Lot 39, Block 4076, Lot 25, Block 4078, Lot 11, Block 4083, Lot 146, and Block 4208, Lots 10 and 35 on the Tax Map of the City of New York.
 - g. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned, leased or controlled by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - h. “HDFC” shall mean Linden Gardens 2021 Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - i. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - j. “Owner” shall mean either (i) the HDFC and the Company, or (ii) the CLT HDFC and/or Coop HDFC.
 - k. “Regulatory Agreement” shall mean the regulatory agreement(s) between HPD and Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Notwithstanding any provision hereof to the contrary:

- a. The Exemption shall terminate with respect to all or any portion of the Exemption Area if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest or leasehold interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that have a new permanent certificate of occupancy or a temporary certificate of occupancy for all of the residential areas on or before five years from the Effective Date.
 - c. Nothing herein shall entitle the HDFC, CLT HDFC, Coop HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
4. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHEER, KAMILLAH HANKS, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, December 12, 2023.

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

Report for L.U. No. 292

Report of the Committee on Land Use in favor of approving Application number G 230040 XAK (New Penn Article XI) submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 577 of Article XI of the Private Housing Finance Law for the approval of an exemption from real property taxation for property located at Block 3583, Lot 27; Block 3602, Lot 44; Block 3754, Lot 31; Block 3767, Lot 5; Block 3773, Lot 56; Block 3774, Lot 138; Block 3790, Lot 49; Block 3791, Lot 25 and 28; Block 3833, Lot 47, Borough of Brooklyn, Community Districts 5 and 16, Council District 42.

The Committee on Land Use, to which the annexed Land Use item was referred on December 6, 2023 (Minutes, page 3364) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****BROOKLYN CBs - 5 and 16****G 230040 XAK**

Application submitted by the New York City Department of Housing Preservation and Development pursuant to Article XI of the Private Housing Finance Law for approval of an exemption from real property taxes for property located at Block 3583, Lot 27; Block 3602, Lot 44; Block 3754, Lot 31; Block 3767, Lot 5; Block 3773, Lot 56; Block 3774, Lot 138; Block 3790, Lot 49; Block 3791, Lot 25 and 28; and Block 3833, Lot 47, Borough of Brooklyn, Community Districts 5 and 16, Council District 42.

INTENT

To approve a real property tax exemption pursuant to Section 577 of Article XI of the Private Housing Finance Law, for the Exemption Area, known as the New Penn Development that will provide rental housing for low-income families.

PUBLIC HEARING**DATE:** December 5, 2023**Witnesses in Favor:** One**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** December 5, 2023

The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.

In Favor:

Louis
Feliz
De La Rosa
Marte
Nurse
Ung
Vernikov

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** December 12, 2023

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca
Moya

Against:

None

Abstain:

None

Rivera
 Louis
 Riley
 Abreu
 Brooks-Powers
 Bottcher
 Hanks
 Krishnan
 Mealy
 Sanchez
 Borelli

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

Res. No. 875

Resolution approving a tax exemption pursuant to Article XI of the Private Housing Finance Law (L.U. No. 292; Non-ULURP No. G 230040 XAK).

By Council Members Salamanca and Louis.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council on November 6, 2023 its request dated November 3, 2023 that the Council approve a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law (the “Tax Exemption Request”) for property located at Block 3583, Lot 27; Block 3602, Lot 44; Block 3754, Lot 31; Block 3767, Lot 5; Block 3773, Lot 56; Block 3774, Lot 138; Block 3790, Lot 49; Block 3791, Lot 25 and 28; and Block 3833, Lot 47, Community Districts 5 and 16, Borough of Brooklyn, Council District 42 (the “Exemption Area”);

WHEREAS, upon due notice, the Council held a public hearing on the Tax Exemption Request on December 5, 2023; and

WHEREAS, the Council has considered the land use and financial implications and other policy issues relating to the Tax Exemption Request.

RESOLVED:

Pursuant to Section 577 of the Private Housing Finance Law, the Council approves an exemption of the Exemption Area from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:

- j. “Company” shall mean New Penn Development, LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
- k. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDPC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
- l. “Exemption” shall mean the exemption from real property taxation provided hereunder.
- m. “Exemption Area” shall mean the real property located in the Borough of Brooklyn, City and State of New York, identified as Block 3583, Lot 27, Block 3602, Lot 44, Block 3754, Lot 31, Block 3767, Lot 5, Block 3773, Lot 56, Block 3774, Lot 138, Block 3790, Lot 49, Block 3791, Lots 25 and 28, and Block 3833, Lot 47 on the Tax Map of the City of New York.
- n. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing

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

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHER, KAMILLAH HANKS, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, December 12, 2023.

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

Report for L.U. No. 293

Report of the Committee on Land Use in favor of approving Application number G 230039 XAM (West 120-126th Street Cluster) submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law and Article XI of the Private Housing Finance Law, requesting approval of an Urban Development Action Area Project, waiver of the designation requirement of Section 693 of the General Municipal Law and waiver of the requirements of Charter Sections 197 c and 197-d, and approval of an exemption from real property taxation for properties located at 150 West 121st Street (Block 1905, Lot 155), 204 West 120th Street (Block 1925, Lot 38), 271 West 126th Street (Block 1932, Lot 1), and 305 West 126th Street (Block 1953, Lot 27), Borough of Manhattan, Community District 10, Council District 9.

The Committee on Land Use, to which the annexed Land Use item was referred on December 6, 2023 (Minutes, page 3364) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****MANHATTAN CB - 10****G 230039 XAM**

Application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law, requesting approval of an Urban Development Action Area Project, waiver of the designation requirement of Section 693 of the General Municipal Law and waiver of the requirements of Sections 197-c and 197-d of the New York City Charter, and a real property tax exemption for properties located at 150 West 121st Street (Block 1905, Lot 155), 204 West 120th Street (Block 1925, Lot 38), 271 West 126th Street (Block 1932, Lot 1), and 305 West 126th Street (Block 1953, Lot 27), Borough of Manhattan, Community District 10, Council District 9.

INTENT

To approve the Project as an Urban Development Action Area Project and a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for the project, which will provide approximately forty-eight (48) affordable cooperative dwelling units as well as one (1) commercial unit and one (1) commercial or community facility.

PUBLIC HEARING**DATE:** December 5, 2023**Witnesses in Favor:** Four**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** December 12, 2023

The Subcommittee recommends that the Land Use Committee approve the requests made by the New York City Department of Housing Preservation and Development.

In Favor:

Louis

Against:

None

Abstain:

None

De la Rosa
Marte
Vernikov

COMMITTEE ACTION

DATE: December 12, 2023

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Salamanca	None	None
Moya		
Rivera		
Louis		
Riley		
Abreu		
Brooks-Powers		
Bottcher		
Hanks		
Krishnan		
Mealy		
Sanchez		
Borelli		

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

Res. No. 876

Resolution approving an Urban Development Action Area Project and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure pursuant to Article 16 of the General Municipal Law, and approving a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at 150 West 121st Street (Block 1905, Lot 155), 204 West 120th Street (Block 1925, Lot 38), 271 West 126th Street (Block 1932, Lot 1), and 305 West 126th Street (Block 1953, Lot 27), Borough of Manhattan, Community District 10 (Preconsidered L.U. No. 293; G 230039 XAM).

By Council Members Salamanca and Louis.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on November 13, 2023 its request dated November 13, 2023 that the Council take the following actions regarding the proposed Urban Development Action Area Project (the "Project") located at 150 West 121st Street (Block 1905, Lot 155), 204 West 120th Street (Block 1925, Lot 38), 271 West 126th Street (Block 1932, Lot 1), and 305 West 126th Street (Block 1953, Lot 27), Community District 10, Borough of Manhattan (the "Disposition Area"):

1. Find that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;

2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to Section 693 of the General Municipal Law;
3. Waive the requirements of Sections 197-c and 197-d of the Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve an exemption of the Exemption Area from real property taxes pursuant to Section 577 of Article XI of the Private Housing Finance Law.

WHEREAS, the Project is to be developed on land that is an eligible area as defined in Section 692 of the General Municipal Law, consists solely of the rehabilitation or conservation of existing private or multiple dwellings or the construction of one to four unit dwellings, and does not require any change in land use permitted under the New York City Zoning Resolution;

WHEREAS, upon due notice, the Council held a public hearing on the Project on December 5, 2023; and

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

RESOLVED:

The Council finds that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the City of New York and that a designation of the Project as an Urban Development Action Area Project is consistent with the policy and purposes stated in Section 691 of the General Municipal Law.

The Council waives the area designation requirement pursuant to Section 693 of the General Municipal Law.

The Council waives the requirements of Sections 197-c and 197-d of the New York City Charter pursuant to Section 694 of the General Municipal Law.

The Council approves the Project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law.

The Project shall be developed in a manner consistent with the Project Summary that HPD has submitted to the Council on November 13, 2023, a copy of which is attached hereto.

Pursuant to Section 577 of Article XI of the Private Housing Finance Law, the Council approves an exemption of the Disposition Area from real property taxes as follows:

- a. All of the value of the property in the Disposition Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the later of (i) the date of conveyance of the Disposition Area to the Sponsor, or (ii) the date that HPD and the Sponsor enter into a regulatory agreement governing the operation of the Disposition Area ("Effective Date") and terminating upon the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the regulatory agreement between HPD and the Sponsor, or (iii) the date upon which the Disposition Area ceases to

be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company ("Expiration Date").

- b. Notwithstanding any provision hereof to the contrary, the exemption from real property taxation provided hereunder ("Exemption") shall terminate if HPD determines at any time that (i) the Disposition Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Disposition Area is not being operated in accordance with the requirements of the regulatory agreement between HPD and the Sponsor, (iii) the Disposition Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, or (iv) the demolition of any private or multiple dwelling on the Disposition Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the owner of the Disposition Area and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified herein, the Exemption shall prospectively terminate.
- c. In consideration of the Exemption, the Sponsor and any future owner of the Disposition Area, for so long as the Exemption shall remain in effect, shall waive the benefits, if any, of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.
- d. The provisions of the Exemption shall apply separately to each individual property comprising the Disposition Area, and a sale or other event which would cause the expiration, termination, or revocation of the Exemption with respect to one property in the Disposition Area shall not affect the continued validity of the Exemption with respect to other properties in the Disposition Area.

ATTACHMENT:

PROJECT SUMMARY

1. **PROGRAM:** AFFORDABLE NEIGHBORHOOD COOPERATIVE PROGRAM
2. **PROJECT:** West 120-126th Street Cluster
3. **LOCATION:**
 - a. **BOROUGH:** Manhattan
 - b. **COMMUNITY DISTRICT:** 10
 - c. **COUNCIL DISTRICT:** 9
 - d. **DISPOSITION AREA:**

Address:	Block:	Lot:
150 W 121 st Street	1905	155
204 W 120 th Street	1925	38
271 W 126 th Street	1932	1
305 W 126 th Street	1953	27

4. **BASIS OF DISPOSITION PRICE:** Nominal (\$1.00 per building). The Sponsor will also deliver a note and mortgage for the remainder of the appraised value ("Land Debt"). For a period of up to sixty (60) years following cooperative conversion, the Land Debt or the City's capital subsidy may be repayable out of resale or refinancing profits. The remaining balance, if any, may be forgiven in the final year of that period.
5. **TYPE OF PROJECT:** Rehabilitation
6. **APPROXIMATE NUMBER OF BUILDINGS:** 4 Multiple Dwellings
7. **APPROXIMATE NUMBER OF UNITS:** 48 Dwelling Units
8. **HOUSING TYPE:** Cooperative. If units remain unsold at the end of the marketing period and HPD determines in writing that (i) sale is not feasible within a reasonable time, and (ii) a rental fallback is the best available alternative, then Sponsor may operate the building as rental housing in accordance with the written instructions of HPD.
9. **ESTIMATE OF INITIAL PRICE:** The cooperative interests attributable to occupied apartments will be sold to the existing tenants for \$2,500 per apartment, or \$250 per apartment for qualifying households under a purchase savings plan. The cooperative interests attributable to vacant apartments will be sold for a price affordable to families earning no more than 120% of the area median income.
10. **INCOME TARGETS:** The Disposition Area contains partially-occupied buildings which will be sold subject to existing tenancies. After sale, units must be resold in compliance with federal regulations, where applicable. Units not subject to such regulation may be resold to purchasers with annual household incomes up to 120% of the area median income.
11. **PROPOSED FACILITIES:** One (1) commercial and one (1) commercial or community space at 271 W 126th St
12. **PROPOSED CODES/ORDINANCES:** None
13. **ENVIRONMENTAL STATUS:** Type II
14. **PROPOSED TIME SCHEDULE:** Approximately 36 months from closing to cooperative conversion.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHEER, KAMILLAH HANKS, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, December 12, 2023.

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

Report for L.U. No. 294

Report of the Committee on Land Use in favor of approving Application number G 230041 SCK (New 676-Seat High School Facility) submitted by the New York City School Construction Authority, pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 676-Seat High School facility including D75 Special Education, located at Block 5873, Lots 73 and 77, Borough of Brooklyn, Community District 10, Council District 43, Community School District 20.

The Committee on Land Use, to which the annexed Land Use item was referred on December 6, 2023 (Minutes, page 3364) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BROOKLYN CB - 10

G 230041 SCK

Application pursuant to Section 1732 of the New York City School Construction Authority Act, concerning the proposed site selection for a new, approximately 676-seat high school facility including D75 Special Education, located at Block 5873, Lots 73 and 77, Borough of Brooklyn, Community District 10, Council District 43, Community School District 20.

INTENT

To approve the site plan for the construction of a new, approximately 676-Seat High School facility including D75 Special Education to accommodate students in Community School District No. 20.

PUBLIC HEARING

DATE: December 5, 2023

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: December 12, 2023

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

In Favor:

Louis
De la Rosa
Marte
Vernikov

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: December 12, 2023

The Committee recommends that the Council approve the attached resolution.

In Favor:

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

Against:

None

Abstain:

None

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

Res. No. 877

Resolution approving the site plan for a new, approximately 676-Seat High School Facility including D75 Special Education, located at Block 5873, Lots 73 and 77, Community District 10, Borough of Brooklyn (Non-ULURP No. G 230041 SCK; L.U. No. 294).

By Council Members Salamanca and Louis.

WHEREAS, the New York City School Construction Authority submitted to the Council on December 4, 2023 a site plan pursuant to Section 1732 of the New York State Public Authorities Law for a new, approximately 676-Seat High School Facility including D75 Special Education, located at Block 5873, Lots 73 and 77, Community District 10, Borough of Brooklyn, to accommodate students in Community School District No. 20 (the “Site Plan”);

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

WHEREAS, upon due notice, the Council held a public hearing on the Site Plan on December 5, 2023;

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued on November 28, 2023 (SEQR Project Number 24-003) (the “Negative Declaration”); and

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

RESOLVED:

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

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

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHEER, KAMILLAH HANKS, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, December 12, 2023.

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

Report for L.U. No. 295

Report of the Committee on Land Use in favor of approving Application number G 230042 SCQ (New 696-Seat Primary School Facility) submitted by the New York City School Construction Authority, pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 696-Seat Primary School facility, located at Block 5145, Lot 90, Borough of Queens, Community District 7, Council District 20, Community School District 25.

The Committee on Land Use, to which the annexed Land Use item was referred on December 6, 2023 (Minutes, page 3365) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

QUEENS CB - 10

G 230042 SCQ

Application pursuant to Section 1732 of the New York City School Construction Authority Act, concerning the proposed site selection for a new, approximately 696-seat primary school facility, located at Block 5145, Lot 90, Borough of Queens, Community District 7, Council District 20, Community School District 25.

INTENT

To approve the site plan for the construction of a new, approximately 696-seat primary school facility to accommodate students in Community School District No. 25.

PUBLIC HEARING**DATE:** December 5, 2023**Witnesses in Favor:** Two**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** December 12, 2023

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

In Favor:Louis
De la Rosa
Marte
Vernikov**Against:**

None

Abstain:

None

COMMITTEE ACTION**DATE:** December 12, 2023

The Committee recommends that the Council approve the attached resolution.

In Favor:Salamanca
Moya
Rivera
Louis
Riley
Abreu
Brooks-Powers
Bottcher
Hanks
Krishnan
Mealy
Sanchez
Borelli**Against:**

None

Abstain:

None

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

Res. No. 878

Resolution approving the site plan for a new, approximately 696-Seat Primary School Facility, located at Block 5145, Lot 90, Community District 7, Borough of Queens (Non-ULURP No. G 230042 SCQ; L.U. No. 295).

By Council Members Salamanca and Louis.

WHEREAS, the New York City School Construction Authority submitted to the Council on December 4, 2023 a site plan pursuant to Section 1732 of the New York State Public Authorities Law for a new, approximately 696-Seat Primary School Facility, located at Block 5145, Lot 90, Community District 7, Borough of Queens, to accommodate students in Community School District No. 25 (the “Site Plan”);

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

WHEREAS, upon due notice, the Council held a public hearing on the Site Plan on December 5, 2023;

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued on November 8, 2023 (SEQR Project Number 24-001) (the “Negative Declaration”); and

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

RESOLVED:

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

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

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHEER, KAMILLAH HANKS, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, December 12, 2023.

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

Report for L.U. No. 296

Report of the Committee on Land Use in favor of approving, as modified, Application number C 220426 ZMR (541-545 Bay Street) submitted by Epsilon Enterprises Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21c, changing from a C4-2 District to an R6 District, establishing within a proposed R6 District a C2-3 District, and establishing a Special Bay Street Corridor District (BSC), Borough of Staten Island, Community District 1, Council District 49.

The Committee on Land Use, to which the annexed Land Use item was referred on December 6, 2023 (Minutes, page 3365), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 296 & Res. No. 879 printed in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHEER, KAMILLAH HANKS, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, December 12, 2023.

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

Report for L.U. No. 297

Report of the Committee on Land Use in favor of approving, as modified, Application number N 220392 ZRR (541-545 Bay Street) submitted by Epsilon Enterprises Realty, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XIII, Chapter 5 (Special Bay Street Corridor District) to create a new Subdistrict and APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Staten Island, Community District 1, Council District 49.

The Committee on Land Use, to which the annexed Land Use item was referred on December 6, 2023 (Minutes, page 3365), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 297 & Res. No. 880 printed in the General Orders Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHEER, KAMILLAH HANKS, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, December 12, 2023.

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

Report of the Committee on Mental Health, Disabilities and Addiction

Report for Int. No. 946-A

Report of the Committee on Mental Health, Disabilities and Addiction 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 creating a mental health coordinator to inform city employees about mental health support and services.

The Committee on Mental Health, Disabilities and Addiction, to which the annexed proposed amended local law was referred on March 2, 2023 (Minutes, page 734), respectfully

REPORTS:

I. INTRODUCTION

On December 20, 2023, the Committee on Mental Health, Disabilities and Addiction, chaired by Council Member Linda Lee, will hold a vote on Proposed Introduction Number 946-A (Prop. Int. No. 946-A), sponsored by Council Member Crystal Hudson; and Resolution Number 584 (Res. No. 584), sponsored by Council Member Lee.

On September 15, 2023, the Committee heard Prop. Int. No. 946-A. At the hearing, held jointly with the Committee on Veterans, the Committees received testimony from the New York City Department of Health and Mental Hygiene (DOHMH), New York City Department of Veterans' Services, advocates and community-based organizations, and other interested parties.

On May 4, 2023, the Committee heard Res. No. 584. At the hearing, the Committee received testimony from DOHMH, the New York City Mayor's Office of Community Mental Health (OCMH), advocates and community-based organizations, and other interested parties.

II. LEGISLATIVE ANALYSIS

a. Prop. Int. No. 946-A

The New York City Employee Assistance Program (EAP) is administered through the New York City Office of Labor Relations and provides services to New York City non-uniform Mayoral agencies, the New York City Department of Corrections, New York City Housing Authority and NYC Health + Hospitals.¹ Generally, an EAP provides education, information, counseling, and individualized referrals to assist with a wide range of personal and social problems.²

Prop. Int. No. 946-A, sponsored by Council Member Hudson, requires the designation of an existing employee as a mental health coordinator in each city agency to assist and perform outreach to city employees with mental health needs. The bill requires the head of each agency, in consultation with the Mayor's Office for People with Disabilities, to designate an employee as such agency's mental health coordinator. Each coordinator will assist each agency in coordinating efforts to comply with the Americans with Disabilities Act and other federal, state, and local laws and regulations concerning accessibility and support for city employees with mental health needs. The mental health coordinator would also be required to perform outreach to city employees about mental health services and support services available, including the EAP.

¹ New York City Office of Labor Relations. Employee Assistance Program. Available at: <https://www.nyc.gov/site/olr/eap/eaphome.page>.

² New York City Office of Labor Relations. Employee Assistance Program. Available at: <https://www.nyc.gov/site/olr/eap/eaphome.page>.

Since its initial hearing, the proposed bill was amended to clarify that an existing employee shall be designated as the mental health coordinator. The proposed bill was also amended to include, when appropriate, referrals to the agency's equal employment opportunity officer as part of the mental health coordinators' responsibilities.

b. Res. No. 584

Res. No. 584 calls on the New York State Legislature to pass, and the Governor to sign, legislation to enter the Interstate Medical Licensure Compact, the Nurse Licensure Compact, and the Psychology Interjurisdictional Compact, to enhance the portability of medical and mental health providers to become licensed in multiple participating states.

The Interstate Medical Licensure Compact (IMLC) is a legally binding agreement between 2 or more states and establishes a formal, legal relationship to address common problems or to promote a common agenda.³ Compacts are a flexible policy tool used to address issues where states have a need to coordinate.⁴ In recent years, the growth of telemedicine and other technologies has created new opportunities to increase access to healthcare for patients in underserved or rural areas and to allow them to connect more easily with medical experts: physicians are increasingly able to use telemedicine to practice in multiple states.⁵ The IMLC creates a voluntary, expedited pathway to state licensure for physicians who want to practice medicine in multiple states.⁶ Eligible physicians can qualify to practice medicine in multiple states by completing just one application, and thus the overall process of gaining a license is significantly streamlined.⁷ Only states who have formally joined can participate in this streamlined licensure process, and in order to participate, states must pass legislation authorizing it.⁸

Similarly, the Nurse Licensure Compact (NLC) is an interstate agreement that allows nurses to have one license issued by their home state that they can use to practice in any state that is a member of the NLC.⁹ Under the NLC, a nurse holding a multistate license can practice telehealth in all NLC-member states without needing a separate nursing license in each state.¹⁰ The NLC also facilitates online nursing education: because nursing faculty generally are required to hold a nursing license in each state in which they have students, the NLC significantly eases the burdens on schools and nursing faculty who are able to acquire a multistate license issued by their home state.¹¹

Lastly, the Psychology Interjurisdictional Compact (PSYPACT) is an interstate agreement designed to facilitate the practice of telepsychology and the temporary in-person, face-to-face practice of psychology across state boundaries.¹² It allows a practitioner to practice either in the PSYPACT member states using a multistate license or by obtaining a "compact privilege or compact authorization."¹³ PSYPACT is designed to allow licensed psychologists to practice of telepsychology and conduct temporary in-person face-to-face practice of psychology across state boundaries legally and ethically without necessitating that an individual become licensed in every state to practice.¹⁴ Through PSYPACT, consumers have greater access to care, and allows licensed

³ *Frequently Asked Questions*, National Center for Interstate Compacts, <https://compacts.csg.org/faq>.

⁴ *Frequently Asked Questions*, National Center for Interstate Compacts, <https://compacts.csg.org/faq>.

⁵ *General FAQs About the Compact*, Interstate Medical Licensure Compact, <https://www.imlcc.org/faqs>.

⁶ *General FAQs About the Compact*, Interstate Medical Licensure Compact, <https://www.imlcc.org/faqs>.

⁷ *General FAQs About the Compact*, Interstate Medical Licensure Compact, <https://www.imlcc.org/faqs>.

⁸ *General FAQs About the Compact*, Interstate Medical Licensure Compact, <https://www.imlcc.org/faqs>.

⁹ Rebecca Fotsch, *Frequently asked questions about the Nurse Licensure Compact*, American Nurse (Mar. 6, 2020), <https://www.myamericannurse.com/frequently-asked-questions-about-the-nurse-licensure-compact>.

¹⁰ Rebecca Fotsch, *Frequently asked questions about the Nurse Licensure Compact*, American Nurse (Mar. 6, 2020), <https://www.myamericannurse.com/frequently-asked-questions-about-the-nurse-licensure-compact>.

¹¹ Rebecca Fotsch, *Frequently asked questions about the Nurse Licensure Compact*, American Nurse (Mar. 6, 2020), <https://www.myamericannurse.com/frequently-asked-questions-about-the-nurse-licensure-compact>.

¹² *Id.*

¹³ *Psychology Interjurisdictional Compact (PSYPACT)*, American Telemedicine Association, <https://www.americantelemed.org/resources/psychology-interjurisdictional-compact-psypact>.

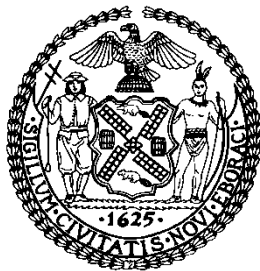
¹⁴ *Psychology Interjurisdictional Compact (PSYPACT)*, American Telemedicine Association, <https://www.americantelemed.org/resources/psychology-interjurisdictional-compact-psypact>.

psychologists to provide continuity of care as clients/patients relocate.¹⁵ Psychologists will also be able to reach populations that are currently underserved, geographically isolated, or lack specialty care.¹⁶ States have an external mechanism that accounts for all psychologists who may enter their state to practice telepsychology or conduct temporary in-person, face-to-face practice, thus indicating psychologists have met defined standards to practice in other states.¹⁷

III. LEGISLATION

Editor's Note: for text of Res. No. 584, please see the Report of the Committee on Mental Health, Disabilities and Addiction for Res. 584 printed in the voice-vote Resolutions calendar section of these Minutes; for text of Int. No. 946-A, please see below following the Fiscal Impact Statement for Int. No. 946-A.

(The following is the text of the Fiscal Impact Statement for Int. No. 946-A:)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 946-A

COMMITTEE: Mental Health, Disabilities and
Addiction

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to creating a mental health coordinator to inform city employees about mental health support and services.

SPONSOR(S): Council Members Hudson, Lee, Yeger, Louis, Richardson Jordan, Abreu, Farías, De La Rosa, Schulman, Holden, Riley, Ung, Marte, Narcisse, Dinowitz, Ossé, Barron, Avilés, Nurse, Won, Cabán, Krishnan, Joseph, Hanks, Menin, Moya, Gutiérrez, Brannan, Sanchez, Brooks-Powers, Gennaro, Williams, Brewer, Velázquez, Hanif, Powers, Bottcher, Feliz, Rivera, Salamanca, Stevens, Paladino and Kagan.

SUMMARY OF LEGISLATION: This bill would require each city agency to have a mental health coordinator to assist and perform outreach to city employees about mental health services and support services available to

¹⁵ *Psychology Interjurisdictional Compact (PSYPACT)*, American Telemedicine Association, <https://www.americantelemed.org/resources/psychology-interjurisdictional-compact-psypact>.

¹⁶ *Psychology Interjurisdictional Compact (PSYPACT)*, American Telemedicine Association, <https://www.americantelemed.org/resources/psychology-interjurisdictional-compact-psypact>.

¹⁷ *Legislative Frequently Asked Questions, PSYPACT*, <https://psypact.org/page/faq>.

them, such as the employee assistance program. The bill would require the head of each agency to designate an employee as such agency's mental health coordinator.

EFFECTIVE DATE: This local law shall take effect in 120 days.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
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 agencies responsible for carrying out its requirements would use existing resources to fulfill its requirements.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Office of Management and Budget

ESTIMATE PREPARED BY: Danielle Glants, Financial Analyst

ESTIMATE REVIEWED BY: Florentine Kabore, Unit Head
Cirilhen R. Francisco, Assistant Director
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Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: The legislation was first introduced to the full Council on March 2nd, 2023 as Intro. No. 946 and referred to the Committee on Mental Health, Disabilities and Addiction (Committee). A joint hearing was held by the Committee and the Committee on Veterans on September 15th, 2023, and the bill was laid over. The legislation has been amended and the amended version, Proposed Intro No. 946-A, will be considered by the Committee on December 20th, 2023. Upon successful vote by the Committee, Proposed Intro. No. 946-A will be submitted to the full Council for a vote on December 20th, 2023.

DATE PREPARED: December 14, 2023.

(For text of Res. No. 584, please see the Report of the Committee on Mental Health, Disabilities and Addiction for Res. 584 printed in the voice-vote Resolutions calendar section of these Minutes; for text of Int. No. 946-A, please see below)

Accordingly, this Committee recommends the adoption of Int. No. 946-A and Res. No. 584.

(The following is the text of Int. No. 946-A:)

Int. No. 946-A

By Council Members Hudson, Lee, Yeger, Louis, Richardson Jordan, Abreu, Farías, De La Rosa, Schulman, Holden, Riley, Ung, Marte, Narcisse, Dinowitz, Ossé, Barron, Avilés, Nurse, Won, Cabán, Krishnan, Joseph, Hanks, Menin, Moya, Gutiérrez, Brannan, Sanchez, Brooks-Powers, Gennaro, Williams, Brewer, Velázquez, Hanif, Powers, Bottcher, Feliz, Rivera, Salamanca, Stevens, Paladino and Kagan.

A Local Law to amend the administrative code of the city of New York, in relation to creating a mental health coordinator to inform city employees about mental health support and services

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 12 of the administrative code of the city of New York is amended by adding a new section 12-141 to read as follows:

§ 12-141 *Mental health coordinator.* a. *The head of each agency shall designate an employee as such agency's mental health coordinator.*

b. *Such mental health coordinator shall assist their respective agency in coordinating such agency's efforts to comply with the Americans with disabilities act of 1990, as amended, and other federal, state, and local laws and regulations concerning accessibility and support for city employees with mental health needs.*

c. *Such mental health coordinator shall conduct outreach to employees of their respective agency about mental health services and support services available to such employees, including but not limited to the employee assistance program and, as appropriate, referral to the agency's equal employment opportunity officer for assessment for a reasonable accommodation.*

§ 2. This local law shall take effect in 120 days.

LINDA LEE, *Chairperson*, DIANA I. AYALA, TIFFANY CABÁN, SHAUN ABREU, ERIK D. BOTTCHEr, SHAHANA K. HANIF, NANTASHA M. WILLIAMS; 7-0-0; *Medical*: Darlene Mealy; *Committee on Mental Health, Disabilities and Addiction*, December 20, 2023. *Other Council Members Attending: Council Member Hudson.*

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

Report of the Committee on Parks and Recreation

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

Report for Int. No. 1278

Report of the Committee on Parks and Recreation in favor of approving and adopting, a Local Law In relation to the naming of 117 thoroughfares and public places, St. John Baptist Church Place, Borough of Queens, Forest Park Carousel Way, Borough of Queens, Detective Maureen O’Flaherty Way, Borough of Queens, Crossing Guard Krystyna Naprawa Lane, Borough of Queens, Camille Ferraro Way, Borough of Queens, Karina Vetrano Way, Borough of Queens, Mary Ann Carey Way, Borough of Queens, Linda Ruscillo Way, Borough of Queens, Patrolman Arthur J. Kenney Way, Borough of Queens, Firefighter Timothy Klein Way, Borough of Queens, Dr. Antonia Pantoja Way, Borough of Brooklyn, Giuseppina “Josie” Santo Way, Borough of Manhattan, Graffiti Hall of Fame Way, Borough of Manhattan, Carmen D. Perez Way, Borough of Manhattan, Carolyn D. Faulkner Way, Capt. Ted Cohen USAF (Ret.) Avenue, Borough of Staten Island, NYPD Lieutenant John C. Rowland Place, Borough of Staten Island, Firefighter Thomas J. Alioto Way, Borough of Staten Island, Lloyd Richards Way, Borough of Manhattan, Sandra “Moe” Casatelli Way, Borough of Brooklyn, Domenico ‘Dom’ DeMarco Way, Borough of Brooklyn, Lorenzo Mannino Way, Borough of Brooklyn, Catherine “Katy” Ferguson Way, Borough of Manhattan, Dr. Deborah L. Hoyle Way, Borough of Queens, Justice Patricia P. Satterfield Way, Borough of Queens, Tony Bennett Place, Borough of Queens, Captain Paul W. Schmalzried Way, Borough of Queens, Karina Lariño Way, Borough of Queens, Philip P. Ressa Way, Borough of Staten Island, Charles LaGanga Way, Borough of Staten Island, Scherisce M. Lewis-Clinton Way, Borough of Staten Island, NYPD Detective Scott G. Lovendahl Way, Borough of Staten Island, SSGT James F. Healy Way, Borough of Staten Island, Giovanni da Verrazzano Way, Borough of Staten Island, Doctor Rocco L. DiAntonio Way, Borough of Staten Island, NYPD Det. Christopher E Cranston Way, Borough of Staten Island, Joseph J. Ponzi Way, Borough of Staten Island, St. Johns Villa Academy Way, Borough of Staten Island, FDNY Firefighter James “Soupy” Campbell Way, Borough of Staten Island, Mimi Cusick Way, Borough of Staten Island, Alfonso Compitiello Way, Dominique Alexander Way, Borough of Manhattan, Via Michele Greco “Mike Greco Way”, Borough of the Bronx, Michael Simanowitz Way, Borough of Queens, Nettie Mayersohn Way, Borough of Queens, Natalie Rogers Way, Borough of Queens, Agustina Muniz Way, Firefighter Albert A. Filosa Way, Borough of Brooklyn, Bettie J. Bellamy Way, Borough of Staten Island, Martin “Marty” Doherty Way, Borough of Staten Island, Lt. Gregg A. Atlas Way, Borough of Staten Island, Lt. Henry O. Schmiemann Way, Borough of Queens, Ptl. Philip H.L. Meyer Way, Borough of Queens, Hilda Vannata Way, Borough of Queens, Police Officer Robert E. Walsh Way, Borough of Queens, Patrolman Charles J. Reynolds Way, Borough of Queens, Patrolman Joseph W. Norden Way, Borough of Queens, SSA Orville M. Williams Way, Borough of Queens, Sergeant Thomas F. J. O’Grady Way, Borough of Queens, Patrolman John J. Madden Way, Borough of Queens, Patrolman Joseph L. Rauchut Way, Borough of Queens, Herman Hochberg Plaza, Borough of Queens, Dr. Beny J. Primm Way, Borough of Brooklyn, James Caldwell Way, Borough of Brooklyn, The English Way, Borough of Brooklyn, Ahmad Samhan Way, Borough of Brooklyn, Tylik Allen Way, Borough of Manhattan, Duane Andrew Jeremy Joseph Plaza, Borough of Brooklyn, Paseo Park, Borough of Queens, Lawrence Murphy Street, Borough of Queens, Gerard Neufeld Way, Borough of Queens, Mike Crowley Way 1st Pres. JHBG Way, Borough of Queens, Marc A. Haken Way, Borough of Queens, Aracely Courtenay Way, Borough of Brooklyn, Elenora P. Bernard Way, Borough of Brooklyn, Anthony Federici Street, Borough of Queens, Mildred Phillips Way, Borough of Brooklyn, Sam Mendolia Way, Borough of Brooklyn, Akeal Christopher Way, Borough of Brooklyn, James “Rocky” Robinson Way, Borough of Brooklyn, Roger Brown Way, Borough of Brooklyn, Elsie Richardson Way, Dick Ravitch Way, Borough of Manhattan, Stanley Love Way, Borough of Brooklyn, Carl Stubbs Way, Borough of Brooklyn, Banker’s Anchor Plaza,

Borough of Brooklyn, Firefighter Peter A. Chiodo Way, Borough of Brooklyn, Emmanuel St. Bernard's Corner, Borough of Brooklyn, Patricia R. Tambakis Way, Borough of Brooklyn, Bronson Binger Way, Borough of Brooklyn, Mary Anne Yancey Place, Borough of Brooklyn, Richard Ocana Way, Borough of Brooklyn, SVA Way, Borough of Manhattan, Raphael Sadonte Ward Jr. Way, Borough of Manhattan, Kendra Williams-Melendez Way, Borough of the Bronx, Mothers on the Move/MOM Way, Borough of the Bronx, Luisa Pineiro Fuentes Way, Borough of the Bronx, Nicholas Otoniel Feliz Dominici Way, Borough of the Bronx, Sheikh Hamoud Saeidi Way, Borough of Queens, Murray & Carol Berger Way, Borough of Queens, Rabbi Moshe Neuman Way, Borough of Queens, Estella B. Diggs Place, Borough of the Bronx, Evangelist Josephine Gooding Place, Borough of the Bronx, Adem D. Celaj Way, Borough of the Bronx, Shpresa Nika Way, Borough of the Bronx, Anthony DiGirolamo Way, Borough of the Bronx, Nicholas J. Binetti Way, Borough of the Bronx, George Atsaves 9/11 Memorial Way, Borough of Brooklyn, Ethel L. Cuff Black Way, Borough of Queens, Rev. Robert Ross Johnson Boulevard, Borough of Queens, Annie Cotton-Morris Way, Borough of Queens, Enoch Gregory Hawthorne Way, Borough of Queens, Lowell Marin Stage, Borough of Queens, ST. PAT'S FOR ALL WAY, Borough of Queens, Jayden McLaurin Way, Borough of Queens, Little Sylhet, Borough of Queens, Sister Flora Marinelli Way, Borough of Queens and the repeal of sections 13, 56 and 113 of local law number 44 for the year 2023, section 30 of local law number 54 of 2022 and sections 8, 18, 59, 61, 85 and 90 of local law number 110 for the year 2023.

The Committee on Parks and Recreation, to which the annexed preconsidered proposed local law was referred on December 20, 2023, respectfully

REPORTS:

Comment:

On December 20, 2023, the Committee on Parks and Recreation, chaired by Council Member Shekar Krishnan, held a hearing to vote on Preconsidered Int. No. 1278, which co-names one hundred and seventeen (117) thoroughfares and public places. At this hearing, the Committee voted 10 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. St. John Baptist Church Place

Introduced by Council Member Ariola

St. John Baptist Church has been serving the Rockaways Community since 1929. It was incorporated on May 22, 1943, and the first building purchased for worship was located on Beach 81st Street in Rockaway Beach. In early 1953, land and houses were purchased on Beach 82nd Street and a new building was built and completed in 1956. Due to urban renewal, the church had to relocate. The construction of the church's current building, which is located at 74-05 Rockaway Beach Boulevard, Arverne, on the corner of Beach 74th Street, began in 1963 and was completed in 1964. Over the years, ministries have been formed to meet the spiritual needs of congregants. Also, outreach ministries for the benefit of the Rockaways community were formed such as the Josephine Johnson Education Center that included a Christian Day Care for Pre-K to Kindergarten students and a free after-school English and Mathematics tutorial program as well as the Samaritan Hands Center, the church's community outreach ministry.

Section 2. Forest Park Carousel Way

Introduced by Council Member Ariola

This co-naming will commemorate the Forest Park Carousel that was originally constructed in 1903, and features 52 figures that were hand-carved, individually painted and continues to function for kids and families who visit.

Section 3. Detective Maureen O'Flaherty Way

Introduced by Council Member Ariola

August 15, 1962 – November 28, 2019

Maureen O'Flaherty served with the New York City Police Department (NYPD) for 20 years. She was assigned to the search and recovery efforts at the World Trade Center site following the 9/11 attacks. She died as a result of 9/11 related illness.

Section 4. Crossing Guard Krystyna Naprawa Lane

Introduced by Council Member Ariola

Died October 20, 2023

Krystyna Naprawa served as a crossing guard for 13 years. She died in the line of duty when she was struck and killed by a truck while directing traffic outside of a Queens elementary school.

Section 5. Camille Ferraro Way

Introduced by Council Members Ariola and Schulman

November 2, 1953 – July 11, 2020

Camille Ferraro was born and raised in South Ozone Park, but her heart and soul were with St. Mary Gate of Heaven, her parish. She was not an ordinary teacher. She is someone that could have retired but chose to continue to serve the children she dedicated her life to teaching. Her wake was held at St Mary Gate of Heaven's School auditorium because no funeral home could have everyone coming to pay respects. The lines were long and draped around the block. She taught at St. Mary Gate of Heaven School for 45 years. She started teaching in 1975. Camille announced her retirement in January 2020. In March 2020, the school announced its closing after 114 years. Camille died less than two weeks after she retired.

Section 6. Karina Vetrano Way

Introduced by Council Member Ariola

July 12, 1986 – August 2, 2016

Karina Vetrano attended Archbishop Molloy High School in Queens and graduated from St. John's University with a master's degree in speech pathology. An aspiring writer, she appeared in a 2013 short film inspired by her writings and directed by her screenwriter friend Petros Georgiadis. She lived in the same Queens neighborhood as her parents and worked with children with autism in Manhattan as a speech pathologist. She was attacked, sexually assaulted, and murdered on August 2, 2016 while running in Spring Creek Park in the Howard Beach neighborhood of Queens, New York. The case attracted national media attention, partially due to how it went unsolved for nearly six months. The Karina Vetrano Memorial Scholarship was setup at Archbishop Molloy High School to send deserving young women to the school in her memory.

Section 7. Mary Ann Carey Way

Introduced by Council Member Ariola

Died May 9, 2021

Mary Ann Carey was born, raised, and lived much of her life at 106-27 79th Street. She was the quintessential and charismatic leader who served her community with honor, grace who dedicated her life to civic duty and service as a district manager for Community Board 9 until she retired. She was involved with many different civic groups, including the Republican Party and Kiwanis. She helped generations of immigrants acclimate to central Queens, guided Jamaica Hospital through its renaissance and ushered in improvements at Forest Park in Woodhaven. She began working as a secretary at Community Board 10, which covers Howard Beach, South Ozone Park and parts of Richmond Hill, in 1979 and then moved to Community Board 9, which covers portions of Richmond Hill, Woodhaven, Ozone Park and Kew Gardens. She later became the district manager of Community Board 9.

Section 8. Linda Ruscillo Way

Introduced by Council Member Ariola

Died October 1, 2018

Linda Ruscillo was a community activist who always spearheaded helping others. She was active in the Rockaway community for over 20 years. She initiated a youth committee attached to the 100th Precinct Community Council and became the corresponding secretary. Her youth committee created after school chess programs and worked closely with the St. John's Boys home to establish a chess program there as well. The chess programs truly helped keep youth focused while staying out of trouble after school. These programs she created supplied pizza and snacks for all children on each visit. She also selected other local activists to assist in running these programs. Besides the successful chess programs, volleyball programs for youth were also created to keep children and teens active and learn how to work together.

Section 9. Patrolman Arthur J. Kenney Way

Introduced by Council Member Ariola

Died April 6, 1926

Patrolman Arthur J. Kenny served with the NYPD for three years and was assigned to the 60th Precinct. He was shot and killed in the line of duty while trying to catch a burglar.

Section 10. Firefighter Timothy Klein Way

Introduced by Council Member Ariola

Died April 24, 2022

Timothy Klein served on the FDNY and was killed in the line of duty while fighting a fire in Canarsie, Brooklyn.

Section 11. Dr. Antonia Pantoja Way

Introduced by Council Member Avilés

September 13, 1922 – May 24, 2002

Antonia Pantoja was an educator, social worker, feminist and civil rights leader. She founded ASPIRA in 1961, a non-profit organization that promotes positive self-image and education to Puerto Rican youth in New York City. In 1970, she created and led the Puerto Rican Research and Resource Center in Washington, D.C., which led to the establishment of Boricua College in the 1970's, which continues to provide higher education to the underrepresented communities in Manhattan, the Bronx and Brooklyn. In 1996, she was recognized by President Bill Clinton for her efforts and dedication by awarding her the Presidential Medal of Freedom, being the first Latinx woman to receive the honor.

Section 12. Giuseppina “Josie” Santo Way

Introduced by Council Member Ayala

March 19, 1899 – February 27, 1984

Giuseppina “Josie” Santo was a factory worker in the garment district during the Great Depression who worked very hard to support her family. During WWII, she made and sent over clothing to her relatives in Italy. During the 1980's while the City was going through financial crisis, crime and deterioration, she refused to leave her apartment that she called her home. She died in a building fire that was deliberately set.

Section 13. Graffiti Hall of Fame Way

Introduced by Council Member Ayala

Graffiti Hall of Fame was established in 1980, and encompasses two walls, one located in the playground of the Jackie Robinson Educational Complex and the other on Park Avenue facing the Park Avenue viaduct. Graffiti Hall of Fame was founded by community activist Ray Rodriquez for graffiti artists to show their artistry skills.

Section 14. Carmen D. Perez Way

Introduced by Council Member Ayala

January 5, 1946 – June 6, 2023

Carmen D. Perez was diagnosed with muscular dystrophy in her late 20's. She was losing muscle mass and the ability to be independently mobile. In her 30's, she was dependent on a cane, walker, and eventually a wheelchair. Despite her physical limitations, Carmen did not cease her community involvement. She worked tirelessly, diligently, relentlessly and consistently throughout her fight against her disease. She was the President of 'The Daughters of Mary,' a group affiliated with Mt. Carmel Holy Rosary Church, which began in the 1960's and continued for decades. She was responsible for organizing many events, such as fundraisers for the Church dances, retreats, field trips, award ceremonies, among others. She volunteered with the New York City Housing Authority. She served as the supervisor of tenant patrol/resident watch and was awarded many plaques and certificates for her outstanding performance within the community. She planned events, such as Christmas toy drives, Holiday Dinners, Easter Baskets and Back to School Drives. She hosted National Night Out with members of the NYPD. During COVID, she joined others to hand out food, disinfecting products, and masks.

Section 15. Carolyn D. Faulkner Way

Introduced by Council Member Barron

Carolyn D. Faulkner was very active in her community. She helped found and operate a community based nonprofit organization known as Community Alliance for Youth Action (CAYA). She was able to advocate for youth offenders on several different occasions. She was successful in getting youth released to her care and guidance and avoiding having to enter the criminal justice system. Through CAYA, the staff was also able to transport senior citizens of East New York, Brownsville, and Canarsie to their healthcare visits, and a myriad of other outings. As a part of her involvement with the youth in her neighborhood she gave trips to visit and tour

the White House in Washington, DC. She also planned and hosted multiple street fairs for the communities where everything was donated and given free of cost to all the community. She served as a Board of Elections Coordinator; she would have the young men and women volunteer their time to doing community services specifically for voter registration and outreach. Always striving to be an advocate in her community, she took part as a Member of Community Planning Board 5, she was a member of 75th Precinct Clergy Task Force. In 2000, after befriending local contractors and carpenters looking for work, she created a small network for them to come together and work on her and her neighbor's homes in the community for steady compensation. She founded the Homeowner's Association (HOA) on Schenck Avenue where she was elected their first president. She held that title proudly and coordinated the renovation of homes for nearly a decade.

Section 16. Capt. Ted Cohen USAF (Ret.) Avenue

Introduced by Council Member Borelli

Died March 25, 2023

Ted Cohen was a captain in the United States Air Force who served in Vietnam, flying on 26 air support missions. He was a member of the USIVO, AF Association and the American Legion. He volunteered driving fellow veterans to VA appointments and also delivered food to veterans in need. He organized the annual Poppy Sales and funding for a charity called Project 2 Heal which raises puppies as supportive service dogs for veterans. He also ran fundraising efforts for local groups such as Michael's Cause, VFW National Home, VFW Patriots Pen, VFW Patriots Pride, The Air Force Association, The American Legion Boys State and Father Capodanno Academy. He, along with other veterans, successfully advocated for the return of the Staten Island Memorial Day Parade which had been cancelled during COVID despite the mayor at the time permitting other groups to march. Just this past Veterans' Day, November 11, 2022, the Progressive Insurance Company in collaboration with Enterprise-Rent-A-Car, honored Ted with the presentation of keys to a 2020 Nissan Rogue as the recipient of the Keys to Progress Award.

Section 17. NYPD Lieutenant John C. Rowland Place

Introduced by Council Member Borelli

Died January 26, 2017

John C. Rowland served with the NYPD for 20 years. He died as a result of 9/11 related illness.

Section 18. Firefighter Thomas J. Alioto Way

Introduced by Council Member Borelli

Died December 17, 2019

Thomas J. Alioto served over 25 years with the FDNY. He died of 9/11 related illness.

Section 19. Lloyd Richards Way

Introduced by Council Member Bottcher

June 29, 1919 – June 29, 2006

Lloyd Richards was a theatre director, actor and dean of the Yale School of Drama from 1979 to 1991. He volunteered for the United States Army Air Corps during WWII and was in training with the nation's first unit of black pilots, the Tuskegee Airmen. He staged the original production of *A Raisin in the Sun* on Broadway in 1959. He was head of the National Playwrights Conference at the Eugene O'Neill Theater Center and he also won many awards for his work, including the National Medal of Arts, the Golden Plate Award of the American Academy of Achievement and the Tony Award for Best Direction of a Play, among others.

Section 20. Sandra “Moe” Casatelli Way

Introduced by Council Member Brannan

March 19, 1945 – March 23, 2023

Margaret Sandra Casatelli was born at the end of WWII in St. Johns, Newfoundland and immigrated to America in 1954. Embracing all things America, she became a citizen in 1966 while living in Sunset Park before moving to a condemned wood framed row house at 637 92nd between Battery Avenue and Dahlgren Place. She attended St. Patrick’s grammar school and then Fort Hamilton High School before marrying and moving for a short time to Flatbush. In 1981, she was given the opportunity to purchase the simple row frame she grew up in on 92nd Street from her parents and chose to raise her family in the small town in the big city that we know and love as Bay Ridge, Brooklyn. A single mother since 1989, she worked full time in St Michael’s Academy in NYC, Bishop Kearney High School in Bensonhurst, and finally Victory Memorial Hospital two blocks from her home, while raising five boys, and hundreds of neighborhood kids in her 3-bedroom home. She was very involved with St. Patrick’s and PS 104. She was active in little league and countless grandmother’s clubs, and was a constant fixture in her kids restaurant on 3rd Avenue. She was the epitome of motherhood and old school Brooklyn family values and it has been said when she passed that Bay Ridge itself lost a mother.

Section 21. Domenico ‘Dom’ DeMarco Way

Introduced by Council Member Brannan

Domenico ‘Dom’ DeMarco was the owner of Di Fara Pizza since its opening in 1965. Di Fara Pizza was consistently listed as one of the City’s top establishments for pizza, specifically by food critics. He expanded the brand to locations in Williamsburg and Las Vegas.

Section 22. Lorenzo Mannino Way

Introduced by Council Member Brannan

Lorenzo Mannino established Il Colosseo Restaurant in 1991, which became one of the top Italian eateries in Brooklyn. He donated food to those in need, supported the Italian American Federation and helped businesses get started in the local area. He donated money and food to Our Lady of Guadeloupe, as well as the NYPD and FDNY. He also donated to the Cavallaro Middle School, the New Utrecht High School and the Guild for Exceptional Children. He assisted many families from Italy with obtaining proper papers to become American citizens and gave them their first jobs at his restaurant. He held many fundraisers in his restaurant, was a board member of the Santa Rosalia Association, was the dinner chairman of the Santa Rosalia Association and he received many awards and citations from local elected officials for his community involvement and service.

Section 23. Catherine “Katy” Ferguson Way

Introduced by Council Member Brewer

1779 – July 11, 1854

Catherine “Katy” Ferguson was born into slavery but later secured her own freedom when she moved to New York City and made an arrangement with a congregant at the Second Presbyterian Church. The church was very active in the abolitionist movement at the time. She became the first woman of color to join the congregation and soon began inviting young children to her home to help educate them on religious and secular matters, and in doing so, created the first Sunday School in New York City. She also raised many children without parents and helped find vulnerable children places to live.

Section 24. Dr. Deborah L. 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 25. Justice Patricia P. Satterfield Way

Introduced by Council Member Brooks-Powers

July 10, 1942 – September 6, 2023

The Honorable Patricia Polson Satterfield, a retired Justice of the Supreme Court of the State of New York, Queens County, was a native of Christchurch, Virginia. She was elected as a Judge of the Civil Court of the City of New York in 1990, becoming the first Black female judge elected in Queens County. Thereafter, she was appointed as an Acting Justice of the Supreme Court in 1994, and was elected to that position in 1998. Prior to entering the field of law, Justice Satterfield received a Bachelor's of Music Degree from Howard University, College of Fine Arts, a Master's of Music Degree in Voice from Indiana University, School of Music, and focused on a career in music with a special emphasis on operatic performances. Justice Satterfield reluctantly relinquished her position as a junior high school choral director and music teacher at Alva T. Stanford Junior High School in Elmont, New York, to join the legal community. Justice Satterfield, retired from the Bench in January 2011 and was a multi-faceted individual who continuously blended her myriad background experiences. She served as a faculty member for Continuing Legal Education programs of St. John's University School of Law and the Queens County Bar Association; a faculty member of the Practicing Law Institute; as the Chair of the Judicial Hearing Officer Selection Advisory Committee for the Second Department; as presenter at seminars for programs for newly-elected Judges and Justices of the Unified Court System, for the Association of Civil Court Judges, for annual judicial seminars for judges and justices of the Unified Court System; and chairperson or member of numerous other committees and organizations. Justice Satterfield, up to her 2011 retirement, continued to be involved in the education community, mentoring high school, college and law students, and over the years provided courtroom and chambers experiences for hundreds of students, including students for a specially designed program at Springfield Gardens High School. She also created, in association with Nia, the interest group that became the Greater Queens Chapter of the Links, Inc., for P.S. 116, Queens, a legal education program for grades two to five entitled "Introduction to the Law and the Court System." She was a member of the Law Alumni Association, for which she chaired a homecoming committee, as well as a class reunion committee. For several years, Justice Satterfield presented a Color of Justice program, a project of the National Association of Women Judges designed to introduce young girls of color to the possibilities of pursuing a law degree and attaining the Bench. Justice Satterfield was one of the founders and a former board member of the Queens Women's Network; a former member and President of Jack and Jill of America, Inc., Queens Chapter; a charter member and former President of the Greater Queens Chapter of the Links, Inc., and was an active member in the CARATS, Inc. Her professional and community-based contributions have been recognized by such groups as Hofstra University School of Law, Black Law Students Association; St. John's University School of Law, BALLSA; U.S. Social Security Administration, Northeast Region, Women's Project; Queens County Women's Bar Association; Alpha Kappa Alpha, Epsilon Pi Omega Chapter, Distinguished Member Award;

Legal Outreach; the St. Albans Congregational Church, The Heritage Hall of Fame; Legal Outreach, Inc., Appreciation Award; and Samaritan Village, Inc., of which she is a Board Member and in 2005, she was honored to be awarded an honorary doctorate degree from St. John's University School of Law.

Section 26. Tony Bennett Place

Introduced by Council Member Cabán

August 3, 1926 – July 21, 2023

Tony Bennett was an American jazz and traditional pop singer who won 20 Grammy Awards, a Lifetime Achievement Award and 2 Primetime Emmy Awards. He sold over 50 million records worldwide, earned a Hollywood Walk of Fame and founded the Frank Sinatra School of the Arts in Astoria.

Section 27. Captain Paul W. Schmalzried Way

Introduced by Council Member Cabán

April 9, 1966 – August 24, 2022

Paul W. Schmalzried served with the FDNY for 24 years. He died as a result of 9/11 related illness.

Section 28. Karina Lariño Way

Introduced by Council Member Cabán

Died May 6, 2022

Karina Lariño worked for the Metropolitan Transportation Authority at the LaGuardia Bus Depot. She was very involved with the community and the Ali Forney Shelter in particular. She collected winter clothes and distributed them to various shelters during the winter. She was an ardent supporter of the LGBT community given that she had several close friends pass due to HIV. She also was known to walk around and provide homeless folks with food. She was struck and killed by a car while walking home from work. Since her death, her family members have become advocates for safer streets in the City.

Section 29. Philip P. Ressa Way

Introduced by Council Member Carr

1942 – June 5, 2023

Philip P. Ressa was a very successful businessperson who gave back to his community. He was honored by the Boy Scouts of America multiple times, along with the Samaritan Day Top Foundation, he was named Man of the Year by the Staten Island Cancer Society and received many awards and proclamations for his community service from local elected officials. He also served as president of the Staten Island Tennis League and was inducted into the Staten Island Sports Hall of Fame.

Section 30. Charles LaGanga Way

Introduced by Council Member Carr

July 9, 1937 – July 2023

Charles LaGanga was a member of the Iron Hills Civic Association where he fought to preserve Chapin Woods and Last Chance Pond. He co-established a Child Advocacy Center in the former convent of St. Peter's R.C. Church, served as chairman of the board for the Hard of Hearing/Visually Impaired Children on Staten Island, he earned a Lifetime Achievement Liberty Medal in 2008 for organizing 33 volunteers and securing building materials to construct a bedroom extension for a child with cerebral palsy, he earned a community service award from the Patrolmen's Benevolent Association and received a 2004 Ellis Island Medal of Honor in recognition of his Italian ancestry. He also helped establish the Staten Island Friends of Hospice Care which funded the Addeo Hospice Residence.

Section 31. Scherisce M. Lewis-Clinton Way

Introduced by Council Member Carr

April 29, 1970 – February 2022

Scherisce M. Lewis-Clinton served as president of the New York City Housing Authority's South Beach Houses Tenants' Association for 20 years. She opened an eatery called Sherri's Kitchen which was featured in the Staten Island Advance as one of the top places to eat. During Hurricane Sandy and the pandemic, she donated food to assist those who were in need. She was nominated for the Woman of Achievement Award for several years and received a citation from Diane Tevino and Debbie Row. She was a member of the 122 Police Task Force and the local Garden Association and was also very involved with the National Kidney Foundation and the National Autism Foundation.

Section 32. NYPD Detective Scott G. Lovendahl Way

Introduced by Council Member Carr

Died September 14, 2019

Scott G. Lovendahl served with the NYPD for 20 years. He died as a result of 9/11 related illness after being assigned to the search and recovery efforts at the World Trade Center site.

Section 33. SSGT James F. Healy Way

Introduced by Council Member Carr

December 13, 1916 – June 12, 1944

James F. Healy served in the United States Army Air Forces with the 349th Bomber Squadron, in the famous 100th Bomber Group during WWII. The 100th Bomber Group suffered the most casualties of any unit. He served as a ball turret gunner on a B-17. He was shot down over France and his body was never recovered. He was the recipient of the Air Medal and the Purple Heart.

Section 34. Giovanni da Verrazzano Way

Introduced by Council Member Carr

Giovanni da Verrazzano was an Italian explorer of North America and is known as the first European to explore the Atlantic coast of North America between Florida and New Brunswick in 1524, including New York Bay and Narragansett Bay.

Section 35. Doctor Rocco L. DiAntonio Way

Introduced by Council Member Carr

May 20, 1980 – January 4, 2023

Rocco L. DiAntonio graduated Villanova University and the University of Medicine and Dentistry of New Jersey and later owned the Bayonne Smile Center. He was recognized as a New Jersey Monthly Top Dentist and was a member of the Unico Club. After Superstorm Sandy, he volunteered and organized efforts to collect and distribute supplies to areas severely impacted by the storm. He donated to charities including Memorial Sloan Kettering Cancer Center and St. Jude Children's Hospital. He was very involved with the National Children's Dental Month, oral hygiene education classes for children, community clean-up initiatives and providing dental care to fixed-income families and disabled patients. He also provided free dental care to families in need.

Section 36. NYPD Det. Christopher E Cranston Way

Introduced by Council Member Carr

Died July 20, 2019

Christopher E. Cranston spent six months at Ground Zero during the search and rescue mission after the 9/11 attacks at the World Trade Center. He died as a result of 9/11 related illness.

Section 37. Joseph J. Ponzi Way

Introduced by Council Member Carr

October 19, 1955 – April 18, 2022

Joseph J. Ponzi served with the Kings County District Attorney's Office for 37 years with the title of Chief Investigator. He administered over 1500 examinations and elicited over 125 murder confessions. He organized many Gun Buy Backs throughout the years to try and get as many guns off the streets as possible. He was acknowledged by the Columbia Association, the Da Vinci Society and Law Enforcement Agencies. He was a responder at both Ground Zero and the landfill.

Section 38. St. Johns Villa Academy Way

Introduced by Council Member Carr

This co-naming will commemorate St. Johns Villa Academy, which was active from 1922 – 2018. The school closed due to lack of adequate personnel, lack of enrollment and maintenance expenses of an aging facility.

Section 39. FDNY Firefighter James "Soupy" Campbell Way

Introduced by Council Member Carr

Died November 16, 1959

James "Soupy" Campbell served with the FDNY Ladder 78 for six years. He was killed in the line of duty when a building collapsed while he was responding to a five-alarm fire.

Section 40. Mimi Cusick Way

Introduced by Council Member Carr

July 3, 1931 – January 5, 2020

Mimi Cusick was very active in the Democratic Party on Staten Island. She organized many volunteers to work on campaigns and ran Democratic County Committee meetings. She worked as a school safety officer at PS 30 and PS 22 for 20 years. She was also very active with the Blessed Sacrament Church, the ladies Ancient Order of Hibernians, the Blessed Sacrament Mother's Guild, the Westerleigh Improvement Society and the Msgr. Farrell Parent's Association.

Section 41. Alfonso Compitiello Way

Introduced by Council Member Carr

Died December 2020

Alfonso Compitiello owned and operated Alfonso's Pastry Shoppe since 1969. The shop made an appearance in the film Easy Money starring Joe Pesci and Rodney Dangerfield.

Section 42. Dominique Alexander Way

Introduced by Council Member De La Rosa

September 15, 1992 – June 9, 2020

Dominique Alexander was smart and innovative. He was very knowledgeable regarding computers and always lent a helping hand to neighbors fixing computers and phones at no charge. He was a member of the Boy Scouts and was very involved with the Walker Memorial Baptist Church where he served as a youth usher and member of the choir.

Section 43. Via Michele Greco “Mike Greco Way”

Introduced by Council Member Feliz

Died March 20, 2019

Mike Greco was the owner of Mike’s Deli in the Arthur Avenue Retail Market since the 1960’s. The deli became a favorite stop for many mayoral, gubernatorial and even presidential campaigns. He was sure to promote the entire Bronx Little Italy neighborhood whenever on camera, including neighboring institutions the Bronx Zoo and New York Botanical Garden. He received the National Italian American Foundation Achievement Award, Merchant of the Year from the Belmont Merchant Society, among many others.

Section 44. Michael Simanowitz Way

Introduced by Council Member Gennaro

August 10, 1971 – September 2, 2017

Michael Simanowitz served on the New York City Police Department Auxiliary Police’s 107th Precinct Auxiliary Unit for over 20 years, achieving the rank of Auxiliary Deputy Inspector. He was elected to the Assembly in 2011, representing District 27. He dedicated over 20 years of public service to his native borough of Queens. He worked for New York State Assembly Member Nettie Mayersohn for roughly 15 years before eventually being elected into office as her successor in 2011. He spent his free time volunteering, serving as the Commanding Officer and eventually working his way up to become Deputy Inspector for the 107th Precinct Auxiliary Unit. He aided during and after the events of September 11, 2001, as well as during the blackout of 2003 in any way he could. He was an active member of the Queens County chapter of the Young Democrats of America, as well as the Stevenson Democratic Club. He also served as a district leader advocating for his constituents. During his career, he was involved in drafting legislation that strengthened drunk driving laws and protected at-risk children and victims of rape. Notably he helped develop a program that established stroke centers in Brooklyn and Queens. He was a staunch advocate for the Jewish community, working to expand access to religious and other private schools.

Section 45. Nettie Mayersohn Way

Introduced by Council Member Gennaro

May 30, 1924 – August 13, 2020

Nettie Mayersohn was a community activist and former Assemblymember who served Central Queens for nearly three decades. She represented District 27 from 1983 until her retirement in 2011. She served as a District Leader for over four decades. She served as executive director of the state Crime Victims Board and played a major role in organizing the Pomonok Neighborhood Center. During her time in the Assembly, she championed bills related to HIV and AIDS, including the Baby AIDS Law, which compels doctors to inform parents when their babies are born HIV-positive. She also sponsored legislation allowing judges to request that accused rapists be tested for HIV and a measure mandating that people with HIV/AIDS notify their spouses, sex partners and people with whom they share needles of their status. She also served on Community Board 8.

Section 46. Natalie Rogers Way

Introduced by Council Member Gennaro

Died May 7, 2023

Natalie Rogers was a champion for children and adults with intellectual and developmental disabilities. She founded the Queens Centers for Progress (QCP) in 1950, and helped initiate the Cerebral Palsy Association of New York State, which offered therapy and educational programs for children with cerebral palsy, and later offered vocational services and facility based training workshops for those in need. She also helped establish the QCP’s Natalie Katz Rogers Training and Treatment Center in 1974 and opened the Robert T. Groh Residence in Jamaica Estates in 1979. QCP provides programs and services for over 1,200 individuals currently. She was a founding member of the Cunningham Women’s League for Handicapped Children and served as its president. She served as Mayor of the Village of Ocean Beach on Fire Island from 1998 to 2006.

Section 47. Agustina Muniz Way

Introduced by Council Member Gutiérrez

May 5, 1937 – August 21, 2023

Agustina Muniz was a part of the Cooper Park Houses family and was beloved by community members. For decades, she worked at the complex's community center serving meals to children, ensuring that they did not leave the center without having a meal from her. She was killed in a hit-and-run by a dump truck making a left turn onto Kingsland Avenue. Her death brought awareness to traffic safety.

Section 48. Firefighter Albert A. Filosa Way

Introduced by Council Member Hanif

November 5, 1955 – August 28, 2023

Albert A. Filosa served with the FDNY, Ladder Company 146 for 20 years. He died as a result of 9/11 related illness.

Section 49. Bettie J. Bellamy Way

Introduced by Council Member Hanks

1937 – October 28, 2021

Bettie J. Bellamy was awarded the Staten Island Advance Woman of Achievement in 2001. She served as publicity coordinator for the First Church of God and Christ, vice president of the Student Aid Committee, the Flower Guild and Pastor's Aid Committee, chaired the church's Black History Program, a member of the NAACP, served as co-chair of several Humanitarian Awards luncheons, served as chairman of the Freedom Committee and coordinated the Past President's Salute, chaired the Evelyn Marshall Association, which raised funds for CSI students, was an officer in the National Council of Negro Women, a member of the Mud Lane Society and volunteered with the Purple Hat Society. She was also very active in the Staten Island League for Better Government.

Section 50. Martin "Marty" Doherty Way

Introduced by Council Member Hanks

June 17, 1935 – October 26, 2021

Martin "Marty" Doherty was a pillar in Staten Island sports, education, and his community. He was a long-time coach at John Adams High School in Queens, he ran night centers, brought kids to the Friendship Games in Japan and organized the kids' fun run during the Pepper Martin Run every July 4th. He was described as "the backbone and lifeline" of the Warren Jaques Committee for over 30 years and was a lifelong member of the 3rd degree for Knights of Columbus, a member of the Notre Dame Club of Staten Island and a lifetime member of the Elks Lodge of Staten Island. He was also the recipient of a number of awards, most of which were for community service, including the Staten Island Advance Service Award in 2003 and the Joe Ryan Memorial Award in 2008. In 2018, the Jaques Committee created a new Award in honor of Martin, calling it the 'Marty Doherty "Do It For The Kids" Award.'

Section 51. Lt. Gregg A. Atlas Way

Introduced by Council Member Hanks

Died September 11, 2001

Lt. Gregg A. Atlas served with the FDNY and was killed in the 9/11 terrorist attacks at the World Trade Center.

Section 52. Lt. Henry O. Schmiemann Way

Introduced by Council Member Holden

Died June 20, 1974

Henry O. Schmiemann served with the NYPD for 21 years and was assigned to the Inspections Services. He was killed while being mugged on his way to work.

Section 53. Ptl. Philip H.L. Meyer Way

Introduced by Council Member Holden

Philip H.L. Meyer served with the NYPD. He died of heat stroke while on patrol.

Section 54. Hilda Vannata Way

Introduced by Council Member Holden

April 12, 1956 – September 20, 2023

Hilda Vannata served as an EMT for 26 years at Battalion 14 – Lincoln Hospital. She died as a result of 9/11 related illness.

Section 55. Police Officer Robert E. Walsh Way

Introduced by Council Member Holden

Died January 12, 1981

Robert E. Walsh served with the NYPD for 12 years and was assigned to the 7th Precinct in Manhattan. He was killed in the line of duty when he attempted to stop a robbery in progress while off-duty.

Section 56. Patrolman Charles J. Reynolds Way

Introduced by Council Member Holden

Died July 26, 1923

Charles J. Reynolds served with the NYPD and was assigned to the 116th Precinct. He was killed in the line of duty when he was shot and killed after arresting several men in a taxicab.

Section 57. Patrolman Joseph W. Norden Way

Introduced by Council Member Holden

Died December 3, 1954

Joseph W. Norden served with the NYPD for five years and was assigned to the 104th Precinct. He was killed in the line of duty when he was shot by an emotionally disturbed suspect whom he and his partner were escorting from an apartment.

Section 58. SSA Orville M. Williams Way

Introduced by Council Member Holden and Council Member Ariola

Died November 16, 1999

Orville M. Williams served with the NYPD Division of School Safety for two years. He suffered a fatal heart attack after responding to a series of fights between students at school.

Section 59. Sergeant Thomas F. J. O’Grady Way

Introduced by Council Member Holden and Council Member Ariola

Died August 24, 1916

Thomas F. J. O’Grady served with the NYPD for 12 years and was assigned to the Mounted Squad at the Richmond Hill Precinct. He was killed in the line of duty when his Department horse slipped on cobblestones at an intersection, throwing him off the horse sustaining a fractured skull and other injuries while responding to a report of a stabbing. He succumbed to his injuries five days later.

Section 60. Patrolman John J. Madden Way

Introduced by Council Member Holden

Died September 11, 1968

John J. Madden served with the NYPD for 19 years and was assigned to the 104 Precinct. He died in the line of duty after suffering a heart attack while pursuing several suspects on foot.

Section 61. Patrolman Joseph L. Rauchut Way

Introduced by Council Member Holden

Died November 30, 1957

Patrolman Joseph L. Rauchut was assigned to Motorcycle Precinct 2, the present day Highway 2. He was killed in the line of duty when he was struck by a vehicle while conducting a vehicle stop.

Section 62. Herman Hochberg Plaza

Introduced by Council Members Holden and Ariola

October 27, 1929 – October 19, 2023

Herman Hochberg served as president of the Myrtle Avenue Business Improvement District and the owner of Queens Wines and Liquors in Ridgewood. He also served as the board president of the Park East Synagogue. He was the founding chairman of the Ridgewood Local Development Corporation.

Section 63. Dr. Beny J. Primm Way

Introduced by Council Member Hudson

May 21, 1928 – October 16, 2015

Dr. Beny J. Primm was a doctor who started some of New York City’s first methadone clinics to treat heroin addicts and advocated for changing public health policy toward intravenous drug users during the AIDS epidemic. He served in the United States Army’s 82nd Airborne Division at Fort Bragg and trained as a paratrooper. In 1969, he founded the Addiction Research and Treatment Corporation, which opened methadone clinics in Brooklyn and Manhattan. He was an advocate for clean-needle programs and information campaigns during the AIDS epidemic. He was appointed to Ronald Reagan’s Presidential Commission on the Human Immunodeficiency Virus Epidemic in 1987. He served on the National Drug Abuse Advisory Council, associate administrator of the Office of Treatment Improvement and was president of the Urban Resource Institute, which he founded in 1981 to provide career counseling and job training for addicts and to provide a safe haven for victims of domestic violence.

Section 64. James Caldwell Way

Introduced by Council Member Hudson

Died May 27, 2021

James Caldwell served in the United States Army for six years. He served as president of the 77th Precinct Council and former executive director of Brooklyn United for Innovative Local Development, an organization designed to implement the community benefits agreement for the then Atlantic Yards Development Project. He served as the board chairperson for the North Crown Heights Family Outreach Center to help families with drug and alcohol addiction and served as president of the Brooklyn House Community Relations Board, a halfway

house to assist people recently released from prison to integrate back into society. He also served as chairperson of the Ryerson Street Veterans Committee which successfully stopped the loss of vital services to over 3,000 Black and Latino Veterans in Downtown Brooklyn.

Section 65. The English Way

Introduced by Council Member Hudson

December 17, 1920 – December 18, 2011

Dr. Josephine English moved to Brooklyn in 1956 after graduating from medical school and working in Manhattan. She opened a women's clinic in Bushwick and delivered thousands of babies, including the daughter of former United States Secretary of Commerce, Ron Brown, and the six daughters of Malcolm X and Betty Shabazz. In 1979, she established the Adelphi Medical Center to provide better medical care to both men and women and later added a senior citizens' center. In 1981, she started the Up the Ladder Day Care Center and After School Program and a summer youth camp. In 1982, in an effort to bring more of the arts to the community, she purchased a deserted church next to the Adelphi Medical Center and converted it into Brooklyn's Paul Robeson Theater. In 1986, she became the first minority and the first woman to be awarded a license from the New York State Department of Health to develop a free-standing ambulatory surgical center. She self-funded many of her programs and had to continuously fight foreclosure. She received several awards, including the African Community Contribution Award and a Lucille Mason Rose Community Activist Award. In 1996, the Dr. Josephine English Foundation was established in order to honor her and to carry on her health and welfare initiatives.

Section 66. Ahmad Samhan Way

Introduced by Council Member Hudson

May 22, 1969 – June 21, 2020

Ahmad Samhan was a longtime resident and business entrepreneur of Fort Greene, Brooklyn. He was born in a small village in Palestine and later migrated to Brooklyn, New York in March 1973. He resided on Vanderbilt Ave between Myrtle and Park for over 30 years before starting a family of his own in his childhood home. Inspired by fellow Brooklyn residents, Ahmad was determined to be the true definition of an American-Arab pioneer. From the age of 13, he began to work so that he may provide additional income for his family. His earliest business ventures varied from delivering newspapers door-to-door in the neighborhood, to selling water bottles on the street, to washing car windows at the gas station formerly located on Vanderbilt Avenue, to working as a bag boy at the Met Food supermarket on Myrtle Avenue. Many people in the neighborhood recall his inviting smile and incredible sense of humor. Aside from his remarkable work ethic, he was known in the community for his impressive intellect. As a student at Samuel J. Tilden high school, he was a member of the school band and played the French horn. After graduating high school in 1987, he obtained his baccalaureate at John Jay College in Criminal Justice. Although very fond of and well versed in criminology and justice, he found his niche as an entrepreneur instead. He went on to own over eight businesses in his lifetime, two of which were on Myrtle Avenue. Paying homage to his Palestinian roots, Ahmad opened his first restaurant 'Zaytoons' in Carroll Gardens in 1995. Following the immediate success of that location, Ahmad was able to open a second location in his own backyard on Myrtle Avenue. Of all his businesses across Brooklyn, this location was always Ahmad's favorite. However, as the neighborhood began to transform, Ahmad realized he too would have to adapt to the evolving neighborhood. After 15 years of serving the community Middle Eastern food, Ahmad converted Zaytoons into a taqueria in 2017. Villa Pancho would eventually close after his untimely passing in 2020. The neighborhood not only enjoyed his cuisines, they were acquainted with his exuberant personality. Ahmad was known for stopping anyone and talking to them. The bench in front of his business has encountered a multitude of conversations varying from common street banter to the deep and thought-provoking conversations that many people in the community expressed their gratitude for after his passing. Indifferent of age, religion, politics, race or beliefs, Ahmad always found a way to connect to the people he would converse with. He left an incredible impression on those who knew him. He was an extraordinary man who could relate to anyone who interacted with him. He was best described as a wealth of knowledge, always able to relate and understand anyone he happened upon. He spent many days sitting on the bench in front of his restaurant talking to his neighbors and bringing joy to their lives as they brought joy to his. He cared for the community that

contributed to his upbringing and constantly reminded everyone around him to always give back to their local communities as it is what shapes the future generations. He spent his life in service to his community, from his lunch donations to Brooklyn Hospital and SUNY Downstate Hospital in appreciation of our healthcare heroes on the frontlines of the pandemic to his annual dinners, made by him personally, in Ramadan at the local mosque on Fulton Street.

Section 67. Tylik Allen Way

Introduced by Council Member Richardson Jordan

August 2, 1999 – September 30, 2017

Tylik Allen was killed before he was scheduled to play a football game for KIPP College Prep where he was a running back. As a result of his death, the Tylik Allen Scholarship was founded which provides funds for one student at KIPP NYC College Prep.

Section 68. Duane Andrew Jeremy Joseph Plaza

Introduced by Council Member Joseph

September 19, 1978 – August 7, 2023

Duane Andrew Jeremy Joseph was born in Barbados, West Indies and was raised in Antigua up until the age of 13. He then came to Brooklyn, New York and attended Touro University, majoring in General Studies and Humanities while working in the Bursar's office. His work experience at Touro would provide him the opportunity to be Executive Assistant at both Springer Nature and Wiley publishing companies. He enjoyed Food Karma Projects, such as Brisket King NYC and Pig Island, and being a judge for the Annual Sauce King NYC competition. He dedicated his life to improving his community in Brooklyn. In 2015, he served on Community Board 14 where he offered great vision and spearheaded the addition of the Economic Development Committee. He served as the Youth Committee Co-Chair, the Community Environment, Cultural Affairs and Economic Development Co-Chair, as well as the Co-Chair for the African Burial Ground Task Force. In 2023, he was elected as Community Board 14's First Vice Chair. He took initiative to meet with CB14's district office to talk about community conditions, then followed that meeting up by reaching out to his local Business Improvement District, then followed up that by attending 70th Precinct Community Council meetings and at all of the sector Build the Block meetings once NYPD began the NCO program. He touched the borough of Brooklyn with all of his work, but truly made a mark in the areas of Parkside Plaza, Prospect Lefferts Gardens, and in supporting the Parkside Flatbush BID and the Prospect Lefferts Gardens Neighborhood Association. He was part of a generation of leadership unseen with an impact so profound. He understood the power of his individual voice but preferred the strength of the collective. He was an agent of transformation, ensuring his physical presence in the community was felt; it was undeniable.

Section 69. Paseo Park

Introduced by Council Member Krishnan

Paseo Park is a 26-block open street along 34th Avenue from 69th Street to Junction Boulevard in Jackson Heights. Its name is meant to acknowledge the diverse immigrant communities that line the open street while also evoking the new purpose of the street space ("paseo" means "stroll" in Spanish). Paseo Park was borne out of a collective need for safe gathering space and community connection in the epicenter of the COVID-19 pandemic. Since its birth in 2020, local community organizations and the Department of Transportation have worked toward permanently transforming this open street into a vibrant network of safe open spaces, many of which have been converted to 100% car-free plazas. The establishment of Paseo Park has drastically increased neighborhood-wide access to public greenspace in a City Council district that ranks second to last in the amount of park space per capita.

Section 70. Lawrence Murphy Street

Introduced by Council Member Krishnan
1970 – 2013

Lawrence Murphy advocated for more green space in Jackson Heights. He played a crucial role in establishing the Jackson Heights Green Alliance, which focused on creating and maintaining public open spaces and green areas. Projects include Travers Park being expanded, Grow-a-Park campaign successfully turned private school land into public parkland, he created The Bronx Steps Up initiative, encouraging residents to use outdoor staircases for exercise and he successfully transformed 34th Avenue into the City's most prosperous open street during the COVID-19 pandemic.

Section 71. Gerard Neufeld Way

Introduced by Council Member Krishnan
February 11, 1912 – April 28, 1980

Gerard Neufeld established his funeral services in the 1940's and provided his services to help the families of the young servicemen who died in WWII to give them proper burials. He also helped found the Newtown Civic Association, the Elmhurst Chamber of Commerce and the Elmhurst Lion's Club. He was also a member of the Knights of Columbus and the St. Bartholomew's Church Parish Council. He was president of the Elmhurst Memorial League and the Elmhurst Community Celebrations Commission where he oversaw community events such as concerts held in the parks and holiday gatherings.

Section 72. Mike Crowley Way 1st Pres. JHBG Way

Introduced by Council Member Krishnan
1936 – December 22, 2007

Mike Crowley was a founding member and president of the Jackson Heights Beautification Group (JHBG). Under his leadership, JHBG landmarked Jackson Heights as a historic district, operated the first ever community based anti-graffiti program in the City, established the JHBG Architectural and Good Neighbor Awards, the JHBG Halloween Parade, the garden club, created the Friends of Travers Park, operated Town Hall Meetings and Candidates Nights and created the publication of a community newsletter.

Section 73. Marc A. Haken Way

Introduced by Council Member Lee
Died March 17, 2023

Marc Haken was a Hollis civic leader who was involved in community affairs for decades. He served with Community Board 8 as chair of the Youth, Education and Library Committee, president of Hilltop Village Co-Op No. 4 and was the president of Friends of Cunningham Park for over 20 years. As president of Friends of Cunningham Park, he secured funds for equipment and programming, including summer concerts, movies and senior programs. He donated thousands of dollars in books to the Queens Library and helped create after school programs throughout the City. He also helped the borough's Sikh community donate books on Sikh culture to the Queens Library to counteract prejudice after the 9/11 terrorist attacks. He received the Brooke Russell Astor Award from the New York Public Library.

Section 74. Aracely Courtenay Way

Introduced by Council Member Louis
Died in February 2023

Aracely Courtenay served as the assistant pastor in Emmanuel Church of God. She spent eight years working in property management and coordinated housing for families with low incomes. She was in charge of the Talitha Cumi Women's Ministry. She was hit by a car while crossing the street.

Section 75. Elenora P. Bernard Way

Introduced by Council Member Louis

Elenora P. Bernard born in Trinidad and Tobago in the Caribbean, has resided in the United States for the past fifty years. A lifelong resident of Brooklyn, she was committed to the inclusion, growth of her black and Caribbean community, especially woman-owned business contractors. She is known as a result-driven professional with solid executive and progressive experience in project, construction, and health care management. Her passion and goal was a commitment to enhancing and providing realistic unities for all minority business, contractors and the community she serves. Ms. Bernard started her career in public service working under the Mayor Lindsey Administration in the Model Cites division of City Planning, a role where she created pathways to college for future leaders like former Assemblyman Roger Green. She worked for the NYC Health and Hospital Corporation where she worked in the Human Resource's Department at both Cumberland and Woodhall Hospitals. Her home in the 1970s and 1980s served as a meeting place for many influential leaders. After she left Episcopal Health Services, where she served as Executive Vice President of Development, with her crowning achievement was building the Bishop Hecules Nursing home in Bedford Stuyvesant, she realized her passion of being an entrepreneur was in construction. She started her own construction company in 1998, the Petra B Corporation. Petra B Corp is a certified Minority and Woman Owned Business Enterprise (MWBE) that has been in business since 1998, serving New York City and tri-state area. Family owned and operated, Petra B Corp's workforce consists of more than 270 full-time minority and Caribbean-American employees who are fully qualified in all construction trade activities. Petra B Corporation has completed many construction projects, both in rehabilitation and new construction, in the private, commercial and Faith-Based sectors.

Section 76. Anthony Federici Street

Introduced by Council Member Moya

July 28, 1940 – November 9, 2022

Anthony Federici was the owner and founder of the Park Side Restaurant, a popular Italian restaurant in Corona, Queens. It was originally opened by his parents in 1960, as the Corona Supper Club. He was active in a wide range of commercial and charity enterprises in the borough of Queens. One of his many charitable acts included running a fundraiser that netted Flushing Hospital thousands of dollars in donations. He collaborated with the New York City Parks Department to revitalize William F Moore Park, affectionately known as "Spaghetti Park." He collaborated with RAICES Corona and St. Leo's Golden Age, offering hot meals to the elderly. During holidays, he organized toy drives for local children and contributed thousands of dollars to public schools in the district. In February 2004, he was honored by Queens Borough President Helen Marshall for his service to the community.

Section 77. Mildred Phillips Way

Introduced by Council Member Nurse

December 19, 1949 – August 6, 2022

Mildred Phillips was a community activist, working closely with the 83rd Precinct Community Council and Brooklyn Community Board 4. For over twenty years, Mildred was involved with community parades, children's events, Thanksgiving turkey drives, and holiday toy drives. She conducted outreach to business owners to obtain groceries for food giveaways, feeding an average of 400-700 homeless individuals a week. Her greatest passion was to feed hungry and lonely children in Bushwick, especially during the crack epidemic. She also worked as a home health nurse for Visiting Nurse Service of New York primarily in Brooklyn and Queens. She organized and supported a Children's Day program on her block to keep children safe and provide them with activities.

Section 78. Sam Mendolia Way

Introduced by Council Member Nurse

September 3, 1958 – April 9, 2023

Sam Mendolia was a Bushwick native who operated his business in the community for over twenty years. His business, Sam the Glazier, was established in 1976. He participated in countless community gatherings working closely with schools and his neighbors to lend his support in important matters. Sam assisted P.S. 376

in reviving a community garden for the residents of Hope Gardens so that students could receive a valuable education. He provided children with the necessary tools to learn firsthand about agriculture and personal sustainability. He helped to provide shelter for adults who were struggling to find an apartment, sponsored events and provided meals for the community during the holidays. He was a member of Queensboro Unico for many years assisting in maintaining St. Lucy's Church. He held fundraisers to raise money for Cooleys Anemia and cancer research and donated time and money to raise funds for the Italian American Museum in Little Italy. He donated to little league teams in the neighborhood and every year for Thanksgiving, he donated turkeys to those in need and backpacks to children for the beginning of the school year.

Section 79. Akeal Christopher Way

Introduced by Council Member Nurse

July 10, 1997 – July 10, 2012

Akeal Christopher attended PS 45 in Bushwick and continued at Halsey Junior High School. During his middle school years, he actively participated in drama and was a key contributor to various Christmas productions. He attended high school at Transit Tech where he continued his lifelong passion for trains and basketball. He was a member of the Chess Club. He was very active in his community and attended church every Sunday where he participated in the youth choir. He was shot and killed at the intersection of Evergreen and Cornelia Street.

Section 80. James “Rocky” Robinson Way

Introduced by Council Member Ossé

Died September 27, 2019

James “Rocky” Robinson served in the United States Army and later founded the volunteer ambulance corps in 1988. When he was off duty from his EMT position, he provided emergency service to those in need. He also provided emergency medical training to minority communities across the United States, he responded to the 1993 World Trade Center bombing and he helped save the life of a firefighter on 9/11. He received the Robin Hood Foundation Hero of the Year Award, the New York City Hero Award, the American Institute of Public Service Jefferson Award and the Points of Light Award, which was awarded by President George Bush.

Section 81. Roger Brown Way

Introduced by Council Member Ossé

May 22, 1942 – March 4, 1997

Roger Brown was a professional basketball player in the American Basketball Association (ABA) who played for the Indiana Pacers. He was nicknamed “The Rajah” for his quick first step and labeled one of the greatest one-on-one players in the game of basketball. He was a native of Brooklyn and was signed to play for the University of Dayton in 1960. During his career with the Pacers, he led the team to eight ABA playoffs, five division championships, and three ABA championships. His jersey is one of only four to have been retired by the Pacers. He was inducted into the Naismith Memorial Basketball Hall of Fame in 2013. He became the first athlete to hold public office with the Indianapolis City Council while still playing professionally from 1972 until 1976.

Section 82. Elsie Richardson Way

Introduced by Council Member Ossé

Died March 15, 2012

Elsie Richardson was an integral contributor in creating the first federally supported model of community development and the first non-profit Community Development Corporation in the nation, the Bedford Stuyvesant Restoration Corporation. She served as president of her Block Association for several years and was a member of Community Board 8. She joined many civil rights campaigns, including the bus boycott of 1941. She served as one of the leaders of the Central Brooklyn Coordinating Council, a network of civic groups, block associations and churches, among others, to provide political representation for the community.

Section 83. Dick Ravitch Way

Introduced by Council Member Powers

July 7, 1933 – June 25, 2023

Dick Ravitch was the former MTA Chairman and served as Lieutenant Governor of New York from 2009 to 2010. He helped save the City's mass transit system in the 1980's during an 11-day transit strike and also helped save the City from financial collapse during the 1970's while he was head of the State's Urban Development Corporation. He worked for Major League Baseball as its chief labor negotiator.

Section 84. Stanley Love Way

Introduced by Council Member Restler

March 17, 1970 – September 2019

Stanley Love was a choreographer/dancer who ran the Stanley Love Performance Group for over 25 years and helped shape New York's downtown performance scene in the 1990's with large-scale, vibrant performances. He graduated from Julliard in 1992 and went on to dance at New York venues, such as MoMa PS1, Movement Research at Judson Church, Performa 15 and numerous nightclubs. His troupe was included in the 2012 Whitney Biennial where they performed to Whitney Houston.

Section 85. Carl Stubbs Way

Introduced by Council Member Restler

October 16, 1951 – June 30, 2023

Carl Stubbs was very dedicated to fighting for rights of low-income communities. He was a member of VOCAL-NY, a grassroots organization that amplifies the voices of the marginalized to lead meaningful change. He advocated to end mass incarceration, the drug war, homelessness and the AIDS and hepatitis C epidemics. His advocacy work led to legislative reforms, increased funding for crucial programs and improved access to vital services for all New Yorkers.

Section 86. Banker's Anchor Plaza

Introduced by Council Member Restler

This co-naming will commemorate the dedicated local volunteers who worked to turn this triangle of space into a pedestrian-friendly zone. The North Brooklyn Parks Alliance is the official community partner working to maintain the area with local volunteers.

Section 87. Firefighter Peter A. Chiodo Way

Introduced by Council Member Restler

January 26, 1957 – November 26, 2022

Peter A. Chiodo served with the FDNY for 25 years with Engine Company 226. He died as a result of 9/11 related illness.

Section 88. Emmanuel St. Bernard's Corner

Introduced by Council Member Restler

March 16, 1931 – January 6, 2022

Emmanuel St. Bernard was a dedicated member of his community. He talked to everyone in the community. He received a citation from the City Council for his community involvement, was an active member with the Tenant's Patrol and also helped many people in his community get work with the MTA. He received a City Council citation for his involvement in the community.

Section 89. Patricia R. Tambakis Way

Introduced by Council Member Restler

July 19, 1951 – August 2, 2014

Patricia R. Tambakis was the founder of Friends of McGoldrick Park in the early 1980's. She held numerous fundraisers to provide permits and arrange activities for the kids in the community to play in the park. She organized educational programs such as D.A.R.E. to educate kids about the dangers of drugs. She served as president of the 94th Precinct's Community Council and was the editor for The Badge, a magazine for law enforcement in the Fraternal Order of Police.

Section 90. Bronson Binger Way

Introduced by Council Member Restler

October 17, 1930 – December 23, 2013

Bronson Binger served in the United States Army and later became an architect and preservationist who helped revitalize Union Square Park and Wollman Rink in Central Park. He served as the Assistant Commissioner for capital projects in the Parks Department. He later oversaw the restoration of the Municipal Building. In 1971, he founded the Historic Districts Council.

Section 91. Mary Anne Yancey Place

Introduced by Council Member Restler

1932 – 2013

Mary Anne Yancey was a leader and sustaining force to many organizations. She joined the Junior League of Brooklyn in the early 1960's, and became its president in 1968. The Yancey's were an early founding family of Saint Ann's School, where she was the President of the Parents Association, and which her children attended. She was a member of the Board of Directors of the Brooklyn Kindergarten Society, and President of Mrs. Fields Literary Club. She was the first woman Chair of the NYC Hospital Visiting Committee for the United Hospital Fund of New York, and was also the first woman President of the Plymouth Church Council. She was Chairperson of the SUNY Downstate Medical Center Council. In the late 1980's, she served as Director of Marketing for the City's largest home ownership program, at the Partnership for New York City. A longtime board member of BRIC Arts/Media/Brooklyn, she served as Chair from 2002 to 2007, and founded the BRIC Rotunda Gallery Friends Committee. BRIC presents contemporary art, performing arts and community media programs that reflect Brooklyn's creativity and diversity. As Chair, she led the organization through a challenging period, helping to place it at the center of Brooklyn's emerging cultural scene, and establishing BRIC House, a major new multi-media facility. She was a board member of the Brooklyn Youth Chorus Academy (BYCA), a Grammy award winning music school and arts producer, which is now in its 22nd season for close to 15 years, and served as Chair from 2009 until 2013, where she oversaw its growth to 450 choristers, and firmly believed in its mission of uniting children of diverse backgrounds through music and helping them to develop into confident and expressive individuals. BYCA's programs now include celebrated collaborations with cutting-edge artists, such as Mark Morris Dance Company, Nico Muhly, London Symphony Orchestra, Lou Reed and Elton John, with performances at the Brooklyn Academy of Music, Lincoln Center, Carnegie Hall, Radio City Music Hall, Metropolitan Opera, and around the world.

Section 92. Richard Ocana Way

Introduced by Council Member Restler

Died July 5, 1985

Richard Ocana was the victim of a hate crime when he was beaten and killed by three men after he fell asleep on a park bench.

Section 93. SVA Way

Introduced by Council Member Rivera

This co-naming will commemorate the Manhattan-based School of Visual Arts (SVA), which has been a leader in the education of artists, designers and creative professionals for 75 years. SVA has approximately 6,000 students and 41,000 alumni who have contributed to the cultural and economic vitality of the community. Some of SVA's notable alumni include fine artists Keith Haring and KAWS; *Steven Universe* creator and animator Rebecca Sugar; Marvel Entertainment's former creative director Joe Quesada; author Pete Hamill; film directors Craig Gillespie and Michael Cuesta; photographers Lorna Simpson and Collier Schorr; and designers Gail Anderson and Todd Radom. During the 1970s and early 80s in particular, the hallways of 209 East 23rd St. were electrified by artists who soon became household names, including Chris Stein, co-founder of the band Blondie, and iconic artists Keith Haring and Kenny Scharf.

Section 94. Raphael Sadonte Ward Jr. Way

Introduced by Council Member Rivera

August 18, 1996 – January 4, 2013

Raphael Sadonte Ward Jr. was shot and killed while on his way to Makabely's Pizzeria. His mother founded The Sadonte Foundation dedicated to educating the youth about gun violence by hosting annual awareness events, rewarding college scholarships and facilitating anti-gun violence training.

Section 95. Kendra Williams-Melendez Way

Introduced by Council Member Salamanca, Jr.

February 24, 1975 – November 16, 2022

Kendra Williams-Melendez was a teacher at PS 157 for 18 years. She hosted and coordinated a Cancer Week at the school raising thousands of dollars every year for the American Cancer Society Making Strides Foundation. She also coordinated a parent summit at the school where parents could participate in workshops and activities with local community-based organizations and city officials. Inspired by her own battle with cancer, she emerged as a champion for cancer awareness. Colorful ribbons adored the school, symbolizing the unified fight against cancer. Together with other teachers who were impacted by cancer, she led informative sessions, fostering awareness about prevention and early detection for students and parents alike. Motivated by her leadership, members of the PTA joined Kendra in planning events, from charity runs to educational workshops.

Section 96. Mothers on the Move/MOM Way

Introduced by Council Member Salamanca, Jr.

Mothers on the Move (MOM) started as the Parent Organizing and Education Project (POEP) in 1992 with a group of adult literacy students enrolled in the Bronx Educational Services (BES) to support a parent involvement project at PS 62, located on Fox Street. POEP was shaped by the organizing background of Mili Bonilla and Barbara Gross. After two years, we saw the need to separate from BES and create a separate member-led community organization focused on organizing and improving the local public schools in the Longwood/Hunts Point neighborhood. Mothers on the Move, was incorporated in 1994. It was a single-issue organization pivotal in creating numerous changes in the District 8 schools improving low performing schools and transformed district policies and priorities. This grassroots effort helped improve educational outcomes for young people; developed leaders and won many proposals for change. MOM built a strong organization and was recognized for its powerful educational organizing work as an important school reform strategy in the Bronx and nationally. After a few years of intense school organizing work and with community members bringing up other community concerns like truck traffic, housing, tenant rights, environmental and many other conditions. MOM became a multi-issue organization. Mili Bonilla and Barbara Gross moved on to work on expanding the school reform movement into a city-wide effort. Currently, MOM, along with others, has created CannaBronx, building a foundation of partnerships to envision a new future and education for community members.

Section 97. Luisa Pineiro Fuentes Way

Introduced by Council Member Sanchez

January 22, 1952 – 2012

Luisa Piñero fled Cuba at the age of nine with her older brother and mother without her dad. The family came with very little possessions and only a cigar box to sell. They arrived in Miami, Florida and two days later joined by Luisa's uncles Faustino and Juan who resided in Brooklyn. Luisa worked for AIDP, the chancellor's Task Force for homeless children in the district for over 4 years. She completed her bilingual certification in February 1975, and became the first certified bilingual teacher and later became a staff developer in the office of student progress. She was an educator in the New York public schools for 38 years. She became principal of PS/MS 279 for over 10 years, where she dedicated many tireless hours to make the school a success. In 2003, she was selected to be the principal of a new school in the Bronx, PS 307. At PS 307, where she served as principal for nine years until her death in 2012. During this time, she converted the drab grey building to the colorful and inviting environment it is today. She invested endless hours to make PS 307 a school climate characterized by high expectations for academic achievement. After her passing, PS 307 was renamed the Luisa Pineiro Fuentes School of Science & Discovery in honor of her service and commitment and advocate for NYC public school students. In 2012, upon her passing, many donations were made to Advocates for Children of New York from family and friends in her memory in recognition of the organization's shared mission "to protect every child's right to learn."

Section 98. Nicholas Otoniel Feliz Dominici Way

Introduced by Council Member Sanchez

Nicholas Otoniel Feliz Dominici died after being exposed to fentanyl and suffered acute opioid intoxication at Divino Niño day care in the Bronx. His death has raised awareness of the dangers of drugs.

Section 99. Sheikh Hamoud Saeidi Way

Introduced by Council Member Schulman

January 25, 1937 – July 8, 2023

Sheikh Hamoud Saeidi was shot and killed on his way to a mosque by a person who was on a shooting spree while riding a scooter. Sheikh Hamoud Saeidi was born in Yemen and moved to New York City in the 1970's. He was a grocery store owner. He prevented a kidnapping when he saw a person in a van try to lure a young girl in with candy and toys. He intervened and the van sped off, however he was able to remember the license plate number and reported the van to the police and the person was apprehended.

Section 100. Murray & Carol Berger Way

Introduced by Council Member Schulman

Died March 20, 2023 and February 13, 2023

Murray H. Berger, 98 and Carol Berger, 94, were dedicated public servants and community advocates whose contributions are legendary. Community activism defined both Murray's and Carol's lives. Their contributions to Kew Gardens' community are significant. Murray served in many organizations, often assumed leadership and executive roles. Most notable were his role as president of Kew Gardens Civic Association, Kew Gardens Council for Recreation and the Arts, and leadership roles in the Community Preservation Coalition, and Shorewood Civic Association on Shelter Island, New York. As a professional, Murray was a printer and business owner. He started his printing career in NYC in 1947 at The Comet Press. There, he served as a Production Manager. In 1972, he became President of Howard O. Bullard Co., a major NYC typography firm. He was also Vice President of Graphic Arts Management Corporation, which included his consultative work for the US Government Printing Office. Later, he was the owner of two NYC printing companies. He attended NYC's PS 149, 158, 182, JHS 149, graduated from Townsend Harris High School in 1940 and from City College of New York in 1947. In WWII, he served in the US Army in North Africa and Italy, attaining the rank of Technical Sergeant. Carol W. Berger, in her own rights, imprinted her unique and stellar civic brand on the Kew Gardens community that will endure for generations to come. Over the years, Carol was instrumental in getting a new

wing added to PS 99, including a cafeteria, kitchen, gymnasium and several classrooms, and the creation of the Leah Weinberg Early Childhood Center (PS 99 Annex). Her advocacy and foresight also lead to the creation of the pocket park on Austin Street as a sitting space for residents. Carol spread her civic activist wings and founded the Citywide Confederation of High School Parent Associations to widen and strengthen the impact of all participating schools, and she served as a former Parents Association president of PS 99 and Hillcrest High School respectively, including being a member of Community Board 9. Both Murray and Carol have been recognized by elected officials and affiliated colleagues for their exceptional community activism and advocacy and honored with numerous accolades for their outstanding leadership and indomitable community spirits in making a difference.

Section 101. Rabbi Moshe Neuman Way

Introduced by Council Member Schulman

August 9, 1930 – May 3, 2022

Moshe Neuman was a very dedicated spiritual leader, admired academic scholar and school principal. He founded the Bais Yaakov Academy of Kew Gardens, Queens, a school for girls of the Jewish faith and was the principal of the institution from 1961 until 2011. The Bais Yaakov began in a small building in Corona, Queens with only 27 students and eventually became a four-story school with 850 students off Metropolitan Avenue. He placed significant value on family, education, spiritual knowledge and development of community as essential civic responsibility. He was an enthusiastic character and devoted himself to community and the preservation of religious culture values and virtue as essential character building for young people. He dedicated many years of services to his community and people and won the admiration of those who benefitted for his selfless endeavors and determination.

Section 102. Estella B. Diggs Place

Introduced by Council Member Stevens

April 21, 1916 – April 18, 2013

Estella B. Diggs volunteered at the Forest Neighborhood Houses in the Bronx and was an active participant and leader in the Girl Scouts of America. She taught home economics to young mothers and organized many food and clothing drives. She taught at the Career Development Program for the New York State Department of Civil Service and assisted disadvantaged young adults in remedial education and job skills development, enabling hundreds of unemployable youth to secure and maintain jobs. She served as a Confidential Assistant in the New York State Supreme Court and later became a district leader and co-chairperson of the Bronx County Democratic Committee. She was a member of the NAACP, CORE, SNCC, SCLC and the Urban League and also helped coordinate and organize community residents to participate in the March on Washington in 1963. In 1972, she became the first African-American woman to be elected to the New York State Legislature in the history of the Bronx. She chaired the Majority Panel on Women's Issues and the Bi-Partisan Legislative Women's Caucus for four years. She introduced and supported over seventy bills in areas related to civil rights, consumer affairs, criminal justice, health and nutrition, education, affordable housing and youth services. She also sponsored the Women, Infants and Children Program legislation, which greatly improved nutrition programs for families on public assistance. She received over two hundred service awards and commendations from various civic groups.

Section 103. Evangelist Josephine Gooding Place

Introduced by Council Member Stevens

April 23, 1935 – July 1, 2023

Evangelist Josephine Gooding was born in Athens, Georgia. She later moved to Brooklyn, New York. She was a faithful member of the Historic First Church of God In Christ under the pastorate of Bishop Frank Clemmons at 1745 Pacific St., Brooklyn, N.Y. It was there that she began her ministry, first on the Jr. Choir, the Jr. Ushers, then serving on the Deaconess Board where she accepted her call to the Word Ministry. It was then she received her COGIC Evangelist License at the young age of 16, at the recommendation of Bishop Clemmons to State Supervisor Mother Payton and Jurisdictional Bishop O.M. Kelly. On June 1, 1969, Elder

Ceacer and Evangelist Josephine Gooding began their ministry for the Lord, founding the Miracle Reviva l Center, later renamed Miracle Revival Temple, where she served as Co-pastor with her husband for 40 years. For over 20 years, she was the weekly voice of Miracle Revival Temple's radio broadcast as she narrated and introduced the Bishop every Sunday night. During her service at Miracle Revival Temple, she was the Tuesday Night Bible Study Instructor, President of the Women's Department and also the Director of Vacation Bible School. She served as the Shepherd Mother of Fellowship Tabernacle Ministries COGIC and was the annual Women's Day speaker at Fellowship for 22 years. She was a member of the Ministers Wives and Widows Association where she served on the Local, State and International levels beginning in 1978. During her time, she served as the President's Aide for the International President Dr. Muriel Johnson-Providence and in the Dean's Office. She served on the New York State level as the financial and corresponding secretary, and as a member of the Church of God In Christ Minister's Wives Association, she chaired the Problem Clinic under the leadership of the late Mother Bessie Kelly. She was a member of C.H.I.P.S. (Chaplains Helping In Police Situations), she served as a founding member of the Clergy Coalition of the 44th Precinct and was a teacher at P.S. 291 in the Bronx for many years until her retirement on July 1, 1997.

Section 104. Adem D. Celaj Way

Introduced by Council Member Velázquez

Adem D. Celaj moved to the United States in 1968. In 1978, he purchased a property in Brooklyn and donated it to the Albanian-Americans Islamic Center. He purchased another property in the Bronx to transfer the Mosque from Brooklyn to the Bronx. He bought other properties and charged low rents for the Morris Park Local Development Corporation as the organization grew. He sponsored over 60 Albanian families to come to the United States of America. He allowed some of these families to live with him for months at a time until they could secure jobs. He advocated for rights of the Albanians living in Kosovo by donating funds and attending protests New York City, Washington D.C. and other cities across the United States.

Section 105. Shpresa Nika Way

Introduced by Council Member Velázquez

October 12, 1972 – May 9, 2022

Shpresa Nika has been a steadfast member of the community for more than 30 years, having worked at Liberty Diner right up until her untimely passing from cancer. A lifelong Bronxite and member of the Albanian community, Shpresa was a wonderful and devoted mother to two amazing children. When not working at Liberty Diner providing service with a smile, you could find her volunteering her time to one of the many organizations of which she was a part. She was a great community leader who often volunteered with the Albanian American Open Hand Association helping to serve over 1,000 local residents facing food insecurity. If not on Lydig Avenue, you would find Shpresa at Our Lady of Shkodra Church serving hot meals and groceries to seniors, collecting trash at park clean ups, or making calls to fundraise in order to distribute toys to children during the holidays.

Section 106. Anthony DiGirolamo Way

Introduced by Council Member Velázquez

1963 – 2017

Anthony DiGirolamo was the owner of Geronimo's grocery store who was very generous. Geronimo's served as a social center and meeting place for the Throggs Neck community. Toys For Tots bins were always in the store during the Holiday Season and donated to kids in need. He donated to March of Dimes Walk-America and PTA fundraisers. He was granted Grand Marshal of the Throggs Neck St. Patrick's Day Parade posthumously in 2018 and was also in a short documentary film called Meet Me at Geronimo's in 2009.

Section 107. Nicholas J. Binetti Way

Introduced by Council Member Velázquez

February 10, 1932 – April 3, 2023

Nicholas J. Binetti served in the United States Army during the Korean War. He then went on to serve with the NYPD for 41 years. While protecting the Manhattan District Attorney Frank S. Hogan, he and his partner were ambushed and severely wounded. He was shot 16 times and survived. He and his partner were awarded the NY Police Department's Medal of Valor.

Section 108. George Atsaves 9/11 Memorial Way

Introduced by Council Member Vernikov

Died March 2, 2021

George Atsaves was a first responder at Ground Zero after the 9/11 attacks. He was a part of the search and rescue efforts and later died of 9/11 related illness.

Section 109. Ethel L. Cuff Black Way

Introduced by Council Member Williams

October 17, 1890 – September 17, 1977

Ethel L. Cuff Black was an educator and one of the founders of Delta Sigma Theta sorority, which now has 600 chapters and 95,000 members worldwide. She became the first African-American school teacher in Richmond Hills where she taught for over 27 years. .

Section 110. Rev. Robert Ross Johnson Boulevard

Introduced by Council Member Williams

Rev. Robert Ross Johnson was a leading clergyman in Queens for nearly four decades and a former chaplain for the New York City Department of Correction. He was the founding pastor of the St. Albans Congregational Church, which was established in 1953. The church became very visible during the Civil Rights Movement and was a center for education and information on the issues, and also many members of the congregation participated in protests, demonstrations and marches. He was also a former director of the NAACP and YMCA boards, and was a member of the National Conference of Christians and Jews. He was a founder of Amistad Child Day Care and Family Center, supporter of the Queens Association for Education Exceptionally Gifted Children Inc., served on the board of directors of the National Association for the Advancement of Colored People, member of Jamaica Queens District 15 School Board and was a member of the New York City Board of Higher Education.

Section 111. Annie Cotton-Morris Way

Introduced by Council Member Won

September 3, 1949 – April 17, 2023

Annie Cotton-Morris was a community leader who served as president of the Woodside Houses Tenants Association for over forty years, and in 2015, was elected Queens District Chair on the Citywide Council of Presidents, where she worked to bring stability and assurance to NYCHA residents citywide. She pushed political leaders for more affordable housing and to upgrade conditions for NYCHA residents, improving the quality of life for communities throughout Queens. She started the Sisters in the Hood program for teen girls, offering mentorship and career advice and also started the Woodside Gents program for young men providing mentors and involving young people in sports. She served as a member of the board of Urban Upbound, which is a non-profit dedicated to improving the lives of those living in public housing. Posthumously, in honor of her decades of dedication to her community, she received the New York Senate's Women of Distinction Award.

Section 112. Enoch Gregory Hawthorne Way

Introduced by Council Member Won

December 13, 1936 – April 30, 2000

Enoch Gregory Hawthorne, aka “The Dixie Drifter,” was born on December 13, 1936 in Hertford, North Carolina. He served in the United States Army and received an honorable discharge. He is best known as a legendary soul DJ and one of the first African-American program directors at WWRL in Woodside, Queens in the 1960’s and 1970’s. WWRL was one of the first successful Soul R&B stations in the City and a premier radio station serving the City’s black community. He was the on-air DJ from 6am to 10am and programmed the station’s music, commercials, and news. He also released his own album, topped by the single Soul Heaven, which charted at number eight on Billboard’s R&B Singles in 1965.

Section 113. Lowell Marin Stage

Introduced by Council Member Won

February 1, 1958 – September 2, 2022

Lowell Marin grew up in the Woodside Houses and was a long-time community member in the area. He dedicated his life to the education of countless musicians, young and old. His students went on to play in internationally recognized bands and to earn a PhD in Musicology from Harvard. He was recognized for his impact on both the local and citywide music scenes through his teaching, playing, and event organizing. He organized concerts each year at the Sergeant Collins Triangle, a modest public park in Woodside and was a member of the Northern Woodside Coalition, a local community group.

Section 114. ST. PAT’S FOR ALL WAY

Introduced by Council Member Won

This location was chosen because the stage for the annual parade is erected at the intersection of 43rd Street and Skillman Avenue. The 25th edition of the parade will be held on March 3, 2024. The St. Pat’s for All Parade celebrates the diversity of the Irish American community in New York City. The parade began as a response to the exclusion of the Irish LGBTQ+ community from the Fifth Avenue St. Patrick’s Parade. The event has drawn thousands to Sunnyside and Woodside over the past 25 years. It continues to be the most inclusive and progressive celebration of Irish culture and solidarity in the country. St. Pat’s for All’s motto, “cherishing all the children of the nation equally,” is taken from the 1916 Proclamation of the Irish Republic.

Section 115. Jayden McLaurin Way

Introduced by Council Member Won

March 8, 2007 – April 10, 2023

Jayden Zahir McLaurin resided at the Ravenswood Houses, where he started his basketball journey. He first started to pursue his passion for basketball at Corpus Christi and he would then go on to play for the Boys & Girls Club (CM3), Team Pro Reps, Martin Luther King High School, IS 204 with the 114 precinct for Saturdays Night Lights, and many others schools/teams such as IS 141 and IS 122. Jayden was a sophomore at Martin Luther King High School for Law, Advocacy and Community Justice where he was also on the bowling team. He hoped to pursue a career as a realtor or lawyer after receiving his bachelor’s degree. He was the light of his community and a great leader for his friends. Helping others was a natural instinct for him. He was the bridge between the community and youth. When seniors needed help, he never hesitated to give anyone a hand. He was also very involved with promoting and organizing community events. He was tragically killed on April 10, 2023 due to a hit and run accident. Since his passing, the Boys & Girls Club, schools, the 114th Precinct and the Ravenswood Community Center all held memorial events and basketball tournaments in his honor. His family has been very active in holding rallies as part of the World Day of Remembrance for traffic victims bringing awareness to the dangers of certain intersections.

Section 116. Little Sylhet

Introduced by Council Member Won

This co-naming will commemorate the Bangladeshi community from the Sylhet region of Bangladesh, and recognize the contributions that have been made and they continue to make in the future.

Section 117. Sister Flora Marinelli Way

Introduced by Council Member Won

August 29, 1933 – November 30, 2018

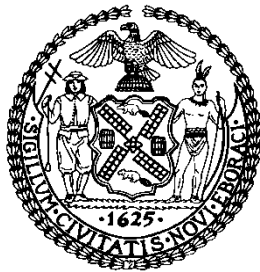
Sister Marinelli is remembered as a beloved community member, educator, humanitarian, and devout member of the Sisters of St Joseph. She earned a Masters in Religious Education from Fordham University and was principal of Our Lady of Lourdes in West Islip. After teaching Religious Studies at Fontbonne Hall Academy in Brooklyn, Flora came back to Dutch Kills and began her thirty-five year ministry at St. Patrick's Roman Catholic Church. During this time, she touched lives daily, assisting community members and advocating for those less fortunate. Sister Flora was widely regarded as kind, encouraging and compassionate by everyone who knew her. She was an active member of the Dutch Kills Civic Association and worked with local elected officials and charities to highlight constituent cases. She participated in charity events, as well as rallies against harmful overdevelopment in Dutch Kills.

Section 118. The REPEAL of Sections 13, 56 and 113 of Local Law number 44 for the year 2023. This section repeals Sections 13, 56 and 113 of Local Law number 44 for the year 2023.

Section 119. The REPEAL of Section 30 of Local Law number 54 for the year 2022. This section repeals Section 30 of Local Law number 54 for the year 2022.

Section 120. The REPEAL of Sections 8, 18, 59, 61, 85 and 90 of Local Law number 110 for the year 2023. This section repeals Sections 8, 18, 59, 61, 85 and 90 of Local Law number 110 for the year 2023.

(The following is the text of the Fiscal Impact Statement for Preconsidered Int. No. 1278:)



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

INTRO. NO. 1278

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 117 thoroughfares and public spaces.

SPONSOR (S): By Council Members Krishnan, Ariola, Avilés, Ayala, Barron, Borelli, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Richardson Jordan, Joseph, Lee, Louis, Moya, Nurse, Ossé, Powers, Restler, Rivera, Salamanca, Jr., Sanchez, Schulman, Stevens, Velázquez, Vernikov, Williams and Won.

In relation to the naming of 117 thoroughfares and public places, St. John Baptist Church Place, Borough of Queens, Forest Park Carousel Way, Borough of Queens, Detective Maureen O’Flaherty Way, Borough of Queens, Crossing Guard Krystyna Naprawa Lane, Borough of Queens, Camille Ferraro Way, Borough of Queens, Karina Vetrano Way, Borough of Queens, Mary Ann Carey Way, Borough of Queens, Linda Ruscillo Way, Borough of Queens, Patrolman Arthur J. Kenney Way, Borough of Queens, Firefighter Timothy Klein Way, Borough of Queens, Dr. Antonia Pantoja Way, Borough of Brooklyn, Giuseppina “Josie” Santo Way, Borough of Manhattan, Graffiti Hall of Fame Way, Borough of Manhattan, Carmen D. Perez Way, Borough of Manhattan, Carolyn D. Faulkner Way, Capt. Ted Cohen USAF (Ret.) Avenue, Borough of Staten Island, NYPD Lieutenant John C. Rowland Place, Borough of Staten Island, Firefighter Thomas J. Alioto Way, Borough of Staten Island, Lloyd Richards Way, Borough of Manhattan, Sandra “Moe” Casatelli Way, Borough of Brooklyn, Domenico ‘Dom’ DeMarco Way, Borough of Brooklyn, Lorenzo Mannino Way, Borough of Brooklyn, Catherine “Katy” Ferguson Way, Borough of Manhattan, Dr. Deborah L. Hoyle Way, Borough of Queens, Justice Patricia P. Satterfield Way, Borough of Queens, Tony Bennett Place, Borough of Queens, Captain Paul W. Schmalzried Way, Borough of Queens, Karina Lariño Way, Borough of Queens, Philip P. Ressa Way, Borough of Staten Island, Charles LaGanga Way, Borough of Staten Island, Scherisce M. Lewis-Clinton Way, Borough of Staten Island, NYPD Detective Scott G. Lovendahl Way, Borough of Staten Island, SSGT James F. Healy Way, Borough of Staten Island, Giovanni da Verrazzano Way, Borough of Staten Island, Doctor Rocco L. DiAntonio Way, Borough of Staten Island, NYPD Det. Christopher E. Cranston Way, Borough of Staten Island, Joseph J. Ponzi Way, Borough of Staten Island, St. Johns Villa Academy Way, Borough of Staten Island, FDNY Firefighter James “Soupy” Campbell Way, Borough of Staten Island, Mimi Cusick Way, Borough of Staten Island, Alfonso Compitiello Way, Dominique Alexander Way, Borough of Manhattan, Via Michele Greco “Mike Greco Way”, Borough of the Bronx, Michael Simanowitz Way, Borough of Queens, Nettie Mayersohn Way, Borough of Queens, Natalie Rogers Way, Borough of Queens, Agustina Muniz Way, Firefighter Albert A. Filosa Way, Borough of Brooklyn, Bettie J. Bellamy Way, Borough of Staten Island, Martin “Marty” Doherty Way, Borough of Staten Island, Lt. Gregg A. Atlas Way, Borough of Staten Island, Lt. Henry O. Schmiemann Way, Borough of Queens, Ptl. Philip H.L. Meyer Way, Borough of Queens, Hilda Vannata Way, Borough of Queens, Police Officer Robert E. Walsh Way, Borough of Queens, Patrolman Charles J. Reynolds Way, Borough of Queens, Patrolman Joseph W. Norden Way, Borough of Queens, SSA Orville M. Williams Way, Borough of Queens, Sergeant Thomas F. J. O’Grady Way, Borough of Queens, Patrolman John J. Madden Way, Borough of Queens, Patrolman Joseph L. Rauchut Way, Borough of Queens, Herman Hochberg Plaza, Borough of Queens, Dr. Beny J. Primm Way, Borough of Brooklyn, James Caldwell Way, Borough of Brooklyn, The English Way, Borough of Brooklyn, Ahmad Samhan Way, Borough of Brooklyn, Tylik Allen Way, Borough of Manhattan, Duane Andrew Jeremy Joseph Plaza, Borough of Brooklyn, Paseo Park, Borough of Queens, Lawrence Murphy Street, Borough of Queens, Gerard Neufeld Way, Borough of Queens, Mike Crowley Way 1st Pres. JHBG Way, Borough of Queens, Marc A. Haken Way, Borough of Queens, Aracely Courtenay Way, Borough of Brooklyn, Elenora P. Bernard Way, Borough of Brooklyn, Anthony Federici Street, Borough of Queens, Mildred Phillips Way, Borough of Brooklyn, Sam Mendolia Way, Borough of Brooklyn, Akeal Christopher Way, Borough of Brooklyn, James “Rocky” Robinson Way, Borough of Brooklyn, Roger Brown Way, Borough of Brooklyn, Elsie Richardson Way, Dick Ravitch Way, Borough of Manhattan, Stanley Love Way, Borough of Brooklyn, Carl Stubbs Way, Borough of Brooklyn, Banker’s Anchor Plaza, Borough of Brooklyn, Firefighter Peter A. Chiodo Way, Borough of Brooklyn, Emmanuel St. Bernard’s Corner, Borough of Brooklyn, Patricia R. Tambakis Way, Borough of Brooklyn, Bronson Binger Way, Borough of Brooklyn,

Mary Anne Yancey Place, Borough of Brooklyn, Richard Ocana Way, Borough of Brooklyn, SVA Way, Borough of Manhattan, Raphael Sadonte Ward Jr. Way, Borough of Manhattan, Kendra Williams-Melendez Way, Borough of the Bronx, Mothers on the Move/MOM Way, Borough of the Bronx, Luisa Pineiro Fuentes Way, Borough of the Bronx, Nicholas Otoniel Feliz Dominici Way, Borough of the Bronx, Sheikh Hamoud Saeidi Way, Borough of Queens, Murray & Carol Berger Way, Borough of Queens, Rabbi Moshe Neuman Way, Borough of Queens, Estella B. Diggs Place, Borough of the Bronx, Evangelist Josephine Gooding Place, Borough of the Bronx, Adem D. Celaj Way, Borough of the Bronx, Shpresa Nika Way, Borough of the Bronx, Anthony DiGirolamo Way, Borough of the Bronx, Nicholas J. Binetti Way, Borough of the Bronx, George Atsaves 9/11 Memorial Way, Borough of Brooklyn, Ethel L. Cuff Black Way, Borough of Queens, Rev. Robert Ross Johnson Boulevard, Borough of Queens, Annie Cotton-Morris Way, Borough of Queens, Enoch Gregory Hawthorne Way, Borough of Queens, Lowell Marin Stage, Borough of Queens, ST. PAT'S FOR ALL WAY, Borough of Queens, Jayden McLaurin Way, Borough of Queens, Little Sylhet, Borough of Queens, Sister Flora Marinelli Way, Borough of Queens and the repeal of sections 13, 56 and 113 of local law number 44 for the year 2023, section 30 of local law number 54 of 2022 and sections 8, 18, 59, 61, 85 and 90 of local law number 110 for the year 2023.

SUMMARY OF LEGISLATION: The proposed law would add, through the posting of additional signs, the following new street names:

New Name	Present Name	Limits
St. John Baptist Church Place	None	At the intersection of Beach 74th Street and Rockaway Beach Boulevard
Forest Park Carousel Way	None	At the intersection of Forest Park Drive and Woodhaven Boulevard
Detective Maureen O'Flaherty Way	None	At the intersection of Beach 128th Street and Cronston Avenue
Crossing Guard Krystyna Naprawa Lane	None	At the intersection of Atlantic Avenue and Woodhaven Boulevard
Camille Ferraro Way	None	At the intersection of 104th Street and 101st Avenue
Karina Vetrano Way	None	At the intersection of 165th Avenue and 84th Street
Mary Ann Carey Way	None	At the intersection of Glenmore Avenue and 79th Street
Linda Ruscillo Way	None	At the intersection of 124th Street and Rockaway Beach Boulevard
Patrolman Arthur J. Kenney Way	None	At the intersection of 90th Avenue and 80th Street
Firefighter Timothy Klein Way	None	At the intersection of 129th Street and Newport Avenue
Dr. Antonia Pantoja Way	None	At the intersection of 36th Street and 5th Avenue
Giuseppina "Josie" Santo Way	None	At the intersection of 118th Street and 1st Avenue
Graffiti Hall of Fame Way	None	At the intersection of 106th Street and Park Avenue
Carmen D. Perez Way	None	At the intersection of 123rd Street and 2nd Avenue
Carolyn D. Faulkner Way	None	At the intersection of Cozine Avenue and Schenck Avenue

Capt. Ted Cohen USAF (Ret.) Avenue	None	At the intersection of Ridgewood Avenue and Barlow Avenue
NYPD Lieutenant John C. Rowland Place	None	At the intersection of Katan Avenue and Notre Dame Avenue
Firefighter Thomas J. Alioto Way	None	At the intersection of Armstrong Avenue and Wilson Avenue
Lloyd Richards Way	47th Street	Between Broadway and 8th Avenue
Sandra “Moe” Casatelli Way	None	At the intersection of 92nd Street and Battery Avenue
Domenico ‘Dom’ DeMarco Way	None	At the intersection of Avenue J and East 15th Street
Lorenzo Mannino Way	None	At the intersection of 77th Street and 18th Avenue
Catherine “Katy” Ferguson Way	None	At the intersection of West 95th Street and Central Park West
Dr. Deborah L. Hoyle Way	None	At the intersection of Beach 57th Street and Beach Channel Drive
Justice Patricia P. Satterfield Way	230th Street	Between 131st Avenue and 133rd Avenue
Tony Bennett Place	None	At the intersection of 32nd Street and Ditmars Boulevard
Captain Paul W. Schmalzried Way	31st Avenue	Between 29th Street and 30th Street
Karina Lariño Way	None	At the intersection of 21st Street and Astoria Park South
Philip P. Ressa Way	None	At the intersection of Coventry Road and Todt Hill Road
Charles LaGanga Way	None	At the intersection of Flagg Place and Todt Hill Road
Scherisce M. Lewis-Clinton Way	None	At the intersection of Norway Avenue and McClean Avenue
NYPD Detective Scott G. Lovendahl Way	None	At the intersection of Stobe Avenue and Husson Street
SSGT James F. Healy Way	None	At the intersection of Hillcrest Terrace and Clove Road
Giovanni da Verrazzano Way	None	At the intersection of Lily Pond Avenue and Major Avenue
Doctor Rocco L. DiAntonio Way	None	At the intersection of Melba Street and Holden Boulevard
NYPD Det. Christopher E Cranston Way	None	At the intersection of Sterling Avenue and 10th Street
Joseph J. Ponzi Way	None	At the intersection of Dawson Circle and Arlene Street
St. Johns Villa Academy Way	None	At the intersection of Chicago Avenue and Landis Avenue
FDNY Firefighter James “Soupy” Campbell Way	None	At the intersection of Targee Street and Clove Road
Mimi Cusick Way	None	At the intersection of College Avenue and Ohio Place
Alfonso Compitiello Way	None	At the intersection of Victory Boulevard and Westcott Boulevard

Dominique Alexander Way	None	At the intersection of Broadway and Arden Street
Via Michele Greco “Mike Greco Way”	None	At the intersection of Hughes Avenue and Crescent Avenue
Michael Simanowitz Way	75th Avenue	Between Main Street and 147th Street
Nettie Mayersohn Way	None	At the intersection of 161st Street and Jewel Avenue
Natalie Rogers Way	None	At the intersection of Goethals Avenue and 164th Street
Agustina Muniz Way	None	At the intersection of Kingsland Avenue and Frost Street
Firefighter Albert A. Filosa Way	None	At the intersection of Third Street and Seventh Avenue
Bettie J. Bellamy Way	None	At the intersection of William Street and Brewster Street
Martin “Marty” Doherty Way	None	At the intersection of Clove Road and Glenwood Place
Lt. Gregg A. Atlas Way	None	At the intersection of Centre Avenue and Woodside Avenue
Lt. Henry O. Schmiemann Way	82nd Place	Between Penelope Avenue and Eliot Avenue
Ptl. Philip H.L. Meyer Way	61st Street	Between 60th Lane and 75th Avenue
Hilda Vannata Way	None	At the intersection of 77th Place and Juniper Valley Road
Police Officer Robert E. Walsh Way	54th Place	Between Arnold Avenue and Nurge Avenue
Patrolman Charles J. Reynolds Way	62nd Street	Between Catalpa Avenue and Cypress Hills Street
Patrolman Joseph W. Norden Way	Catalpa Avenue	Between 62nd Street and 64th Street
SSA Orville M. Williams Way	Dexter Court	Between 85th Drive and 86th Road
Sergeant Thomas F. J. O’Grady Way	Eldert Lane	Between Jamaica Avenue and 87th Avenue
Patrolman John J. Madden Way	70th Street	Between Juniper Boulevard South and Penelope Avenue
Patrolman Joseph L. Rauchut Way	43rd Street	Between 54th Road and 55th Avenue
Herman Hochberg Plaza	None	At the intersection of Myrtle Avenue and 71st Avenue
Dr. Beny J. Primm Way	Fulton Street	Between Waverly Avenue and Washington Avenue
James Caldwell Way	None	At the intersection of Dean Street and Washington Avenue
The English Way	New York Avenue	Between President Street and Union Street
Ahmad Samhan Way	Hall Street	Between Myrtle Avenue and Willoughby Avenue
Tylik Allen Way	None	At the intersection of West 112 th Street and Lenox Avenue

Duane Andrew Jeremy Joseph Plaza	The Parkside Plaza	At Parkside Avenue between Flatbush Avenue and Ocean Avenue
Paseo Park	34th Avenue	Between 69th Street and 93rd Street
Lawrence Murphy Street	None	At the intersection of 88th Street and 34th Avenue
Gerard Neufeld Way	None	At the intersection of 43rd Avenue and Whitney Avenue
Mike Crowley Way 1st Pres. JHBG Way	None	At the intersection of 80th Street and 35th Avenue
Marc A. Haken Way	Francis Lewis Boulevard	Between 204th Street and Epsom Course
Aracely Courtenay Way	Flatbush Avenue	Between Foster Avenue and East 26th Street
Elenora P. Bernard Way	None	At the intersection of East 45th Street and Church Avenue
Anthony Federici Street	None	At the intersection of 51st Avenue and Corona Avenue
Mildred Phillips Way	None	At the intersection of Eldert Street and Knickerbocker Avenue
Sam Mendolia Way	None	At the intersection of Himrod Street and Wilson Avenue
Akeal Christopher Way	Cornelia Street	Between Evergreen Avenue and Bushwick Avenue
James “Rocky” Robinson Way	Marcus Garvey Boulevard	Between Lafayette Avenue and Lexington Avenue
Roger Brown Way	None	At the intersection of Prospect Place and Utica Avenue
Elsie Richardson Way	None	At the intersection of Prospect Place and Schenectady Avenue
Dick Ravitch Way	Waterside Plaza	Between 25th and 28th Street
Stanley Love Way	North 12th Street	Between Bedford Avenue and Berry Street
Carl Stubbs Way	Douglass Street	Between 3rd Avenue and 4th Avenue
Banker’s Anchor Plaza	North 15th Street	Between Banker Street and Nassau Avenue
Firefighter Peter A. Chiodo Way	State Street	Between Bond Street and Nevins Street
Emmanuel St. Bernard’s Corner	Havemeyer Street	Between Division Avenue and South 9th Street
Patricia R. Tambakis Way	Monitor Street	Between Driggs Avenue and Nassau Avenue
Bronson Binger Way	Dean Street	Between Hoyt Street and Bond Street
Mary Anne Yancey Place	Monroe Place	Between Pierrepont Street and Clark Street
Richard Ocana Way	Milton Street	Between Franklin Street and West Street

SVA Way	None	At the intersection of East 23rd Street and Third Avenue
Raphael Sadonte Ward Jr. Way	None	At the intersection of Columbia Street and Rivington Street
Kendra Williams-Melendez Way	None	At the intersection of East 156th Street and Cauldwell Avenue
Mothers on the Move/MOM Way	None	At the intersection of Kelly Street and Intervale Avenue
Luisa Pineiro Fuentes Way	None	At the intersection of Webb Avenue and Eames Avenue
Nicholas Otoniel Feliz Dominici Way	None	At the intersection of Kingsbridge Road and Kingsbridge Terrace
Sheikh Hamoud Saeidi Way	None	At the intersection of Jamaica Avenue and 109th Street
Murray & Carol Berger Way	None	At the intersection of 83rd Avenue and Kew Gardens Road
Rabbi Moshe Neuman Way	None	At the intersection of Metropolitan Avenue and 125th Street
Estella B. Diggs Place	None	At the intersection of 167th Street and St. Augustine Way
Evangelist Josephine Gooding Place	None	At the intersection of Macombs Road and West Mount Eden Avenue
Adem D. Celaj Way	Kinsella Street	Between Bronxdale Avenue and Matthews Avenue
Shpresa Nika Way	Lydig Avenue	Between Williamsbridge Avenue and Tomlinson Avenue
Anthony DiGirolamo Way	None	At the intersection of Philip Avenue and Vincent Avenue
Nicholas J. Binetti Way	None	At the intersection of Harding Avenue and Huntington Avenue
George Atsaves 9/11 Memorial Way	None	At the intersection of East 13th Street and Avenue Z
Ethel L. Cuff Black Way	Foch Boulevard	Between Merrick Boulevard and 170th Street
Rev. Robert Ross Johnson Boulevard	None	At the intersection of Linden Boulevard and Marne Place
Annie Cotton-Morris Way	31st Avenue	Between 49th Street and 50th Street
Enoch Gregory Hawthorne Way	58th Street	Between 43rd Avenue and 41st Drive
Lowell Marin Stage	34th Avenue	Between 59th Street and Broadway
ST. PAT'S FOR ALL WAY	Skillman Avenue	Between 43rd Street and 44th Street
Jayden McLaurin Way	35th Avenue	Between 12th Street and 21st Street
Little Sylhet	36th Avenue	Between 29th Street and 30th Street
Sister Flora Marinelli Way	28th Street	Between 39th Avenue and 40th Avenue

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024**FISCAL IMPACT STATEMENT:**

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY24
Revenues	\$0	\$0	\$0
Expenditures	\$33,637.50	\$0	\$33,637.50
Net	\$33,637.50	\$0	\$33,637.50

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 117 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 \$33,637.50.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council, Finance Division

ESTIMATE PREPARED BY: Michael Sherman, Senior Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
Chima Obichere, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation will be considered by the Committee on Parks and Recreation ("Committee") as a Preconsidered Introduction on December 20, 2023. Following a successful Committee vote, the bill would be introduced and submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: December 14, 2023.

FISCAL IMPACT SCHEDULE:

New Name	Number of Signs	Cost	Installation (street signs only)	Total Cost
St. John Baptist Church Place	1	\$37.5	\$250.0	\$287.5
Forest Park Carousel Way	1	37.5	250	287.5
Detective Maureen O'Flaherty Way	1	37.5	250	287.5
Crossing Guard Krystyna Naprawa Lane	1	37.5	250	287.5
Camille Ferraro Way	1	37.5	250	287.5
Karina Vetrano Way	1	37.5	250	287.5

Mary Ann Carey Way	1	37.5	250	287.5
Linda Ruscillo Way	1	37.5	250	287.5
Patrolman Arthur J. Kenney Way	1	37.5	250	287.5
Firefighter Timothy Klein Way	1	37.5	250	287.5
Dr. Antonia Pantoja Way	1	37.5	250	287.5
Giuseppina “Josie” Santo Way	1	37.5	250	287.5
Graffiti Hall of Fame Way	1	37.5	250	287.5
Carmen D. Perez Way	1	37.5	250	287.5
Carolyn D. Faulkner Way	1	37.5	250	287.5
Capt. Ted Cohen USAF (Ret.) Avenue	1	37.5	250	287.5
NYPD Lieutenant John C. Rowland Place	1	37.5	250	287.5
Firefighter Thomas J. Alioto Way	1	37.5	250	287.5
Lloyd Richards Way	1	37.5	250	287.5
Sandra “Moe” Casatelli Way	1	37.5	250	287.5
Domenico ‘Dom’ DeMarco Way	1	37.5	250	287.5
Lorenzo Mannino Way	1	37.5	250	287.5
Catherine “Katy” Ferguson Way	1	37.5	250	287.5
Dr. Deborah L. Hoyle Way	1	37.5	250	287.5
Justice Patricia P. Satterfield Way	1	37.5	250	287.5
Tony Bennett Place	1	37.5	250	287.5
Captain Paul W. Schmalzried Way	1	37.5	250	287.5
Karina Lariño Way	1	37.5	250	287.5
Philip P. Ressa Way	1	37.5	250	287.5
Charles LaGanga Way	1	37.5	250	287.5
Scherisce M. Lewis-Clinton Way	1	37.5	250	287.5
NYPD Detective Scott G. Lovendahl Way	1	37.5	250	287.5
SSGT James F. Healy Way	1	37.5	250	287.5

Giovanni da Verrazzano Way	1	37.5	250	287.5
Doctor Rocco L. DiAntonio Way	1	37.5	250	287.5
NYPD Det. Christopher E Cranston Way	1	37.5	250	287.5
Joseph J. Ponzi Way	1	37.5	250	287.5
St. Johns Villa Academy Way	1	37.5	250	287.5
FDNY Firefighter James “Soupy” Campbell Way	1	37.5	250	287.5
Mimi Cusick Way	1	37.5	250	287.5
Alfonso Compitiello Way	1	37.5	250	287.5
Dominique Alexander Way	1	37.5	250	287.5
Via Michele Greco “Mike Greco Way”	1	37.5	250	287.5
Michael Simanowitz Way	1	37.5	250	287.5
Nettie Mayersohn Way	1	37.5	250	287.5
Natalie Rogers Way	1	37.5	250	287.5
Agustina Muniz Way	1	37.5	250	287.5
Firefighter Albert A. Filosa Way	1	37.5	250	287.5
Bettie J. Bellamy Way	1	37.5	250	287.5
Martin “Marty” Doherty Way	1	37.5	250	287.5
Lt. Gregg A. Atlas Way	1	37.5	250	287.5
Lt. Henry O. Schmiemann Way	1	37.5	250	287.5
Ptl. Philip H.L. Meyer Way	1	37.5	250	287.5
Hilda Vannata Way	1	37.5	250	287.5
Police Officer Robert E. Walsh Way	1	37.5	250	287.5
Patrolman Charles J. Reynolds Way	1	37.5	250	287.5
Patrolman Joseph W. Norden Way	1	37.5	250	287.5
SSA Orville M. Williams Way	1	37.5	250	287.5
Sergeant Thomas F. J. O’Grady Way	1	37.5	250	287.5
Patrolman John J. Madden Way	1	37.5	250	287.5

Patrolman Joseph L. Rauchut Way	1	37.5	250	287.5
Herman Hochberg Plaza	1	37.5	250	287.5
Dr. Beny J. Primm Way	1	37.5	250	287.5
James Caldwell Way	1	37.5	250	287.5
The English Way	1	37.5	250	287.5
Ahmad Samhan Way	1	37.5	250	287.5
Tylik Allen Way	1	37.5	250	287.5
Duane Andrew Jeremy Joseph Plaza	1	37.5	250	287.5
Paseo Park	1	37.5	250	287.5
Lawrence Murphy Street	1	37.5	250	287.5
Gerard Neufeld Way	1	37.5	250	287.5
Mike Crowley Way 1st Pres. JHBG Way	1	37.5	250	287.5
Marc A. Haken Way	1	37.5	250	287.5
Aracely Courtenay Way	1	37.5	250	287.5
Elenora P. Bernard Way	1	37.5	250	287.5
Anthony Federici Street	1	37.5	250	287.5
Mildred Phillips Way	1	37.5	250	287.5
Sam Mendolia Way	1	37.5	250	287.5
Akeal Christopher Way	1	37.5	250	287.5
James "Rocky" Robinson Way	1	37.5	250	287.5
Roger Brown Way	1	37.5	250	287.5
Elsie Richardson Way	1	37.5	250	287.5
Dick Ravitch Way	1	37.5	250	287.5
Stanley Love Way	1	37.5	250	287.5
Carl Stubbs Way	1	37.5	250	287.5
Banker's Anchor Plaza	1	37.5	250	287.5
Firefighter Peter A. Chiodo Way	1	37.5	250	287.5
Emmanuel St. Bernard's Corner	1	37.5	250	287.5

Patricia R. Tambakis Way	1	37.5	250	287.5
Bronson Binger Way	1	37.5	250	287.5
Mary Anne Yancey Place	1	37.5	250	287.5
Richard Ocana Way	1	37.5	250	287.5
SVA Way	1	37.5	250	287.5
Raphael Sadonte Ward Jr. Way	1	37.5	250	287.5
Kendra Williams-Melendez Way	1	37.5	250	287.5
Mothers on the Move/MOM Way	1	37.5	250	287.5
Luisa Pineiro Fuentes Way	1	37.5	250	287.5
Nicholas Otoniel Feliz Dominici Way	1	37.5	250	287.5
Sheikh Hamoud Saeidi Way	1	37.5	250	287.5
Murray & Carol Berger Way	1	37.5	250	287.5
Rabbi Moshe Neuman Way	1	37.5	250	287.5
Estella B. Diggs Place	1	37.5	250	287.5
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Adem D. Celaj Way	1	37.5	250	287.5
Shpresa Nika Way	1	37.5	250	287.5
Anthony DiGirolamo Way	1	37.5	250	287.5
Nicholas J. Binetti Way	1	37.5	250	287.5
George Atsaves 9/11 Memorial Way	1	37.5	250	287.5
Ethel L. Cuff Black Way	1	37.5	250	287.5
Rev. Robert Ross Johnson Boulevard	1	37.5	250	287.5
Annie Cotton-Morris Way	1	37.5	250	287.5
Enoch Gregory Hawthorne Way	1	37.5	250	287.5
Lowell Marin Stage	1	37.5	250	287.5
ST. PAT'S FOR ALL WAY	1	37.5	250	287.5
Jayden McLaurin Way	1	37.5	250	287.5
Little Sylhet	1	37.5	250	287.5

Sister Flora Marinelli Way	1	37.5	250	287.5
Total	117	\$ 4,387.5	\$29,250.0	\$33,637.5

Accordingly, this Committee recommends its adoption.

(For text of the preconsidered bill, please see the Introduction and Reading of Bills section printed in these Minutes)

SHEKAR KRISHNAN, *Chairperson*; ERIC DINOWITZ, ROBERT F. HOLDEN, LINDA LEE, CHRISTOPHER MARTE, JULIE MENIN, MERCEDES NARCISSE, LINCOLN RESTLER, MARJORIE VELÁZQUEZ, DAVID M. CARR; 10-0-0; *Absent*: Sandra Ung; *Medical*: Francisco P. Moya; Committee on Parks and Recreation, December 20, 2023. *Other Council Members Attending: Council Members Joseph, Brewer and Bottcher.*

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

Report of the Committee on Public Safety

Report for Int. No. 538-A

Report of the Committee on Public Safety 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 New York police department to report on instances in which an individual denied an officer consent to a search.

The Committee on Public Safety, to which the annexed proposed amended local law was referred on June 16, 2022 (Minutes, page 1532), respectfully

REPORTS:

I. INTRODUCTION

On December 20, 2023, the Committee on Public Safety, chaired by Council Member Kamillah Hanks, voted on several pieces of legislation, including: (i) Proposed Introduction Number 538-A (“Prop. Int. No. 538-A”), sponsored by Council Member Hudson, in relation to requiring the New York Police Department to report on instances in which an individual denied an officer consent to a search; (ii) Proposed Introduction Number 585-A (“Prop. Int. No. 585-A”), sponsored by the Public Advocate (Mr. Williams), in relation to providing the body-worn camera footage of the Police Department to the Department of Investigation; (iii) Proposed Introduction Number 586-A (“Prop. Int. No. 586-A”), sponsored by the Public Advocate (Mr. Williams), in relation to requiring the New York City Police Department to report on police-civilian investigative encounters;

(iv) Proposed Introduction Number 638-A (“Prop. Int. No. 638-A”), sponsored by Council Member Stevens, in relation to reporting on the use of large donations received by the Police Department; (v) Proposed Introduction Number 781-A (“Prop. Int. No. 781-A”), sponsored by the Public Advocate (Mr. Williams), in relation to requiring the police department to report on the justification for the stop in vehicle encounter reports; (vi) Proposed Introduction Number 944-A (“Prop. Int. No. 944-A”), sponsored by Council Member Hanks, in relation to the evaluation of civil actions alleging improper conduct by the New York City Police Department; (vii) Proposed Introduction Number 948-A (“Prop. Int. No. 948-A”), sponsored by Council Member Louis, in relation to requiring the New York City Police Department to report information and data regarding the department operations; (viii) Proposed Introduction Number 1011-A (“Prop. Int. No. 1011-A”), sponsored by Council Member Brooks Powers, in relation to providing information on the reduced fare programs to persons issued a summons for fare evasion; and (ix) Resolution Number 473 (“Reso. No. 473”), sponsored by Council Member Cabán, calling on the New York State Legislature to pass, and the Governor to sign, S1099/A1963 which would protect youth during custodial police interrogation. The Committee voted in favor of the bills as follows: (i) Prop. Int. No. 538-A, Prop. Int. No. 781-A, Prop. Int. No. 944-A, Prop. Int. No. 948-A, Prop. Int. No. 1011-A, and Reso. No. 473, by a vote of seven in the affirmative, two opposed, and no abstentions; (ii) Prop. Int. No. 585-A and Prop. Int. No. 638-A, by a vote of nine in the affirmative, none opposed and no abstentions; and (iii) Prop. Int. No. 586-A, by a vote of six in the affirmative, three opposed, and no abstentions. The Committee heard previous versions of the legislation on March 27, 2023, and June 26, 2023, and received testimony from the New York City Police Department (“NYPD” or “the Department”), the Law Department, the Department of Investigation (“DOI”), public defenders, advocates and members of the public.

II. BACKGROUND

Police Investigative Encounters:

In New York, case law has developed an overarching framework used to evaluate the legality of police investigative encounters, identifying levels of police intrusion and establishing corresponding degrees of knowledge of criminality an officer must possess in order to justify action at each such level.¹ The levels of investigative encounters are as follows:

- *Level 1 – Request for Information:* An officer can approach an individual and request information when there are "objective credible reasons" for the interference (public service or law enforcement), but not necessarily indicative of criminality.²
 - An officer can ask "basic, nonthreatening questions regarding, for instance, identity, address or destination."³
 - The "brevity of the encounter and the absence of harassment or intimidation [is] relevant in determining whether a police initiated encounter is a mere request for information."^{4C}
 - An officer cannot request permission to search.⁵
 - General community engagement, such as an officer saying hello, answering questions, giving directions, or talking about what is going on in the community, does not constitute a Level 1 stop.⁶
- *Level 2 – Common-Law Right of Inquiry:* Higher intrusion of privacy than Level 1, and can obtain explanatory information by means of short or forcible seizure. This level can be activated by a "founded suspicion that criminal activity is afoot."

¹ *People v. DeBour*, 40 N.Y.2d 210 (1976), *People v. Hollman & Saunders* 79 NY2d 181 (1992)

² *People v. Hollman & Saunders* 79 NY2d 181 (1992) at 233.

³ *Id.* at 209.

⁴ *Id.*

⁵ *Id.*

⁶ NYPD In Service Training, Plainclothes Course, Investigative Encounters; available at: <https://www.nypdmonitor.org/wp-content/uploads/2022/09/02-In-Service-Training-Basic-Plainclothes-Course-Lesson-Plan.pdf>.

○ Level 2 stop is triggered when an officer asks "more pointed questions that would lead the person approached reasonably to believe that he or she is suspected of some wrongdoing and is the focus of the officer's investigation."⁷

○ An officer can request permission to search,⁸ but cannot forcibly detain.⁹

• *Level 3 – Reasonable suspicion to Stop:* Officer can forcibly stop and detain a person when the officer has a "reasonable" suspicion that the person has committed, is committing or is about to commit a felony or misdemeanor.¹⁰ An officer can conduct a frisk upon the belief that the individual is armed and dangerous.¹¹

Level 4 – Probable Cause to Arrest: Has probable cause to arrest and search incident to lawful arrest.¹²

In response to concerns that NYPD disproportionately targeted Black and Latino individuals for investigative encounters, in 2002, the New York City Council ("Council") enacted a local law requiring the NYPD report data on its practice known as "Stop-Question-and-Frisk" ("SQF"), which are Level 3 encounters that require an officer to have reasonable suspicion of criminality by the person detained.¹³ The law required quarterly reporting on the number of SQFs conducted by the NYPD in each police precinct, disaggregated by race, gender and the number of individuals arrested or issued a summons, as well as reporting on the factors leading to such stops.¹⁴

The data gathered from these reports showed that the number of individuals stopped by the NYPD steadily rose for many years – from under 100,000 stops in 2002, to over 300,000 stops in 2004 before peaking at over 680,000 stops in 2011.¹⁵ During this period, Black and Latino individuals were subject to being stopped by the NYPD at disproportionately high rates, as those populations consistently accounted for over 80% of all stops, and of all individuals stopped nearly 90% did not lead to a summons or arrest.¹⁶

The 2013 decision of *Floyd v. City of New York*, held that the manner in which the NYPD was conducting its stops violated the constitutional rights of a class of mostly Black and Latino New Yorkers, who were illegally stopped and frisked by police without requisite reasonable suspicion.¹⁷ Since the *Floyd* decision, as the NYPD has been subject to a federal monitor, the number of recorded stops has dramatically decreased, and the proportion of such stops conducted with sufficient legal basis has increased; however, the federal monitor recently reported concern that officers were significantly under-reporting the number of qualified encounters.¹⁸

Law Enforcement Use of Body-Worn Cameras

Body-worn cameras ("BWC") are widely used by law enforcement agencies as a means of documenting work undertaken by police officers.¹⁹ When utilized by police officers, BWCs can be a valuable tool by providing objective documentation of police investigations and officer-civilian encounters. Recordings can aid in supervisor review of officer performance, facilitate accountability for police misconduct or exonerate officers

⁷ *Id.* at 206.

⁸ *Id.*

⁹ *Id.*

¹⁰ CPL 140.50 and *Terry v. Ohio* 392 US 1 (1968)

¹¹ *Terry v. Ohio*, 392 US 1 (1968)

¹² *U.S. v. Watson* 423 US 411 (1976) *Chimel v. Cal.* 395 US 752 (1969)

¹³ NYC Admin. Code § 14-150 (a)(5); Local Law 55 of 2001.

¹⁴ *Id.*

¹⁵ New York Civil Liberties Union, "Stop and Frisk Data," available at: <https://www.nyclu.org/en/stop-and-frisk-data>

¹⁶ New York Civil Liberties Union, "Stop and Frisk Data," available at: <https://www.nyclu.org/en/stop-and-frisk-data>

¹⁷ See *Floyd v. City of N.Y.*, 959 F. Supp. 2d 540 (SDNY 2013)

¹⁸ Venugopal, Aru, "Federal Monitor: NYPD is Not Reporting all Stop and Frisks," *Gothamist*, May 8, 2022; available at: <https://gothamist.com/news/federal-monitor-nypd-is-not-reporting-all-stop-and-frisk-cases>.

¹⁹ *Research on Body-Worn Cameras and Law Enforcement* | National Institute of Justice. (n.d.). National Institute of Justice. <https://nij.ojp.gov/topics/articles/research-body-worn-cameras-and-law-enforcement>

when faced with unfounded complaints, and inspire respectful interactions between officers and civilians by de-escalating potentially volatile encounters.²⁰

The *Floyd* decision included a remedial order which, in part, required the NYPD to address its use of stop-and-frisk in a way that violated peoples' constitutional rights by implementing a 1-year pilot program of deploying officers with BWCs, and assessing the effectiveness and cost of the program.²¹ In 2017, the Department began the process of full implementation of a BWC program. Beginning in April 2017, 1,300 officers in 20 precincts across the City were equipped with cameras.²² Phase II of the rollout began in December 2017 and resulted in all NYPD patrol officers being equipped with BWCs by February 2019.²³

During the rollout of the BWC program, the NYPD was required to solicit input from officers and the public regarding policies related to BWC use; and the Federal Monitor approved the resulting policy in April 2017.²⁴ Aspects of the approved policy were later incorporated into the NYPD's Patrol Guide in Procedure No. 212-123 "Use of Body-Worn Cameras," ("P.G. 212-123").²⁵ P.G. 212-123 includes protocols for all members of service and supervisors, regarding how to use BWCs in the routine course of duty, when to activate and deactivate the device, prohibited use, and the process for reviewing footage.²⁶ According to P.G. 212-123, officers are required to activate BWCs prior to engaging in any police action defined as: "[] any police service, as well as, law enforcement or investigative activity conducted in furtherance of official duties . . . includ[ing] responding to calls for service, addressing quality of life conditions, handling pick-up assignments and any self-initiated investigative or enforcement actions such as witness canvasses, vehicle stops and Investigative Encounters. All police actions are required to be recorded from start to finish, and officers are further instructed to "[r]ecord any interactions that escalate to become adversarial or may hold evidentiary value."²⁷

b. Release of BWC Footage

In February of 2019, the NYPD started reviewing pertinent footage recorded by BWCs in response to FOIL requests, after an appellate court determined that such footage was not a personnel record protected under Civil Rights Law Section 50-A, which has since been repealed.²⁸ This forced the NYPD to release BWC footage of critical incidents and to respond more broadly to FOIL requests for footage when made by the public and members of the press.²⁹

On July 9, 2020, the Department issued operations order No. 54 to establish policies for the public release of BWC footage of critical incidents.³⁰ The order defines critical incidents as any incident where: (i) there is use of force by one or more officers that results in death or serious physical injury; (ii) an officer discharges a firearm

²⁰ *Body-worn Cameras - NYPD*. (n.d.). <https://www.nyc.gov/site/nypd/about/about-nypd/equipment-tech/body-worn-cameras.page>

²¹ Braga, A. A., MacDonald, J. M., & McCabe, J. M. (2021). Body-worn cameras, lawful police stops, and NYPD officer compliance: A cluster randomized controlled trial*. *Criminology*, 60(1), 124–158. <https://doi.org/10.1111/1745-9125.12293>

²² *NYPD Completes Rollout of Body-Worn Cameras to All Officers on Patrol*. (2019, March 6). The Official Website of the City of New York. <https://www.nyc.gov/site/nypd/news/pr0306/nypd-completes-rollout-body-worn-cameras-all-officers-patrol#/0>

²³ *NYPD Completes Rollout of Body-Worn Cameras to All Officers on Patrol*. (2019, March 6). The Official Website of the City of New York. <https://www.nyc.gov/site/nypd/news/pr0306/nypd-completes-rollout-body-worn-cameras-all-officers-patrol#/0>

²⁴ *Floyd Federal Monitor, Approval of Body Worn Camera Policies*, April 2017; available at: <https://ccrjustice.org/sites/default/files/attach/2017/04/Monitor%20%2011%202017%20Memo%20to%20Court%20re%20Approval%20of%20BWC%20Op%20Order..pdf>.

²⁵ See NYPD Patrol Guide Procedure No. 212-123 'Use of Body-Worn Cameras', available at https://www.nyc.gov/assets/nypd/downloads/pdf/public_information/body-worn-cameras-patrol-guide.pdf

²⁶ See NYPD Patrol Guide Procedure No. 212-123 'Use of Body-Worn Cameras', available at https://www.nyc.gov/assets/nypd/downloads/pdf/public_information/body-worn-cameras-patrol-guide.pdf

²⁷ See NYPD Patrol Guide Procedure No. 212-123 'Use of Body-Worn Cameras', available at https://www.nyc.gov/assets/nypd/downloads/pdf/public_information/body-worn-cameras-patrol-guide.pdf

²⁸ *NYPD Completes Rollout of Body-Worn Cameras to All Officers on Patrol*. (2019, March 6). The Official Website of the City of New York. <https://www.nyc.gov/site/nypd/news/pr0306/nypd-completes-rollout-body-worn-cameras-all-officers-patrol#/0>

²⁹ *NYPD Completes Rollout of Body-Worn Cameras to All Officers on Patrol*. (2019, March 6). The Official Website of the City of New York. <https://www.nyc.gov/site/nypd/news/pr0306/nypd-completes-rollout-body-worn-cameras-all-officers-patrol#/0>

³⁰ See NYPD Operations Order No. 54 'Public Release of Body-Worn Camera Footage of Critical Incidents', available at https://www.nyc.gov/assets/nypd/downloads/pdf/public_information/bwc-release-oo-54-20.pdf

and such discharge hits or could hit a person; and (iii) any incident which the Police Commissioner determines the release of BWC footage will address vast public attention or concern, or will help enforce the law, preserve peace and/or maintain public order.³¹ Order No. 54 further established that the NYPD would share all relevant BWC footage with federal and state authorities investigating a critical incident, within 24-hours of the Department being notified of such an investigation, and publically release BWC footage of critical incidents within 30-days.³²

Right to Know Act – Consent Searches

In an effort to further regulate police-civilian encounters and protect individuals from police abuse, the Council enacted components of legislation in 2018 collectively known as “The Right to Know Act,” which sought to improve communication and transparency during police stops and searches. The Right to Know Act, as passed, requires NYPD officers to identify themselves when conducting investigative stops,³³ and requires officers to obtain proof of consent to conduct a search that otherwise has no legal basis.³⁴ The Right to Know Act further required NYPD report data on the total number of instances for which it gained consent to search an individual and demographics of such individuals.³⁵

Police Civil Litigation

Pursuant to Local Law 166 of 2017, the City’s Law Department is required to issue biannual public reports on civil actions against the NYPD and individual officers accused of misconduct.³⁶ The law requires reporting on each civil action filed against the NYPD, or employee of the Department, and for each such action to include relevant information, such as the date such action was filed and resolved, details regarding any alleged improper police conduct, and amount of any payment made pursuant to resolution of the case. The law limits the reporting obligations to civil actions commenced in a five-year period preceding each report.³⁷

According to a Legal Aid Society analysis of data released pursuant to Local Law 166, in 2022, New York City paid over \$121 million to plaintiffs in lawsuits that alleged police misconduct.³⁸ The 2022 sum is almost \$34 million more than in 2021 and represents the highest total for police misconduct settlements since 2018.³⁹ This jump can partially be attributed to six settlements of over \$10 million, some of which stem from conduct that occurred decades ago.⁴⁰ However, the Legal Aid Society also cites lawsuits filed following the Black Lives Matter protests in 2020 as a rationale for the increase in NYPD misconduct settlements.⁴¹

Each fiscal year, the Comptroller's Office issues a report that examines claims filed against the City of New York and looks at trends by claim type across City agencies. In the most recent report covering FY21, the data indicated that both the number of tort claims and the average settlement and judgment payouts for cases filed

³¹ See NYPD Operations Order No. 54 ‘Public Release of Body-Worn Camera Footage of Critical Incidents’, available at https://www.nyc.gov/assets/nypd/downloads/pdf/public_information/bwc-release-oo-54-20.pdf

³² See NYPD Operations Order No. 54 ‘Public Release of Body-Worn Camera Footage of Critical Incidents’, available at https://www.nyc.gov/assets/nypd/downloads/pdf/public_information/bwc-release-oo-54-20.pdf

³³ Local Law 54 of 2018; available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1681129&GUID=F650527A-AA60-49DB-8A02-97E9C4A0CBDE&Options=ID|Text|Search=182>.

³⁴ Local Law 56 of 2018; available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2015555&GUID=652280A4-40A6-44C4-A6AF-8EF4717BD8D6&Options=ID%7CText%7C&Search=541>.

³⁵ Id.

³⁶ NYC Administrative Code § 7-114

³⁷ Id.

³⁸ The Legal Aid Society, “NYPD Misconduct Suits Cost Taxpayers Over \$121 Million in 2022.” February 2, 2023, Available at <https://legalaidnyc.org/news/nypd-misconduct-suits-cost-taxpayers-over-121-million-2022/>

³⁹ Hurubie Meko, New York Times, “New York Pays \$121 Million for Police Misconduct, the Most in 5 Years.” February 2, 2023, Available at <https://www.nytimes.com/2023/02/02/nyregion/new-york-police-department-misconduct-settlements.html>

⁴⁰ Id.

⁴¹ Id.

against the NYPD had decreased from the previous fiscal year.⁴² The report also noted that claims filed against the NYPD had decreased by 46% between FY14 and FY21.⁴³

Fare Evasion and Fair Fares

According to the MTA, the agency could potentially lose \$500 million in revenue due annually to subway fare evasion.⁴⁴ At the current base fare of \$2.75, that is the equivalent of having about 180 million acts of fare evasion a year.⁴⁵ This is a loss of much needed operating revenue as the agency is expected to have an annual operating deficit of \$2.5 billion by 2024.⁴⁶ The penalty for fare evasion is a \$100 fine.⁴⁷

In order to combat fare evasion, the MTA has implemented a pilot program where the agency has hired private unarmed security guards and has placed them at six stations throughout the subway system.⁴⁸ The pilot program began earlier in 2022.⁴⁹ Officials from the MTA have indicated that it has been quality tested since August 2022 and has proven successful.⁵⁰ The MTA has said they plan to expand the pilot by adding an additional fifty private guards each month over the next several months.⁵¹ According to NYCTA President Richard Davey, the MTA has seen a dramatic increase in the amount of fares being collected in the stations where the private security guards have been deployed.⁵² In total, the MTA is netting approximately \$100,000 a month in additional revenue due to the use of the private security guards.⁵³

NYPD's approach to enforcing fare evasion has shifted in recent years; both in terms of policy changes and enforcement priorities. In 2017, the NYPD implemented new directives for enforcing fare evasion within the subways, guiding officer discretion as to when to issue transit summonses and when to arrest individuals for criminal theft of service.⁵⁴ The policy established practices whereby individuals caught evading fares would not be subject to arrest unless they (1) had received three or more transit summonses within the last two years or has three or more unpaid/unanswered such summonses within the last eight years; or (2) met established criteria regarding prior criminal conduct committed within the subway system.⁵⁵

In a separate effort to reduce the occurrence of fare evasion, the City has taken measures to provide low-income individuals with access to discounted transit passes. One such program, "Fair Fares," was established in 2019 to provides reduced price transit rides for individuals meeting certain eligibility requirements.⁵⁶

⁴² New York City Comptroller Brad Lander, Annual Claims Report Fiscal Year 2021, June 2022, Available at <https://comptroller.nyc.gov/wp-content/uploads/documents/Claims-Report-FY-2021.pdf>

⁴³ Id.

⁴⁴ Patrick Adcroft, "MTA hires private security guards to crack down on fare evasion," *NY1 News*, October 27, 2022, available at <https://www.ny1.com/nyc/all-boroughs/news/2022/10/27/mta-hires-private-security-guards-to-crack-down-on-fare-evasion#:~:text=The%20MTA%20has%20hired%20private,an%20MTA%20board%20meeting%20Wednesday.>

⁴⁵ Clayton Guse "MTA, NYPD struggle to rein in rising fare evasion on NYC buses, subways," *New York Daily News*, September 6, 2022, available at <https://www.nydailynews.com/new-york/ny-mta-fare-evasion-on-rise-nyc-20220906-w3ggloapndi7k6kscpm6oot7y-story.html>.

⁴⁶ Id.

⁴⁷ Id.

⁴⁸ Adcroft, "MTA hires private security guards to crack down on fare evasion."

⁴⁹ Victoria Manna, "MTA deploys armed security guards to avoid fare evasion," *NY1 News*, November 30, 2022, available at <https://www.ny1.com/nyc/brooklyn/transit/2022/11/30/mta-deploys-armed-security-guards-to-avoid-fare-evasion>

⁵⁰ Natalie Duddridge, "MTA stations unarmed, private guards at subway entrances to stop would-be fare evaders," CBS News New York, October 27, 2022, available at <https://www.cbsnews.com/newyork/news/mta-stations-unarmed-private-guards-at-subway-stations-to-stop-would-be-fare-evaders/>

⁵¹ Erik Bascome, "MTA adding private security guards to deter subway fare evasion," *Staten Island Advance*, October 28, 2022, available at <https://www.silive.com/news/2022/10/mta-adding-private-security-guards-to-deter-subway-fare-evasion.html>

⁵² Id.

⁵³ David Meyer, "MTA uses armed guards in subways to stop fare evaders," *New York Post*, November 29, 2022, available at <https://nypost.com/2022/11/29/mta-uses-armed-guards-in-subways-to-stop-fare-evaders/>

⁵⁴ See City of New York Police Department, Patrol Guide, § 209-39, "Personal Service of Transit Adjudication Bureau Notice of Violation (TAB/NOV) In Lieu of Arrest For A Qualified Individual" Retrieved from https://nyc.gov/assets/nypd/downloads/pdf/analysis_and_planning/patrol_guide/209-39-transit.pdf

⁵⁵ Id.

⁵⁶ Fair Fares, NYC; available at: <https://www.nyc.gov/site/fairfares/index.page>.

III. LEGISLATIVE ANALYSIS

Prop. Int. No. 538-A:

Prop. Int. No. 538-A would require the NYPD to report on instances where an individual denied an officer consent to a search. As discussed above, the City's "Right to Know Act," requires that NYPD officers, who otherwise lack authority to conduct a search, explain to civilians that searches will not be conducted if a person refuses to provide consent. Prop. Int. No. 538-A would expand existing reporting on such searches, to require the NYPD disclose the number instances where an officer sought, but was denied, consent to search an individual. Additionally, all reporting would be required to include information on whether consent was sought to search a person, vehicle, home or to collect forensic samples, whether the individual subject to such requests had limited English proficiency, and whether officers utilized interpretation services in seeking to obtain consent to search.

Since introduction, the enactment date of the legislation has been delayed to provide the Department with additional time to implement its provisions.

This bill would take effect July 1, 2024. The first report required pursuant to the legislation would be due within 30 days of September 30, 2024.

Prop. Int. No. 585-A:

Prop. Int. No. 585-A would require the NYPD to provide access to body-worn camera footage of an officer's law enforcement activity to the Department of Investigation's Inspector General within 10-days of receiving a request for such footage.

Since introduction, the legislation has been amended to remove requirements that body-worn camera footage be provided to the Department of Records, and to provide the NYPD with additional time to produce footage upon receiving a request from DOI.

This bill would take effect 30 days after becoming law.

Prop. Int. No. 586-A:

Prop. Int. No. 586-A would require the NYPD to publicly report on all police-civilian investigative encounters. Currently, the NYPD is only required to issue reports on "Level III" or "reasonable suspicion" stops where an officer has the legal authority to detain and search someone and prevent them from leaving. This legislation would expand that requirement to require reporting on all levels of police investigative encounters, disaggregated by police precinct, demographic information, factors leading to the investigative encounter, and whether the encounter resulted in any enforcement action or use-of-force incident.

Since introduction, the bill has been amended as follows. Language has been added to the definition of "investigative encounter" to clarify that encounters subject to reporting must be investigative in nature, and does not include casual conversations between police officers and members of the public. Additionally, the enactment date of the legislation was updated to provided the Department with sufficient time to implement the bill's requirements.

This bill would take effect immediately after becoming law. The first report required pursuant to the legislation would be due within 30 days of September 30, 2024.

Prop. Int. No. 638-A:

Prop. Int. No. 638-A would require an annual report on all donations, which in aggregate exceed \$1 million dollars in value, that are made to the New York City Police Department. It would also require information on programs or projects to which the NYPD applied those donations.

This bill would take effect immediately after becoming law. The first annual report required pursuant to this legislation would be due January 1, 2025.

Prop. Int. No. 781-A:

Prop. Int. No. 781-A would require the New York City Police Department to include in existing vehicle encounter reports, the justification used by an officer to conduct a vehicle stop, and if an observed offense was cited as the justification such vehicle stop, whether such offense was at the level of an infraction, violation, misdemeanor or felony.

Since introduction, the enactment date of the legislation has been amended to provide the Department with additional time to implement the provisions.

This bill would take effect August 1, 2024. The first report required pursuant to this legislation would be due October 31, 2024.

Prop. Int. No. 944-A:

Prop. Int. No. 944-A amends existing law requiring the Law Department to report on civil actions alleging improper conduct by NYPD officers. Currently, local law only requires reporting on civil actions commenced in a five-year period preceding each report. This legislation eliminates this five-year lookback limitation and requires public disclosure of all resolved civil actions, even if such action was filed more than 5-years prior to the reporting date.

Since introduction, the legislation has been amended to remove provisions that would require the Law Department update online reporting on civil actions against the NYPD within 15-days of the resolution of such actions.

This bill would take effect immediately after becoming law. The first report required pursuant to this legislation would be due January 31, 2025.

Prop. Int. No. 948-A:

Prop. Int. No. 948-A would expand existing requirements that NYPD report information and data regarding the department operations. Specifically, this legislation would require the Department to publish existing reporting on its website and expand reporting on metrics related to the Department's overtime usage.

Since introduction, the legislation has been amended to remove requirements that the Department report on a monthly basis, and instead retaining existing quarterly reporting periods. Additionally, provisions related to reporting on the Department's use of overtime were amended to clarify the specific categories of information required to be provided.

This bill would take effect July 1, 2024.

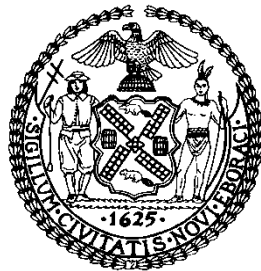
Prop. Int. No. 1011-A:

Prop. Int. No. 1011-A would require the Department of Social Services to develop informational materials on reduced fare programs administered by the City and to distribute such materials to individuals summoned for fare evasion in the subway system or on buses.

Since introduction, the legislation has been amended to require the Department of Social Service, rather than the NYPD to be responsible for the distribution of informational materials.

This bill would take effect 120 after becoming law.

(The following is the text of the Fiscal Impact Statement for Int. No. 538-A:)



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. 538-A

COMMITTEE: Public Safety

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York police department to report on instances in which an individual denied an officer consent to a search.

Sponsors: By Council Members Hudson, Hanif, Won, Avilés, Louis, Williams, Gutiérrez, Restler, Riley, Brooks-Powers, Sanchez, De La Rosa, Farías, Nurse, Narcisse, Ossé, Joseph, Richardson Jordan, Cabán, Menin, Bottcher, Krishnan, Abreu, Powers, Schulman, Feliz, Marte, Brewer, Barron, Stevens, Rivera, The Speaker (Council Member Adams) and the Public Advocate (Mr. Williams)(by request of the Brooklyn Borough President).

SUMMARY OF LEGISLATION: This bill would require the New York City Police Department (“NYPD”) to report on instances in which an individual denies consent to a search, and information pertaining to circumstances involved in such attempt to obtain consent to search.

EFFECTIVE DATE: 120 days after is becomes law

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There is no impact on revenues as a result 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 agency responsible for carrying out its requirements would be able to use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Owen Kotowski, Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
Jonathan Rosenberg, Managing Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 538 on June 16, 2022 and was referred to the Committee on Public Safety (Committee). The Committee heard the legislation on March 27, 2023, and the legislation was laid over. The legislation was subsequently amended, and the amended legislation Proposed Intro. 538-A, will be considered by the Committee on December 20, 2023. Upon a successful vote by the Committee, Proposed Int. 538-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: DECEMBER 18, 2023.

(For text of Int. Nos. 585-A, 586-A, 638-A, 781-A, 944-A, 948-A, and 1011-A and their Fiscal Impact Statements, please see the Report of the Committee on Public Safety for Int. Nos. 585-A, 586-A, 638-A, 781-A, 944-A, 948-A, and 1011-A, respectively, printed in these Minutes; for text of Res. No. 473, please see the Report of the Committee on Public Safety for Res. No. 473 printed in the voice-vote Resolutions calendar section of these Minutes; for text of Int. No. 538-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 538-A, 585-A, 586-A, 638-A, 781-A, 944-A, 948-A, 1011-A, and Res. No. 473.

(The following is the text of Int. No. 538-A:)

Int. No. 538-A

By Council Members Hudson, Hanif, Won, Avilés, Louis, Williams, Gutiérrez, Restler, Riley, Brooks-Powers, Sanchez, De La Rosa, Farías, Nurse, Narcisse, Ossé, Joseph, Richardson Jordan, Cabán, Menin, Bottcher, Krishnan, Abreu, Powers, Schulman, Feliz, Marte, Brewer, Barron, Stevens, Rivera, The Speaker (Council Member Adams) and the Public Advocate (Mr. Williams) (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York police department to report on instances in which an individual denied an officer consent to a search

Be it enacted by the Council as follows:

Section 1. Paragraph 2 of subdivision b of section 14-173 of the administrative code of the city of New York, as added by local law number 56 for the year 2018, is amended to read as follows:

2. Document the time, location, and date of *any such request for consent to search[,]; whether consent was sought to search a person, including to collect a forensic sample to be used to test a person's DNA, vehicle, home, or property; whether such consent was sought from a person with limited English proficiency, and whether the officer utilized interpretation services and, if so, the type of interpretation services utilized, including but not limited to the use of language line services, a certified interpreter pursuant to the language initiative program, or other interpretation service authorized pursuant to the department's language access plan; and the apparent race/ethnicity, gender, and age of the person [who was the subject of such search] from whom consent to search was sought, and such officer's name, precinct, and shield number.*

§ 2. Subdivision e of section 14-173 of the administrative code of the city of New York, as added by local law number 56 for the year 2018, is amended to read as follows:

e. Commencing within 30 days of the end of the quarter beginning on July 1, [2018] 2024, and within 30 days of the end of every quarter thereafter, the department shall post on its website a report of data collected *from the preceding quarter* pursuant to paragraph 2 of subdivision b, *[specifically the] including, but not limited to:*

1. *The total number of consent searches conducted during the preceding quarter, disaggregated by the:*
 - [1.] (a) Apparent race/ethnicity, gender, and age of the person [searched] *from whom consent to search was sought; and*
 - [2.] (b) Precinct where each search occurred[, and];
2. *The total number of requests by an officer for consent to search where such consent was denied during the preceding quarter, disaggregated by the:*
 - (a) Apparent race/ethnicity, gender, and age of the person from whom consent to search was sought;
 - (b) Precinct where each request to search was made;
3. *The information required by subparagraph (b) of paragraph 1 of this subdivision, further disaggregated by [the]:*
 - (a) *The apparent race/ethnicity, gender, and age of the person [searched] from whom consent to search was sought;*
 - (b) *Whether consent was sought to search a person, vehicle, home or property or to collect a forensic sample to be used to test a person's DNA;*
 - (c) *Whether the person from whom consent to search was sought was a person with limited English proficiency; and*
 - (d) *Whether the officer utilized interpretation services to obtain consent, further disaggregated by the type of interpretation service utilized; and*
4. *The information required by subparagraph (b) of paragraph 2 of this subdivision, further disaggregated by:*
 - (a) *The apparent race/ethnicity, gender, and age of the person from whom consent to search was sought;*
 - (b) *Whether consent was sought to search a person, vehicle, home or property or to collect a forensic sample to be used to test a person's DNA;*
 - (c) *Whether the person from whom consent to search was sought was a person with limited English proficiency; and*
 - (d) *Whether the officer utilized interpretation services to obtain consent, further disaggregated by the type of interpretation service utilized.*

§ 3. This local law takes effect July 1, 2024.

KAMILLAH HANKS, *Chairperson*; JUSTIN L. BRANNAN, TIFFANY CABÁN, ERIK D. BOTTCHEER, CARMEN N. De La ROSA, RITA C. JOSEPH, ALTHEA V. STEVENS; 7-2-0; *Negative*: Joann Ariola and Robert F. Holden; *Medical*: Darlene Mealy; Committee on Public Safety, December 20, 2023. *Other Council Members Attending*: Council Members Hanif, Avilés, Lee, Brooks-Powers and Feliz.

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

Report for Int. No. 585-A

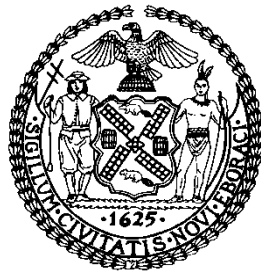
Report of the Committee on Public Safety in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to providing the body-worn camera footage of the police department to the department of investigation.

The Committee on Public Safety, to which the annexed proposed amended local law was referred on July 14, 2022 (Minutes, page 1859), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Public Safety for Int. No. 538-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 585-A:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. NO. 585-A

COMMITTEE: Public Safety

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to providing the body-worn camera footage of the police department to the department of investigation.

Sponsors: Public Advocate (Mr. Williams) and Council Members Cabán, Louis, Hanif, Joseph, Avilés, Nurse, Gutiérrez, Hudson, Sanchez, De La Rosa, Williams, Rivera and Farías.

SUMMARY OF LEGISLATION: This bill would require the New York City Police Department (NYPD) to provide body-worn camera footage to the commissioner of investigation within 10 business days of receipt of request, unless prohibited by law. In the event that the NYPD is unable to provide the requested body camera footage within 10 business days the NYPD will provide a written explanation for the delay and an estimated date of when the footage will be provided.

EFFECTIVE DATE 30 days after it becomes law

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2025**FISCAL IMPACT STATEMENT:**

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There is no estimated impact on revenues as a result 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 agency responsible for carrying out its requirements would be able to use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Owen Kotowski, Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
Jonathan Rosenberg, Managing Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. 585 on July 14, 2022 and was referred to the Committee on Public Safety (Committee). The Committee heard the legislation on March 27, 2023, and the legislation was laid over. The legislation was subsequently amended and the amended legislation Proposed Intro. 585A, will be considered by the Committee on December 20, 2023. Upon a successful vote by the Committee, Proposed Int. 585A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: DECEMBER 18, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 585-A:)

Int. No. 585-A

By the Public Advocate (Mr. Williams) and Council Members Cabán, Louis, Hanif, Joseph, Avilés, Nurse, Gutiérrez, Hudson, Sanchez, De La Rosa, Williams, Rivera, Farías and Won.

A Local Law to amend the administrative code of the city of New York, in relation to providing the body-worn camera footage of the police department to the department of investigation

Be it enacted by the Council as follows:

Section 1. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-194 to read as follows:

§ 14-194 *Providing body worn camera footage. a. Definition. For the purposes of this section, the term “body-worn camera” means a video recording device that can be attached or affixed to a person’s body, apparel, or clothing.*

b. Within 10 business days of receipt of a request for body-worn camera footage by the commissioner of investigation and unless prohibited by law, the department shall provide such requested body-worn camera footage to such commissioner. Where the provision of such footage is prohibited by law, the department shall, within 10 business days of receipt of such request, issue a denial, which shall include a citation to the law that prohibits the disclosure of such footage.

c. Notwithstanding subdivision b of this section, where the department is unable to provide the requested body-worn camera footage within 10 business days of receipt of such request, the department shall, within such 10 business days, provide to the commissioner of investigation a written explanation for the delay and the estimated date by which such footage will be provided.

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

KAMILLAH HANKS, *Chairperson*; JUSTIN L. BRANNAN, ROBERT F. HOLDEN, TIFFANY CABÁN, ERIK D. BOTTCHEER, CARMEN N. De La ROSA, RITA C. JOSEPH, ALTHEA V. STEVENS, JOANN ARIOLA; 9-0-0; *Medical*: Darlene Mealy; Committee on Public Safety, December 20, 2023. *Other Council Members Attending: Council Members Hanif, Avilés, Lee, Brooks-Powers and Feliz.*

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

Report for Int. No. 586-A

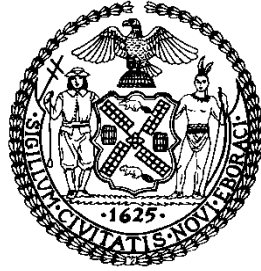
Report of the Committee on Public Safety in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on police-civilian investigative encounters.

The Committee on Public Safety, to which the annexed proposed amended local law was referred on July 14, 2022 (Minutes, page 1859), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Public Safety for Int. No. 538-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 585-A:



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. 586-A

COMMITTEE: Public Safety

TITLE: 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.

Sponsors: By Public Advocate (Mr. Williams) and Council Members Avilés, Cabán, Louis, Hanif, Joseph, Nurse, Gutiérrez, Hudson, Sanchez, De La Rosa, Farías, Restler, Won, Brooks-Powers, Ossé, Richardson Jordan, Menin, Bottcher, Krishnan, Abreu, Brewer, Barron, Riley, Rivera, Feliz, Marte, Williams, Ayala, Stevens and The Speaker (Council Member Adams)(in conjunction with the Brooklyn Borough President).

SUMMARY OF LEGISLATION: This bill would require the New York City Police Department (NYPD) to provide quarterly reports detailing information on level one, two, and three investigative encounters between the police and civilians, including the race/ethnicity, age, and gender of the civilian approached by the police, the factors that led to the interaction, and whether the interaction led to a summons or use of force incident.

EFFECTIVE DATE: Immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There is no estimated impact on revenues as a result 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 agency responsible for carrying out its requirements would be able to use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Owen Kotowski, Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
Jonathan Rosenberg, Managing Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 586 on July 17, 2022 and was referred to the Committee on Public Safety (Committee). The Committee heard the legislation on March 27, 2023, and the legislation was laid over. The legislation was subsequently amended, and the amended legislation Proposed Intro. 586-A, will be considered by the Committee on December 20, 2023. Upon a successful vote by the Committee, Proposed Int. 586-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: DECEMBER 18, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 586-A:)

Int. No. 586-A

By the Public Advocate (Mr. Williams) and Council Members Avilés, Cabán, Louis, Hanif, Joseph, Nurse, Gutiérrez, Hudson, Sanchez, De La Rosa, Fariás, Restler, Won, Brooks-Powers, Ossé, Richardson Jordan, Menin, Krishnan, Abreu, Brewer, Barron, Riley, Rivera, Feliz, Marte, Williams, Ayala, Stevens and The Speaker (Council Member Adams) (in conjunction with the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to 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 14-196 to read as follows:

§ 14-196 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. The term does not include a casual conversation or interaction between a member of the department and a member of the public unless such conversation or interaction is based on or, in the course of such conversation or interaction, an officer develops: an objective credible reason to approach; a founded suspicion that such member of the public has engaged in or will engage in criminal activity; a reasonable suspicion that such member of the public has committed, is committing, or is about to commit a crime; or a reasonable cause to believe that an offense is being or has been committed.

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 for such encounter, 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 information from a member of the public based on a founded suspicion that such member of the public has engaged in or will engage in criminal activity, and during which a reasonable person would feel free to leave.

Level III encounter. The term “level III encounter” means an investigative encounter in which a member of the department requests information from a member of the public based on a reasonable suspicion that such member of the public has committed, is committing, or is about to commit a crime, and during which a reasonable person would not feel free to leave.

Use of force incident. The term “use of force incident” has the same meaning as set forth in subdivision a of section 14-158.

b. Within 30 days of the quarter ending September 30, 2024, and thereafter within 30 days of the end of each quarter, the department shall submit to the mayor, the public advocate and the speaker of the council and 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;*
- 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 in which 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 in the investigative encounter;*
- 2. The reason for the investigative encounter, including the conduct or offense or other circumstances that formed the basis for the investigative encounter;*
- 3. Whether the investigative encounter was based on observations made by a member of the department, a response to a dispatch from a police radio, information provided by a witness, or on another basis;*
- 4. Whether a criminal or civil summons was issued to the member of the public involved in the investigative encounter, or whether an arrest of such person was made;*
- 5. Whether a use of force incident involving such member of the public occurred during such encounter; and*
- 6. Whether a level III encounter with such member of the public began as a level I or level II encounter, and whether a level II encounter with such member of the public began as a level I 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.

KAMILLAH HANKS, Chairperson; JUSTIN L. BRANNAN, TIFFANY CABÁN, CARMEN N. De La ROSA, RITA C. JOSEPH, ALTHEA V. STEVENS; 6-3-0; *Negative:* Joann Ariola, Erik D. Bottcher, and Robert F. Holden; *Medical:* Darlene Mealy; Committee on Public Safety, December 20, 2023. *Other Council Members Attending:* Council Members Hanif, Avilés, Lee, Brooks-Powers and Feliz.

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

Report for Int. No. 638-A

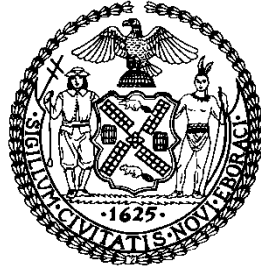
Report of the Committee on Public Safety in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to reporting on the use of large donations received by the police department.

The Committee on Public Safety, to which the annexed proposed amended local law was referred on August 11, 2022 (Minutes, page 2019), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Public Safety for Int. No. 538-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 638-A:



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. 638-A

COMMITTEE: Public Safety

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to reporting on the use of large donations received by the police department.

Sponsors: Council Members Stevens, Restler, Won, Nurse, Gutiérrez, Joseph, Hudson, Sanchez, De La Rosa, Louis, Williams, Rivera, Cabán and Hanif (by request of the Bronx Borough President).

SUMMARY OF LEGISLATION: This bill would require an annual report on the donations for all donors who, in aggregate, donate more than \$1 million in value to the New York City Police Department (NYPD) within a year. It would also require information on programs or projects to which the NYPD applied those donations.

EFFECTIVE DATE Immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There is no estimated impact on revenues as a result 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 agency responsible for carrying out its requirements would be able to use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Owen Kotowski, Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
Jonathan Rosenberg, Managing Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 638 on August 11, 2022 and was referred to the Committee on Public Safety (Committee). The Committee heard the legislation on March 27, 2023, and the legislation was laid over. The legislation was subsequently amended, and the amended legislation Proposed Intro. 638-A, will be considered by the Committee on December 20, 2023. Upon a successful vote by the Committee, Proposed Int. 638-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: DECEMBER 18, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 638-A:)

Int. No. 638-A

By Council Members Stevens, Restler, Won, Nurse, Gutiérrez, Joseph, Hudson, Sanchez, De La Rosa, Louis, Williams, Rivera, Cabán and Hanif (by request of the Bronx Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to reporting on the use of large donations received by the police department

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 14-195 to read as follows:

§ 14-195 Annual report on the use of large donations. *a. Definitions. As used in this section, the following terms have the following meanings:*

Covered donor. The term “covered donor” means a person or entity, not including any local, state, or federal government agency, from whom the department received one or more donations of money, goods, or services that exceeded one million dollars in aggregate value during the reporting period.

Reporting period. The term “reporting period” means the period beginning July 1 of a calendar year until and including June 30 of the following calendar year.

b. In addition to any report or disclosure required pursuant to chapter 68 of the charter, or any interpretation thereof by the conflicts of interest board, no later than January 1, 2025, and no later than January 1 of each year thereafter, the department shall submit to the mayor and the speaker of the council a report on donations received from covered donors during the reporting period ending in the prior calendar year. Each such report shall include:

1. a list of all covered donors and the aggregate value of all money, goods and services received from each such covered donor during such reporting period;

2. a list of all capital projects supported in whole or in part by each covered donor, including the aggregate value of donations from each covered donor for each capital project;

3. a list of all programs, initiatives, equipment, or other activities, including all pilot programs, supported in whole or in part by each covered donor, including the corresponding aggregate value of each listed program, initiative, equipment, or other activity attributable to donations from such covered donor for each program, initiative, equipment, or other activity or expenditure provided that a single unit of appropriation for personal service or a single unit of appropriation for other than personal service may not be used to represent any such

program, initiatives, equipment, or other activities or expenditures required to be reported pursuant to this paragraph;

4. a list of all capital projects, programs, initiatives, equipment, or other activities, including all pilot programs, that received public funding during the reporting period and also received a donation from a covered donor.

§ 2. This local law takes effect immediately.

KAMILLAH HANKS, *Chairperson*; JUSTIN L. BRANNAN, ROBERT F. HOLDEN, TIFFANY CABÁN, ERIK D. BOTTCHER, CARMEN N. De La ROSA, RITA C. JOSEPH, ALTHEA V. STEVENS, JOANN ARIOLA; 9-0-0; *Medical*: Darlene Mealy; Committee on Public Safety, December 20, 2023. *Other Council Members Attending: Council Members Hanif, Avilés, Lee, Brooks-Powers and Feliz.*

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

Report for Int. No. 781-A

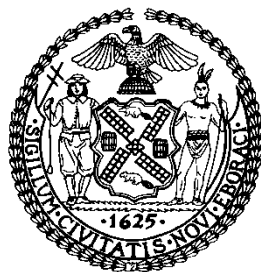
Report of the Committee on Public Safety in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on the justification for the stop in vehicle encounter reports.

The Committee on Public Safety, to which the annexed proposed amended local law was referred on October 12, 2022 (Minutes, page 2482), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Public Safety for Int. No. 538-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 781-A:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. 781-A

COMMITTEE: Public Safety

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on the justification for the stop in vehicle encounter reports.

Sponsors: the Public Advocate (Mr. Williams) and Council Members Restler, Farías, Hanif, De La Rosa, Louis, Rivera, Cabán and Hudson.

SUMMARY OF LEGISLATION: This bill would require the New York City Police Department to include in vehicle encounter reports the justification used by an officer to conduct a vehicle stop and if an observed offense was cited as the justification for a vehicle stop whether the offense was at the level of an infraction, violation, misdemeanor, or felony.

EFFECTIVE DATE August 1, 2024

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2026

FISCAL IMPACT STATEMENT:

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY26
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There is no estimated impact on revenues as a result 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 agency responsible for carrying out its requirements would be able to use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Owen Kotowski, Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
Jonathan Rosenberg, Managing Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 781 on October 12, 2022 and was referred to the Committee on Public Safety (Committee). The Committee heard the legislation on March 27, 2023, and the legislation was laid over. The legislation was subsequently amended and the amended legislation Proposed Intro. 781-A, will be considered by the Committee on December 20, 2023. Upon a successful vote by the Committee, Proposed Int. 781-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: DECEMBER 18, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 781-A:)

Int. No. 781-A

By the Public Advocate (Mr. Williams) and Council Members Restler, Farías, Hanif, De La Rosa, Louis, Rivera, Cabán, Hudson and Won.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on the justification for the stop in vehicle encounter reports

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 14-191 of the administrative code of the city of New York, as added by local law number 45 for the year 2021, is amended to read as follows:

a. No later than [April 30, 2022] *October 31, 2024*, and no later than 30 days after the end of each quarter thereafter, the commissioner shall submit to the speaker of the council and the mayor and post on the department's website a report containing the following information for the previous quarter:

1. the total number of vehicle stops conducted by officers, *disaggregated by the justification for the stop, which shall include the type of offense observed, if any, and whether such offense is an infraction, violation, misdemeanor, or felony*;
2. the total number of vehicles stopped by officers at roadblocks or checkpoints except those established due to an emergency, such as a crime scene, fire, building collapse or damage caused by extreme weather conditions or other natural disaster events;
3. the total number of summonses issued in connection with a vehicle stop, roadblock stop, or checkpoint stop;
4. the total number of arrests made in connection with a vehicle stop, roadblock stop, or checkpoint stop;
5. the total number of vehicle stops, roadblock stops, and checkpoint stops;
6. the total number of vehicles stopped that were vehicles licensed by the taxi and limousine commission, were cars or sports utility vehicles, and were trucks or [busses] *buses*, motorcycles, or bicycles;
7. the total number of summonses issued, disaggregated by whether civil or criminal offenses were charged;
8. the total number of arrests made and the top offenses charged;
9. the total number of vehicles seized as the result of a vehicle stop, a roadblock or checkpoint;
10. the total number of searches of vehicles, disaggregated by whether consent was provided for such searches; and
11. *the* total number of use of force incidents, as defined in section 14-158, that occurred in connection with a vehicle stop, a roadblock or checkpoint.

§ 2. This local law takes effect August 1, 2024.

KAMILLAH HANKS, *Chairperson*; JUSTIN L. BRANNAN, TIFFANY CABÁN, ERIK D. BOTTCHEER, CARMEN N. De La ROSA, RITA C. JOSEPH, ALTHEA V. STEVENS; 7-2-0; *Negative*: Joann Ariola and Robert F. Holden; *Medical*: Darlene Mealy; Committee on Public Safety, December 20, 2023. *Other Council Members Attending*: Council Members Hanif, Avilés, Lee, Brooks-Powers and Feliz.

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

Report for Int. No. 944-A

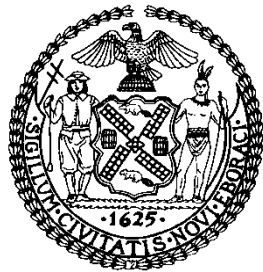
Report of the Committee on Public Safety in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the evaluation of civil actions alleging improper conduct by the police department.

The Committee on Public Safety, to which the annexed proposed amended local law was referred on March 2, 2023 (Minutes, page 733), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Public Safety for Int. No. 538-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 944-A:



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. 944-A

COMMITTEE: Public Safety

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the evaluation of civil actions alleging improper conduct by the police department.

Sponsors: By Hanks, Louis, Richardson Jordan, Abreu, De La Rosa, Brewer, Rivera, Cabán and Hudson.

SUMMARY OF LEGISLATION: This bill would amend existing reporting requirements regarding civil actions filed against the police department or individual police officer. Specifically, provisions will require the Law Department to report on civil actions that have been resolved in the 6-month period preceding each report, regardless of whether the action was filed within the currently existing 5-year lookback period for reporting. The bill also mandates aggregate reporting on the total number of civil actions filed against the police department each calendar year; the number of such actions that remain unresolved as of the end of such calendar year; and the number of actions that have been resolved, disaggregated by manner of resolution.

EFFECTIVE DATE: Immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There is no estimated impact on revenues as a result 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 agency responsible for carrying out its requirements would be able to use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Owen Kotowski, Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
Jonathan Rosenberg, Managing Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 944 on June March 3, 2023 and was referred to the Committee on Public Safety (Committee). The Committee heard the legislation on March 27, 2023, and the legislation was laid over. The legislation was subsequently amended. Proposed Intro. 944-A, will be considered by the Committee on December 20, 2023. Upon a successful vote by the Committee, Proposed Int. 944-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: DECEMBER 18, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 944-A:)

Int. No. 944-A

By Council Members Hanks, Louis, Richardson Jordan, Abreu, De La Rosa, Brewer, Rivera, Cabán and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to the evaluation of civil actions alleging improper conduct by the police department

Be it enacted by the Council as follows:

Section 1. Section 7-114 of the administrative code of the city of New York, as amended by local law number 48 for the year 2021, is amended to read as follows:

§ 7-114 Civil actions regarding the police department and covered individuals.

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

Covered action. The term “covered action” means a civil action filed in local, state or federal court against the police department or a covered individual, or both, resulting from allegations of improper police conduct, including, but not limited to, claims involving the use of force, assault and battery, malicious prosecution, false arrest or imprisonment, or deprivation of a right pursuant to chapter 8 of title 8.

Covered individual. The term “covered individual” has the meaning ascribed to such term in section 8-801.

b. No later than January 31, [2018] 2025 and no later than each July 31 and January 31 thereafter, the law department shall post on its website *in a searchable and machine-readable format*, and provide notice of such posting to the individual responsible for implementing the duties set forth in paragraph one of subdivision c of section 803 of the charter, the comptroller, the police department, the civilian complaint review board, and the commission to combat police corruption, the following information regarding [civil actions filed in local, state or federal court against the police department or a covered individual, or both, resulting from allegations of improper police conduct, including, but not limited to, claims involving the use of force, assault and battery, malicious prosecution, false arrest or imprisonment, or deprivation of a right pursuant to chapter 8 of title 8] *covered actions*:

1. a list of [civil actions filed against the police department or a covered individual, or both,] *covered actions filed during the five-year period preceding each January 1 or July 1 immediately preceding each report, and each covered action filed prior to such five-year period that has been resolved during the six-month period preceding each such January 1 or July 1*;

2. for each such *covered action*: (i) the [identities] *names* of the plaintiffs and defendants; (ii) the court in which the action was filed; (iii) the name of the law firm representing the plaintiff; (iv) the name of the law firm or agency representing each defendant; (v) the date the action was filed; and (vi) whether the plaintiff alleged improper police conduct, including, but not limited to, claims involving use of force, assault and battery, malicious prosecution, false arrest or imprisonment, or deprivation of a right pursuant to chapter 8 of title 8; and

3. [if an] *for any such covered action that has been resolved*: (i) the date on which it was resolved; (ii) the manner in which it was resolved; and (iii) whether the resolution included a payment to the plaintiff by the city, or by a covered individual or an employer or other person paying on behalf of a covered individual, and, if so, the amount of such payment.

c. *No later than January 31, 2025, the law department shall post and maintain on its website, in a searchable and machine-readable format, a report on covered actions filed during each calendar year of the ten-year period preceding the January 1 immediately preceding such report, and no later than January 31, 2030 and every five years thereafter, the law department shall post and maintain on its website, in a searchable and machine-readable format, a report on covered actions filed during each calendar year of the five-year period preceding the January 1 immediately preceding each such report. Each such report shall include, but need not be limited to, the following information for each calendar year of such ten-year period or five-year period:*

1. the number of covered actions filed during such calendar year;

2. the number of covered actions filed during such calendar year that remain unresolved as of January 1 of the year the report is submitted; and

3. the number of covered actions filed during such calendar year that have been resolved as of January 1 of the year the report is submitted, disaggregated by manner of resolution.

§ 2. This local law takes effect immediately.

KAMILLAH HANKS, *Chairperson*; JUSTIN L. BRANNAN, TIFFANY CABÁN, ERIK D. BOTTCHEER, CARMEN N. De La ROSA, RITA C. JOSEPH, ALTHEA V. STEVENS; 7-2-0; *Negative*: Joann Ariola and Robert F. Holden; *Medical*: Darlene Mealy; Committee on Public Safety, December 20, 2023. *Other Council Members Attending*: Council Members Hanif, Avilés, Lee, Brooks-Powers and Feliz.

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

Report for Int. No. 948-A

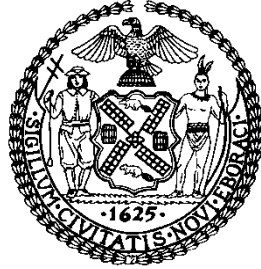
Report of the Committee on Public Safety in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, relation to requiring the New York City Police Department to report information and data regarding the department operations.

The Committee on Public Safety, to which the annexed proposed amended local law was referred on March 2, 2023 (Minutes, page 737), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Public Safety for Int. No. 538-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 948-A:



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. 948-A

COMMITTEE: Public Safety

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York City Police Department to report information and data regarding the department operations.

Sponsors: Council Members Louis, Williams, Barron, Richardson Jordan, De La Rosa, Restler, Hudson, Rivera and Cabán.

SUMMARY OF LEGISLATION: The bill would increase the frequency and expand the scope of existing reports required to be produced by the New York City Police Department (“NYPD”). Such reporting includes, but is not limited to, disclosure of information and data related to the NYPD’s use of stop-question-and-frisk, its deployment of officers and use of overtime spending, and crime status information, such as data on criminal complaints, arrests, and summons issued. Additionally, all such reports would be required to be publicly posted on the NYPD’s website.

EFFECTIVE DATE July 1, 2024

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2025

FISCAL IMPACT STATEMENT:

	Effective FY25	FY Succeeding Effective FY26	Full Fiscal Impact FY25
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There is no estimated impact on revenues as a result 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 agency responsible for carrying out its requirements would be able to use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Owen Kotowski, Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
Jonathan Rosenberg, Managing Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 948 on March 2, 2023 and was referred to the Committee on Public Safety (Committee). The Committee heard the legislation on March 27, 2023, and the legislation was laid over. The legislation was subsequently amended, and the amended legislation Proposed Intro. 948-A, will be considered by the Committee on December 20, 2023. Upon a successful vote by the Committee, Proposed Int. 948-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: DECEMBER 18, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 948-A:)

Int. No. 948-A

By Council Members Louis, Williams, Barron, Richardson Jordan, De La Rosa, Restler, Hudson, Rivera and Cabán.

A Local Law to amend the administrative code of the city of New York, relation to requiring the New York City Police Department to report information and data regarding the department operations

Be it enacted by the Council as follows:

Section 1. Subdivision a, the opening paragraph of subdivision b, and subdivisions c, d and e of section 14-150 of the administrative code of the city of New York, subdivision a as added by local law number 55 for the year 2001, paragraph 3 of such subdivision a as amended by local law number 5 for the year 2005, paragraph 4 of such subdivision a as separately amended by local law number 71 for the year 2016 and by local law number 108 for the year 2016, paragraph 5 of such subdivision a as amended by local law number 71 for the year 2016, paragraph 8 of such subdivision a as amended by local law number 186 for the year 2019, the opening paragraph of subdivision b as added, and subdivision c as amended and relettered, by local law number 1 for the year 2009, subdivision d as amended by section 1 of part KK of chapter 54 of the laws of 2016, and subdivision e as added by local law number 38 for the year 2019, are amended to read as follows:

a. The New York City Police Department shall submit to the city council, *and post on its website in a machine-readable format*, on a quarterly basis the following [materials,] data and reports:

1. [All academy, in-service, roll-call and other specialized department training materials and amendments thereto distributed to cadets, recruits, officers and other employees of the department, except where disclosure of such material would reveal non-routine investigative techniques or confidential information or where disclosure could compromise the safety of the public or police officers or could otherwise compromise law enforcement investigations or operations.

3.] A report detailing the number of uniformed personnel and civilian personnel assigned to each and every patrol borough and operational bureau performing an enforcement function within the police department,

including, but not limited to, each patrol precinct, housing police service area, transit district and patrol borough street crime unit, as well as the narcotics division, fugitive enforcement division and the special operations division including its subdivisions, but shall not include internal investigative commands and shall not include undercover officers assigned to any command. Such report shall also include, for each school operated by the department of education to which school safety agents are assigned, the number of school safety agents, averaged for the quarter, assigned to each of those schools.

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

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

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

[5.] 3. A report based on the information provided in the department's Stop, Question and Frisk Report Worksheet and any successor form or worksheet. Such report shall include the number of stop, question and frisks for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division; a breakdown of the number of stop, question and frisks by race and gender for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division; the number of suspects arrested or issued a criminal or civil summons as indicated on each stop, question and frisk report for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division; a breakdown by race and gender of the suspects arrested or issued a criminal or civil summons as indicated on each stop, question and frisk report for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division; a listing, by category, of the factors leading to the stop, question and frisk for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division, with a breakdown by race and gender for each listed factor; and a summary of complaints of violent felony crime for each patrol precinct, with a breakdown by race and gender of the suspect as identified by the victim.

[6. A report, for each patrol precinct, housing police service area, transit district, street crime unit and narcotics division, of the number of summonses issued for moving violations, with a breakdown by race and gender. Such report shall be generated using data provided by the State Department of Motor Vehicles at such

time as the State Department of Motor Vehicles amends its traffic summons to reflect such race and gender information.

7. A report of the number of positions that are civilianizable, including a listing of each position by job title, and the number of positions that were civilianized. "Civilianizable" shall mean any position that does not require uniformed expertise.]

4. A report on overtime spending that shall include:

(a) The amount of overtime spending for each patrol borough and operational bureau performing an enforcement or investigative function within the department, including but not limited to, each patrol precinct, housing police service area, transit district, narcotics division, fugitive enforcement division, and the special operations division, including its subdivisions, but not including internal investigative commands nor undercover officers assigned to any command. Such information shall be further disaggregated by the amount of overtime spending for each of the following categories: parades; protests or demonstrations; street fairs; sports or entertainment events; any other planned events; any unplanned events; supplemental patrol; investigative work; arrests; training; and any other category as determined by the department, further disaggregated by ranks of officers.

(b) A list of all such planned and unplanned events, including but not limited to, parades, protests or demonstrations, street fairs, and sports or entertainment events, and for each such event, the total amount of overtime spending and overtime hours for such event, disaggregated by ranks of officers; the numbers of officers assigned to the event, disaggregated by ranks of officers; and the average number of overtime hours required for each such officer assigned to the event, disaggregated by ranks of officers; and

(c) The total number of overtime hours for uniformed personnel projected by the department for the upcoming quarter in each precinct, disaggregated by the number of such hours projected for each of the following categories: parades; protests or demonstrations; street fairs; sports or entertainment events; any other planned events; any unplanned events; supplemental patrol; investigative work; arrests; training; and any other category as determined by the department.

[8.] 5. A report of the number of firearms, including ghost guns and firearms created using a three-dimensional printer, or any piece or part thereof, possessed in violation of law that have been seized, disaggregated by precinct and type of firearm. Such report shall also include, disaggregated by precinct: (i) the number of arrests made and type of crimes charged involving firearms possessed in violation of law, including arrests for the distribution and sale of such firearms; and (ii) the total number and type of firearms recovered in the course of arrests made.

b. The New York city police department shall submit to the city council *and post on its website* on an annual basis a firearms discharge report, which shall include [substantially the same information and data categories, disaggregated in substantially the same manner, as the department's 2007 Annual Firearms Discharge Report. It shall also include, at a minimum, in tabular form], *but need not be limited to, the following information for the prior year:*

c. [The] *Notwithstanding any other provision of law,* the information, data and reports requested in subdivisions a and b shall be provided to the council *and posted on the department's website, and may be transmitted in electronic format to the department of records and information services, or its successor agency,* except where disclosure of such material could compromise the safety of the public or police officers or could otherwise compromise law enforcement operations. Notwithstanding any other provision of law, the information, data and reports requested in [subdivisions a and b] *subdivision f* are not required to be transmitted in electronic format to the department of records and information services, or its successor agency, and are not required to be made available to the public on or through the department of records and information services' web site, or its successor's web site, *and are not required to be provided to the council where disclosure of such materials could compromise the safety of the public or police officers or could otherwise compromise law enforcement operations.* These reports shall be provided to the council within 30 days of the end of the reporting period to which the reports correspond or for which the relevant data may be collected, whichever is later. Where necessary, the department may use preliminary data to prepare the required reports and may include an acknowledgment that such preliminary data is non-final and subject to change.

d. The New York city police department shall submit to the [city] *speaker of the council,* the governor, the temporary president of the state senate and the speaker of the state assembly *and post on its website* annually a report detailing the total number of criminal complaints and arrests, categorized by class of crime, for violent

felony offenses as defined in section 70.02 of the penal law, assault and related offenses as defined in article one hundred twenty of the penal law, sex offenses as defined in article one hundred thirty of the penal law, disorderly conduct as defined in section 240.20 of the penal law, harassment as defined in section 240.25 and 240.26 of the penal law, aggravated harassment as defined in section 240.30 and 240.31 of the penal law, and offenses against public sensibilities as defined in article two hundred forty-five of the penal law, where the conduct occurs on subway lines and bus routes operated by the New York city transit authority or the Staten Island rapid transit operating authority, specifying where such criminal conduct has occurred by police precinct, including specific subway line, subway transit division, and bus route operated by the New York city transit authority or the Staten Island rapid transit operating authority. Such report shall contain a separate tabulation for employees of the authority, passengers and other non-employees. Such report shall specify which bus routes had the greatest number of criminal complaints and arrests. Such statistics shall be tabulated on a monthly basis and on an annual basis and shall be maintained and transmitted in an electronic format to the department of records and information services, or its successor agency, and be made available to the public on or through the department of records and information services' website, or its successor's website. Such statistics shall be first made available on such website ninety days after the effective date of this subdivision and shall be updated on at least a monthly basis thereafter.

e. Report on domestic violence factors. [a.] 1. For the purposes of this subdivision, the following terms have the following meanings:

Chronic domestic violence case. The term "chronic domestic violence case" means crimes determined by the department to be related to domestic violence that involve a chronic offender.

Chronic offender. The term "chronic offender" means a perpetrator who has been arrested three or more times in an 18-month period for a crime determined by the department to be related to domestic violence.

Domestic violence. The term "domestic violence" means any crime as determined by the department, not including those done in self-defense, when committed against a family or household member as determined by the department.

Perpetrator. The term "perpetrator" means a person who has or who is alleged to have committed domestic violence.

[b.] 2. Beginning June 1, 2019 and annually thereafter, the department shall submit to the mayor and speaker of the council and shall post on its website, an annual report regarding certain domestic violence initiatives, indicators, and factors in the city. Such report shall include, but need not be limited to the following:

[1.] (a) The total number of domestic violence complaints, disaggregated by precinct;

[2.] (b) The total number of chronic domestic violence complaints, disaggregated by borough;

[3.] (c) The total number of domestic violence offenders, disaggregated by precinct;

[4.] (d) The total number of chronic offenders, disaggregated by precinct;

[5.] (e) The scope of outreach efforts by the department to victims of domestic violence in cases where a perpetrator violates an order of protection issued by a court of competent jurisdiction; and

[6.] (f) Any other interventions by the department that relate to domestic violence.

§ 2. Section 14-150 of the administrative code of the city of New York is amended by adding a new subdivision f to read as follows:

f. Reports to the council. Each quarter the department shall provide to the speaker of the council:

1. All academy, in-service, roll-call and other specialized department training materials and amendments thereto distributed to cadets, recruits, officers and other employees of the department, except where disclosure of such material would reveal non-routine investigative techniques or confidential information or where disclosure could compromise the safety of the public or police officers or could otherwise compromise law enforcement investigations or operations.

2. A report of the number of positions that are civilianizable, including a listing of each such position by job title, and the number of such positions that were civilianized. For purposes of this subdivision, the term "civilianizable" means any position that does not require uniformed expertise.

§ 3. This local law takes effect July 1, 2024.

KAMILLAH HANKS, *Chairperson*; JUSTIN L. BRANNAN, TIFFANY CABÁN, ERIK D. BOTTCHER, CARMEN N. De La ROSA, RITA C. JOSEPH, ALTHEA V. STEVENS; 7-2-0; *Negative*: Joann Ariola and Robert F. Holden; *Medical*: Darlene Mealy; Committee on Public Safety, December 20, 2023. *Other Council Members Attending*: Council Members Hanif, Avilés, Lee, Brooks-Powers and Feliz.

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

Report for Int. No. 1011-A

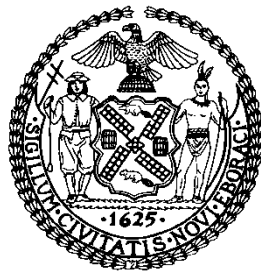
Report of the Committee on Public Safety in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to providing information on the reduced fare programs to persons issued a summons for fare evasion.

The Committee on Public Safety, to which the annexed proposed amended local law was referred on April 27, 2023 (Minutes, page 1131), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Public Safety for Int. No. 538-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1011-A:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. 1011-A

COMMITTEE: Public Safety

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to providing information on the reduced fare programs to persons issued a summons for fare evasion.

Sponsors: By Council Members Brooks-Powers, Louis, Farías, Brewer, Velázquez, Dinowitz, Barron, Richardson Jordan, Krishnan, Williams, Ung, Feliz, Narcisse, Rivera, Bottcher, Riley, Sanchez and Cabán.

SUMMARY OF LEGISLATION: This bill would require the department of social services to distribute flyers containing information about reduced fare programs administered by the City to individuals arrested or summoned for fare evasion in the subway system.

EFFECTIVE DATE: Immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: There is no estimated impact on revenues as a result 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 agency responsible for carrying out its requirements would be able to use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Owen Kotowski, Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
Jonathan Rosenberg, Managing Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 1011 on April 27, 2023 and was referred to the Committee on Public Safety (Committee). The Committee heard the legislation on June 26, 2023, and the legislation was laid over. The legislation was subsequently amended, Proposed Intro. 1011-A, will be considered by the Committee on December 20, 2023. Upon a successful vote by the Committee, Proposed Int. 1011-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: DECEMBER 18, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1011-A:)

Int. No. 1011-A

By Council Members Brooks-Powers, Louis, Farías, Brewer, Velázquez, Dinowitz, Barron, Richardson Jordan, Krishnan, Williams, Ung, Feliz, Narcisse, Rivera, Bottcher, Riley, Sanchez, Cabán and Won.

A Local Law to amend the administrative code of the city of New York, in relation to providing information on the reduced fare programs to persons issued a summons for fare evasion

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 14-172.1 to read as follows:

§ 14-172.1 *Information on reduced fare program.*

a. *Definitions. As used in this section, the following terms have the following meanings:*

Fare evasion. The term “fare evasion” means a violation of subdivision 3 of section 165.15 of the penal law occurring in a subway station, bus or other facility or conveyance operated by the transit authority, or a violation of section 1050.4 of title 21 of the New York codes, rules and regulations.

Reduced fare program. The term “reduced fare program” means the program established pursuant to chapter 12 of title 68 of the rules of the city of New York to provide a discount on designated city transit options, including subway or bus service.

Transit authority. The term “transit authority” means the New York city transit authority.

b. *The department shall, on a monthly basis, transmit to the human resources administration/departments of social services the name and address of any natural person issued a summons for fare evasion during the preceding quarter.*

c. *The human resources administration/departments of social services shall develop informational materials on the reduced fare program, and shall distribute such materials to any natural person whose name and address is transmitted to the human resources administration/departments of social services pursuant to subdivision b provided that such person has not previously been provided with such materials pursuant to this section. Such materials shall include, but need not be limited to:*

- 1. The eligibility criteria for the reduced fare program;*
- 2. The amount of any discount provided by such program; and*
- 3. The application procedures for such program.*

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

KAMILLAH HANKS, *Chairperson*; JUSTIN L. BRANNAN, TIFFANY CABÁN, ERIK D. BOTTCHEER, CARMEN N. De La ROSA, RITA C. JOSEPH, ALTHEA V. STEVENS; 7-2-0; *Negative*: Joann Ariola and Robert F. Holden; *Medical*: Darlene Mealy; Committee on Public Safety, December 20, 2023. *Other Council Members Attending*: Council Members Hanif, Avilés, Lee, Brooks-Powers and Feliz.

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

Report of the Committee on Sanitation and Solid Waste Management

Report for Int. No. 145-A

Report of the Committee on Sanitation and Solid Waste Management 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 department of sanitation to remove fallen tree limbs, branches, and vegetation that obstruct streets and sidewalks as a result of severe weather.

The Committee on Sanitation and Solid Waste Management, to which the annexed proposed amended local law was referred on April 14, 2022 (Minutes, page 545), respectfully

REPORTS:

I. INTRODUCTION

On December 20, 2023, the Committee on Sanitation and Solid Waste Management (the “Committee”), chaired by Council Member Sandy Nurse, will hold a hearing and vote on Proposed Int. No. 145-A, sponsored by Council Member Justin Brannan, in relation to requiring the department of sanitation to remove fallen tree limbs, branches, and vegetation that obstruct streets and sidewalks as a result of severe weather; Proposed Int. No. 1131-A, sponsored by Council Member Rafael Salamanca, Jr., in relation to outreach to unlicensed mobile car wash operators and authorizing seizure for certain mobile car washes, and to repeal certain educational outreach requirements upon expiration thereof; and Proposed Int. No. 1161-A, sponsored by Council Member Shaun Abreu, in relation to allowing reusable beverage containers in sports venues. The Committee previously heard Proposed Int. No. 145-A at a hearing on October 20, 2022, and Proposed Int. No. 1131-A and Proposed Int. No. 1161-A at a hearing on October 24, 2023, where the bills received testimony from representatives of the Department of Sanitation (“DSNY”), environmental advocates and interested members of the public. More information about this legislation can be accessed online at <https://rb.gy/jao8kq>.

II. LEGISLATION

Proposed Int. No. 145-A would require DSNY to assist the NYC Department of Parks and Recreation (“DPR”) with the removal of broken tree limbs, branches, and small vegetation scattered on public streets and sidewalks after severe weather events. DSNY would be required to complete the removal of the fallen vegetation within 10 days of being notified of the condition, except in the event that a state of emergency has been declared by the mayor, governor of New York, or the president of the United States.

This local law would take effect immediately.

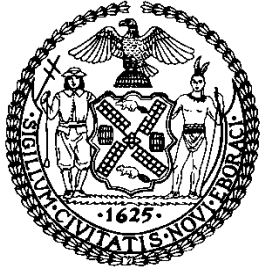
Proposed Int. No. 1131-A would require to Department of Consumer and Worker Protection (“DCWP”) to conduct 6 months of in-person outreach to operators of mobile car washes to inform them of licensing requirements and associated penalties. Following the conclusion of DCWP’s outreach, the bill would permit DSNY to impose a civil penalty on an individual or business which is operating an unlicensed mobile car wash and to remove, tow, or seize any vehicles and equipment used to operate a mobile car wash whenever the mobile car wash owner or operator of a mobile car wash has been issued a Notice of Violation for violating subdivision 4 or 6 of section 16-118 or paragraph 1 of subdivision b of section 15-205 of the Administrative Code of the City of New York (littering from a vehicle into the street; allowing noxious liquid to run into the street; obstructing a fire hydrant) and to store such property at a garage, pound, or other safe place. The bill would also permit DSNY to charge owners of towed vehicles and equipment for the cost of towing and for the storage of vehicles and equipment, and may subject towed vehicles and equipment to forfeiture proceedings.

This local law would take effect immediately.

Proposed Int. No. 1161-A would prohibit professional and collegiate sports venues from barring entry to attendees who bring their own reusable aluminum or stainless steel beverage containers. Venues would be allowed to require that containers be empty upon entry, and to restrict beverage containers capable of holding more than 24 liquid ounces. Venues found to be in violation would be subject to a penalty of \$500 for the first violation, \$750 for the second violation committed on a different day within a period of 12 months, and \$1,000 for the third and each subsequent violation.

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

(The following is the text of the Fiscal Impact Statement for Int. No. 145-A:)



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. NO. 145-A

COMMITTEE: Sanitation and Solid Waste Management

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

Sponsors: Council Members Brannan, Yeger, Hanif, Nurse, Abreu, Bottcher, Williams, Sanchez, Louis, Holden, Riley, Velazquez, Hudson, Cabán, Borelli and Kagan.

SUMMARY OF LEGISLATION: Proposed Intro. 145-A would require the Department of Sanitation (DSNY) to assist the Department of Parks and Recreation with the removal of fallen tree debris after inclement weather. DSNY's assistance would be required within 10 days after receiving notice of fallen tree debris unless directed otherwise by a state of emergency declared by the Mayor, Governor or President.

EFFECTIVE DATE: This bill would take effect immediately.

FISCAL YEAR (FY) IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY25

FISCAL IMPACT STATEMENT:

	Effective FY24	Succeeding FY25	Full Fiscal Impact FY25
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 fiscal impact on expenditures resulting from the enactment of this legislation as the agencies responsible for carrying out its requirements would use existing resources to fulfill its requirements.

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: Tanveer Singh, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Aliya Ali , Unit Head
 Eisha Wright, Deputy Director
 Kathleen Ahn, Finance Division Counsel
 Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on April 14, 2022, as Intro. No. 145 and referred to the Committee on Sanitation and Solid Waste Management (the Committee). The legislation was considered by the Committee at a hearing held on October 20, 2022, and was subsequently amended. The amended version, Proposed Intro. No. 145-A will be considered by the Committee on December 20, 2023. Upon successful vote by the Committee, Proposed Intro. No. 145-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: 12/18/2023.

(For text of Int. Nos. 1131-A and 1161-A and their Fiscal Impact Statements, please see the Report of the Committee on Sanitation and Solid Waste Management for Int. Nos. 1131-A and 1161-A, respectively, printed in these Minutes; for text of Int. No. 145-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 145-A, 1131-A, and 1161-A.

(The following is the text of Int. No. 145-A:)

Int. No. 145-A

By Council Members Brannan, Yeger, Hanif, Nurse, Abreu, Bottcher, Williams, Sanchez, Louis, Holden, Riley, Velázquez, Hudson, Cabán, Won, Gennaro, Dinowitz, Rivera, Borelli and Kagan.

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

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-145 to read as follows:

§ 16-145 Removal of fallen tree limbs, branches, and vegetation after severe weather. *a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Severe weather. The term “severe weather” includes but is not limited to rain, sleet, ice, snow, and wind, or any combination thereof that causes widespread tree damage.

Street. The term “street” has the same meaning as in section 16-460.

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

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

b. The department shall assist the department of parks and recreation in removing tree limbs, branches, and vegetation fallen from trees under the jurisdiction of the department of parks and recreation that obstruct streets after severe weather. Such removals may be conducted after the department of sanitation receives notice of such fallen tree limbs, branches, or vegetation by the department discovering the fallen tree limbs, branches, or vegetation, through the 311 customer service center, or through referral from the department of parks and recreation. Such assistance shall not take precedence over the department’s core duties. Such removals shall take place within 10 days of the department receiving such notice, except that such removals need not take place within 10 days if a state of emergency has been declared by the mayor, the governor of the state of New York, or by the president of the United States.

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

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

§ 2. This local law takes effect immediately.

SANDY NURSE, *Chairperson*; RAFAEL SALAMANCA, Jr., KALMAN YEGER, ERIK D. BOTTCHEER, AMANDA FARÍAS, JULIE MENIN, CHI A. OSSÉ, KRISTIN RICHARDSON JORDAN, MARJORIE VELÁZQUEZ; 9-0-0; *Medical*: James F. Gennaro; Committee on Sanitation and Solid Waste Management, December 20, 2023. *Other Council Members Attending: Council Member Restler.*

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

Report for Int. No. 1131-A

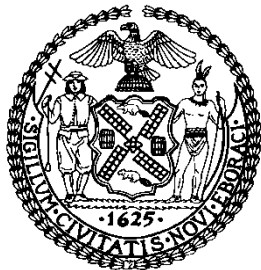
Report of the Committee on Sanitation and Solid Waste Management in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to outreach to unlicensed mobile car wash operators and authorizing seizure for certain mobile car washes, and to repeal certain educational outreach requirements upon expiration thereof.

The Committee on Sanitation and Solid Waste Management, to which the annexed proposed amended local law was referred on July 13, 2023 (Minutes, page 2144), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Sanitation and Solid Waste Management for Int. No. 145-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1131-A:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. NO. 1131-A

COMMITTEE: Sanitation and Solid Waste
Management

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to outreach to unlicensed mobile car wash operators and authorizing seizure for certain mobile car washes, and to repeal certain educational outreach requirements upon expiration thereof.

Sponsors: Council Members Salamanca, Riley, Farías, Sanchez, Yeger, Krishnan, Dinowitz, Velázquez, Abreu, Feliz, Powers, Ayala, Ossé, Louis, Schulman, Hanks, Holden, Ung, Brewer and Vernikov.

SUMMARY OF LEGISLATION: Proposed Into 1131-A would allow the NYC Department of Sanitation (DSNY) to impose civil penalties of \$100 per day for the unlicensed operation of a mobile car wash. It would also allow DSNY to tow and remove any vehicle or equipment used to operate licensed or unlicensed mobile car washes upon issuance of a notice of violation for Admin Code § 16-118(4) or (6) or § 15-205 (littering from a vehicle into the street; allowing noxious liquid to run into the street; obstructing a fire hydrant). Owners of towed vehicles and equipment could be charged for the cost of towing and for the storage of vehicles and equipment, and may be subject to forfeiture proceedings.

EFFECTIVE DATE: Immediately, except that section three of this local law expires and is deemed repealed 6 months after the first day of implementation of the program established by such section, and sections four and five of this local law take effect on the same day as such expiration and repeal.

FISCAL YEAR (FY) IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY25

FISCAL IMPACT STATEMENT:

	Effective FY24	Succeeding FY25	Full Fiscal Impact FY25
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 as full compliance with the law is anticipated.

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

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: Tanveer Singh, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Aliya Ali , Unit Head
Eisha Wright, Deputy Director
Kathleen Ahn, Finance Division Counsel
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on July 13, 2023, as Intro. No. 1131 and referred to the Committee on Sanitation and Solid Waste Management (the Committee). The legislation was considered by the Committee at a hearing held on October 24, 2023, and was subsequently amended. The amended version, Proposed Intro. No. 1131-A will be considered by the Committee on

December 20, 2023. Upon successful vote by the Committee, Proposed Intro. No. 1131-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: 12/18/2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1131-A:)

Int. No. 1131-A

By Council Members Salamanca, Riley, Farías, Sanchez, Yeger, Krishnan, Dinowitz, Velázquez, Abreu, Feliz, Powers, Ayala, Ossé, Louis, Schulman, Hanks, Holden, Ung, Brewer, Gennaro, Rivera and Vernikov.

A Local Law to amend the administrative code of the city of New York, in relation to outreach to unlicensed mobile car wash operators and authorizing seizure for certain mobile car washes, and to repeal certain educational outreach requirements upon expiration thereof

Be it enacted by the Council as follows:

Section 1. The definition of “car wash” set forth in section 20-540 of the administrative code of the city of New York, as added by local law number 62 for the year 2015, is amended to read as follows:

Car wash. The term “car wash” means any individual, partnership, corporation, limited liability company, joint venture, association, or other business entity that engages in the cleaning of vehicles, including washing, detailing, drying, polishing, vacuuming or otherwise providing cosmetic care to vehicles. “Car wash” *includes a mobile car wash*. “Car wash” shall not include:

1. any business entity that is engaged in selling, leasing, renting or repairing motor vehicles, where car washing is ancillary to the primary business of such entity;
2. any self-service facility for washing vehicles, where the facility’s employees do not provide assistance to customers in the cleaning of vehicles, such as washing, detailing, drying, polishing, vacuuming or otherwise providing cosmetic care to vehicles, including businesses such as convenience stores, gas stations and oil change facilities, where car washing is ancillary to the primary business of the facility;
3. any person that engages in the cleaning of vehicles on an intermittent basis to raise funds for a not-for-profit organization; or
4. any federal, state or local governmental agency.

§ 2. Section 20-540 of the administrative code of the city of New York is amended by adding a new definition of “mobile car wash” in alphabetical order to read as follows:

Mobile car wash. The term “mobile car wash” means any individual or business entity that engages in the cleaning of vehicles, including washing, detailing, drying, polishing, vacuuming, or otherwise providing cosmetic care to vehicles at a place other than a fixed business address.

§ 3. a. Definitions. As used in this section of this local law, the following terms have the following meanings:

Commissioner. The term “commissioner” means the commissioner of the department of consumer and worker protection.

Mobile car wash. The term “mobile car wash” has the same meaning as set forth in section 20-540 of the administrative code of the city of New York.

b. Mobile car wash outreach program. The commissioner shall design and implement a program to inform operators of any mobile car wash of the licensing requirements set forth in subchapter 33 of chapter 2 of title 20 of the administrative code of the city of New York. Pursuant to such program, the commissioner shall produce educational materials related to the requirements for a license, the application process for such license, and the penalties for operating a mobile car wash without such license. Such educational materials shall be available in the designated citywide languages as defined in section 23-1101 of the administrative code of the city of New York.

York. Such program shall involve direct and in person outreach to operators of mobile car washes. The commissioner shall implement such program no later than 120 days after the effective date of this local law, and shall conduct such program for 6 months.

§ 4. Subdivision b of section 20-545 of the administrative code of the city of New York, as added by local law number 62 for the year 2015, is amended to read as follows:

b. 1. Any individual or business entity operating a car wash without a valid license issued by the commissioner shall be liable for a civil penalty [of one hundred dollars per day] *recoverable 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 per day for every calendar day during which the unlicensed car wash operated.*

2. *Any individual or business entity operating a mobile car wash without a valid license issued by the commissioner shall be liable for a civil penalty recoverable 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 per day for every calendar day during which the unlicensed mobile car wash operated. Any authorized officer or employee of the department of sanitation shall have the power to enforce this paragraph or any rule promulgated pursuant to this paragraph.*

§ 5. Section 20-545 of the administrative code of the city of New York is amended by adding new subdivisions d, e, f, and g to read as follows:

d. *In addition to any other penalty imposed by any other provision of law or rule promulgated thereunder, whenever any owner or operator of a mobile car wash has engaged in any acts or practices that constitute a violation of subdivision 4 or 6 of section 16-118 or paragraph 1 of subdivision b of section 15-205 and any authorized officer or employee of the department of sanitation has served upon such owner or operator a notice of violation of such subdivision or such paragraph, such officer or employee may remove, tow, or seize any vehicle or equipment used to operate such mobile car wash. Any vehicle or equipment seized pursuant to this subdivision shall be delivered into the custody of the department of sanitation or other appropriate agency.*

1. *The office of administrative trials and hearings shall hold a hearing to adjudicate the violation of subdivision 4 or 6 of section 16-118 or paragraph 1 of subdivision b of section 15-205 upon the request of such owner or operator within 2 business days after such request, and shall render a determination within 2 business days after the conclusion of the hearing.*

2. *Where the office of administrative trials and hearings conducts an adjudication as required by paragraph 1 of this subdivision, and finds that such violation has not occurred, the agency having custody of the vehicle or equipment used to operate such mobile car wash shall, upon written demand of the owner of such vehicle or equipment, promptly release such vehicle or equipment to such owner.*

e. *Where the office of administrative trials and hearings conducts an adjudication as required by paragraph 1 of subdivision d of this section, and finds that such violation has occurred, the agency having custody of the vehicle or equipment seized shall proceed as follows:*

1. *if the vehicle or equipment is not subject to forfeiture pursuant to paragraph 1 of subdivision g of this section, the agency shall release such vehicle or equipment to the owner of such vehicle or equipment upon payment of all applicable civil penalties and all reasonable costs of removal and storage; or*

2. *if the vehicle or equipment are subject to forfeiture pursuant to paragraph 1 of subdivision g of this section, the agency having custody of the vehicle or equipment seized may release such vehicle or equipment to the owner of such mobile car wash upon payment of all civil penalties and all reasonable costs of removal and storage, or may commence a forfeiture action within 10 days after the written demand by such owner for such vehicle or equipment.*

f. *The department of sanitation shall establish by rule the time within which vehicle or equipment that are not redeemed may be deemed abandoned and the procedures for disposal.*

g. 1. *In addition to any other penalty or sanction provided for in this section, any vehicle or equipment seized pursuant to subdivision d of this section, and all rights, title, and interest therein shall be subject to forfeiture to the city upon notice and judicial determination thereof if the owner of such vehicle or equipment has been found liable at least 2 times within a 3 year period for having violated subdivision 4 or 6 of section 16-118 or paragraph 1 of subdivision b of section 15-205.*

2. *A forfeiture action pursuant to this subdivision shall be commenced by the filing of a summons with a notice or a summons and complaint in accordance with the civil practice law and rules. Such summons with notice or a summons and complaint shall be served in accordance with the civil practice law and rules on the*

individual or business entity that owns such vehicle or equipment used to operate such mobile car wash, and on any person listed on an application or other record of the department of consumer and worker protection as an owner of such mobile car wash. Vehicle or equipment which are the subject of such action shall remain in the custody of the department of sanitation or other appropriate agency pending the final determination of the forfeiture action.

3. Any person who receives notice of the institution of a forfeiture action who claims an interest in the vehicle or equipment subject to forfeiture may assert a claim in such action for the recovery of the vehicle or equipment or satisfaction of such owner's interest in such vehicle or equipment.

4. Forfeiture pursuant to this subdivision shall be made subject to the interest of a person who claims an interest in such vehicle or equipment pursuant to paragraph 3 of this subdivision, where such person establishes that: (i) such mobile car wash was operated in violation of subdivision 4 or 6 of section 16-118 or paragraph 1 of subdivision b of section 15-205 without the knowledge of such person, or if such person had knowledge of such operation, that such person did not consent to such operation by doing all that could reasonably have been done to prevent such operation; or (ii) that the operation of such mobile car wash in violation of subdivision 4 or 6 of section 16-118 or paragraph 1 of subdivision b of section 15-205 was conducted by any person other than such person claiming an interest in the vehicle or equipment used to operate such mobile car wash, while such vehicle or equipment was unlawfully in the possession of a person who acquired possession thereof in violation of the criminal laws of the United States or any state.

5. The department of sanitation or other agency having custody of the vehicle or equipment, after judicial determination of forfeiture, shall, by public notice of at least 5 days, sell such forfeited vehicle or equipment at public sale. The net proceeds of any such sale shall be paid into the general fund of the city.

6. In any forfeiture action commenced pursuant to this subdivision, where the court awards a sum of money to 1 or more persons in satisfaction of such person's interest in the forfeited vehicle or equipment, the total amount awarded to satisfy such interest or interests shall not exceed the amount of the net proceeds of the sale of the forfeited vehicle or equipment after deduction of the lawful expenses incurred by the city, including reasonable costs of removal and storage of the vehicle or equipment between the time of the seizure and the date of sale.

§ 6. This local law takes effect immediately, except that section three of this local law expires and is deemed repealed 6 months after the first day of implementation of the program established by such section, and sections four and five of this local law take effect on the same day as such expiration and repeal, provided that the commissioner of consumer and worker protection shall notify the legislative bill drafting commission of such first day of implementation in order that the commission may maintain an accurate and timely effective database of the official text of the New York city charter and the administrative code of the city of New York in furtherance of effectuating the provisions of section 70-b of the public officers law and notify relevant publishers of such first day of implementation in furtherance of effectuating the provisions of section 7-111 of the administrative code, provided that failure to provide the notifications described in this section shall not affect the effective date of any section of this local law.

SANDY NURSE, Chairperson; RAFAEL SALAMANCA, Jr., KALMAN YEGER, ERIK D. BOTTCHER, AMANDA FARIAS, JULIE MENIN, CHI A. OSSÉ, KRISTIN RICHARDSON JORDAN, MARJORIE VELÁZQUEZ; 9-0-0; Medical: James F. Gennaro; Committee on Sanitation and Solid Waste Management, December 20, 2023. Other Council Members Attending: Council Member Restler.

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

Report for Int. No. 1161-A

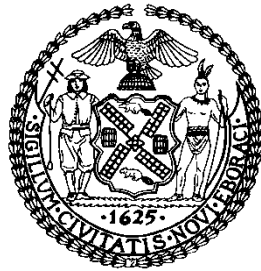
Report of the Committee on Sanitation and Solid Waste Management in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to allowing reusable beverage containers in sports venues.

The Committee on Sanitation and Solid Waste Management, to which the annexed proposed amended local law was referred on September 14, 2023 (Minutes, page 2362), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Sanitation and Solid Waste Management for Int. No. 145-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1161-A:



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INT. NO. 1161-A

COMMITTEE: Sanitation and Solid Waste
Management

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to allowing reusable beverage containers in sports venues.

Sponsors: Council Members Abreu, Velázquez, Powers, Hudson, Nurse, Restler, Krishnan, Menin, Schulman, Stevens, Bottcher, Gutiérrez, Hanif, Marte, Ung, Farías, Gennaro, Avilés, Cabán, Richardson Jordan, Brooks-Powers, Joseph, Ossé, Riley, Won, De La Rosa, Brewer, Feliz, Rivera, Salamanca, Brannan, Holden, Williams, Ayala, Louis, Narcisse, Sanchez and Lee (in conjunction with the Manhattan Borough President).

SUMMARY OF LEGISLATION: Proposed Intro 1161-A would require professional and collegiate sports venues to allow attendees to enter the venue with a reusable beverage container which is composed primarily of aluminum or stainless steel and establish penalties for venues that fail to comply. Sports venues would be able to require reusable beverage containers be empty upon entering the venue and to restrict entry with a reusable beverage container capable of holding more than 24 fluid ounces.

EFFECTIVE DATE: This bill would take 120 days after becoming law.

FISCAL YEAR (FY) IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY25**FISCAL IMPACT STATEMENT:**

	Effective FY24	Succeeding FY25	Full Fiscal Impact FY25
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 fiscal impact on expenditures resulting from the enactment of this legislation as the agencies responsible for carrying out its requirements would use existing resources to fulfill its requirements.

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: Tanveer Singh, Legislative Financial Analyst

ESTIMATE REVIEWED BY: Aliya Ali , Unit Head
Eisha Wright, Deputy Director
Kathleen Ahn, Finance Division Counsel
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on September 14, 2022, as Intro. No. 1161 and referred to the Committee on Sanitation and Solid Waste Management (the Committee). The legislation was considered by the Committee at a hearing held on October 24, 2023, and was subsequently amended. The amended version, Proposed Intro. No. 1161-A will be considered by the Committee on December 20, 2023. Upon successful vote by the Committee, Proposed Intro. No. 1161-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: 12/18/2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1161-A:)

Int. No. 1161-A

By Council Members Abreu, Velázquez, Powers, Hudson, Nurse, Restler, Krishnan, Menin, Schulman, Stevens, Bottcher, Gutiérrez, Hanif, Marte, Ung, Farías, Gennaro, Avilés, Cabán, Richardson Jordan, Brooks-Powers, Joseph, Ossé, Riley, Won, De La Rosa, Brewer, Rivera, Feliz, Salamanca, Brannan, Williams, Ayala, Louis, Narcisse, Sanchez, Lee and Dinowitz (in conjunction with the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to allowing reusable beverage containers in sports venues

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 16-403 to read as follows:

§ 16-403 Reusable beverage containers in sports venues. a. Definitions. For purposes of this section, the following terms have the following meanings:

Reusable beverage container. The term “reusable beverage container” means a drinking vessel that is composed primarily of aluminum or stainless steel, and is designed and manufactured to be capable of multiple reuses, including a bottle or cup.

Sports venue. The term “sports venue” means a building, structure, or place in which professional or collegiate sporting competitions are held.

b. A sports venue shall not prohibit an individual attending any professional or collegiate sporting competition in such sports venue from bringing a reusable beverage container into the sports venue, except as provided in this subdivision. A sports venue may require that reusable beverage containers be empty upon entering the sports venue. A sports venue may restrict reusable beverage containers capable of holding more than 24 fluid ounces.

c. Any sports venue that 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 or in a proceeding before the office of administrative trials and hearings pursuant to section 1049-a of the charter. Such penalties shall be in the amount of \$500 for the first violation, \$750 for the second violation committed on a different day within a period of 12 months, and \$1,000 for the third and each subsequent violation committed on different days within a period of 12 months.

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

SANDY NURSE, *Chairperson*; RAFAEL SALAMANCA, Jr., ERIK D. BOTTCHER, AMANDA FARÍAS, JULIE MENIN, CHI A. OSSÉ, KRISTIN RICHARDSON JORDAN, MARJORIE VELÁZQUEZ; 8-1-0; *Negative*: Kalman Yeger; *Medical*: James F. Gennaro; Committee on Sanitation and Solid Waste Management, December 20, 2023. *Other Council Members Attending: Council Member Restler.*

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

Report of the Committee on Transportation and Infrastructure

Report for Int. No. 1139-A

Report of the Committee on Transportation and Infrastructure 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 advertising on the interior of for-hire vehicles.

The Committee on Transportation and Infrastructure, to which the annexed proposed amended local law was referred on August 3, 2023 (Minutes, page 2237), respectfully

REPORTS:

INTRODUCTION

On December 20, 2023, the Committee on Transportation and Infrastructure, chaired by Majority Whip Selvena N. Brooks-Powers, conducted a hearing to vote on Int. No. 1139-A, sponsored by Council Member Amanda Farías, in relation to advertising on the interior of for-hire vehicles. The Committee heard a previous version of the bill on October 13, 2023 at an oversight hearing to receive an update on the industries regulated by the New York City (“NYC” or “City”) Taxi and Limousine Commission (“TLC”), including the taxi and for-hire vehicle (“FHV”) industries. Those that testified included TLC representatives, taxi medallion owners and drivers, disability advocates, industry advocates, and other interested stakeholders.

On December 20, 2023, the Committee on Transportation and Infrastructure adopted Int. No. 1139-A with a vote of 12 in the affirmative, zero in the negative, with zero abstentions.

BACKGROUND

The TLC, created in 1971, is responsible for the regulation and licensing of: taxicabs, including medallion taxicabs (also known as yellow taxis) and street hail liveries (also known as green or boro taxis); FHV; commuter vans; and paratransit vehicles.¹ The TLC has approximately 600 employees and its Board consists of nine members, eight of whom are unsalaried Commissioners, along with the salaried Commissioner and Chair (“TLC Chair”).² The TLC Chair is the head of the TLC and presides over its public meetings.³ The TLC regulates over 200,000 TLC licensees in NYC.⁴

Over the last decade, the FHV industry has experienced tremendous changes, particularly with the introduction of mobile application-based (“app-based”) FHV in the City. As a result, the number of licensed FHV dramatically increased from approximately 39,700 in 2011⁵ to more than 130,000 in March 2018, with the TLC issuing licenses to approximately 2,000 new FHV per month at that time.⁶ Ultimately, this led to the Council’s passage of Local Law 147 of 2018⁷, which paused the issuance of new FHV licenses, with an exception for wheelchair-accessible vehicles, and Local Law 149 of 2018,⁸ which created a new license category, High-Volume For-Hire Services (“HVFHS”) for TLC-licensed FHV bases that dispatch more than 10,000 trips per day.⁹ In 2022, TLC allowed an exemption for an additional 1,000 electric vehicle FHV.¹⁰ In September 2023, TLC data indicated that the total number of FHV licenses was 98,267.¹¹

More recently, the TLC, beginning on October 19, 2023, allowed any qualifying person or entity to apply for an EV license pursuant to the recent FHV License Report.¹² The opening of TLC licenses created a surge of demand from FHV drivers; however, the New York Taxi Workers Alliance (“NYTWA” or “Alliance”) filed a lawsuit resulting in the issuance of a temporary restraining order, forcing TLC to stop processing new EV license applications by November 13.¹³ The lawsuit and the Alliance argued that TLC’s lift on the license cap for EVs

¹ NYC TLC, About, *About TLC*, available at <https://www1.nyc.gov/site/tlc/about/about-tlc.page>

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ NYC TLC, 2011 Annual Report, available at https://www1.nyc.gov/assets/tlc/downloads/pdf/annual_report_2011.pdf

⁶ NYC Council, Testimony of Commissioner Joshi before the Committee on For-Hire Vehicles, March 8, 2018, available at <https://legistar.council.nyc.gov/View.ashx?M=F&ID=5872328&GUID=DB0BCBEA-4B02-468F-B948-512FA842D7EE>

⁷ Local Law 147 of 2018, available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3331789&GUID=6647E630-2992-461F-B3E3-F5103DED0653&Options=ID|Text|&Search=147>

⁸ Local Law 149 of 2018, available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3479666&GUID=01C67FF7-C56D-474A-BA53-E83A23173FA7&Options=ID|Text|&Search=149>

⁹ NYC TLC, Businesses, *For-Hire Vehicle Base*, available at <https://www.nyc.gov/site/tlc/businesses/high-volume-for-hire-services.page>

¹⁰ NYC TLC, *Charged Up! TLC’s Roadmap to Electrifying the For-Hire Transportation Sector in New York City*, available for download at https://www.nyc.gov/assets/tlc/downloads/pdf/Charged_Up!_TLC_Electrification_Report-2022.pdf

¹¹ NYC, Mayor’s Management Report FY23-TLC, available for download at

<https://www.nyc.gov/assets/operations/downloads/pdf/mmr2023/tlc.pdf>

¹² NYC TLC, Industry Notice #23-07, TLC Accepting Electric Vehicle License Applications Beginning October 19, available for download at https://www.nyc.gov/assets/tlc/downloads/pdf/industry-notices/industry_notice_23_07_english.pdf

¹³ Haidee Chu, *The City, App Drivers Rush to Get Green TLC Licenses Before Judge-Ordered Stop Hits*, November 10, 2023, available at <https://www.thecity.nyc/2023/11/10/uber-lyft-drivers-rush-green-tlc-plates/>

would add “an unlimited number of new cars to the roads” and “have a disastrous impact on driver income.”¹⁴ The TLC has received thousands of applications for the new EV licenses; however, no new applications may be processed.¹⁵

Uber’s Partnership with Yellow Taxis

In an effort to help both the HVFHS industry and yellow taxis after the COVID-19 pandemic, Uber announced on March 24, 2022 a partnership with two yellow taxi companies, Curb and CMT, to allow New Yorkers to order a yellow taxi on the Uber app.¹⁶ This was the first large-scale taxi-FHV agreement of its kind in the United States.¹⁷ Fares are based on Uber’s pricing and policies, including surge pricing, with pricing to be about the same price for a yellow taxi as for a standard individual UberX ride.¹⁸ Under the partnership, yellow taxi drivers have the option to accept or reject the hail, with pricing presented to them upfront.¹⁹

In August 2023, Uber began to automatically dispatch taxis to any NYC customer requesting an UberX, provided that a taxi is closer than a car being driven for Uber.²⁰ This is a way in which Uber believes it can increase efficiency in their dispatch system, allowing for faster matches with customers, and reducing time spent cruising without a fare for drivers.²¹

Vehicle Advertising

Among its many roles, the TLC regulates interior and exterior vehicle advertising. Under Section 59A-29(e) of the TLC’s rules, an owner must not display any advertising on the exterior or the interior of an FHV unless the advertising has been authorized by the TLC and TLC has issued a license to the owner.²² Despite this, such advertising was allowed to be displayed on the interiors and exteriors of FHV’s until July 2019, when TLC won a court decision, and quickly announced that they would resume enforcing its rules, requiring all advertisements be removed from FHV’s by August 31, 2019.²³

Although TLC rules allow for permits to be issued by TLC to FHV’s to advertise, TLC did not issue any advertising permits to FHV’s until 2018, when a federal court enjoined the Commission from enforcing those rules.²⁴ The court case was in relation to a Minnesota-based advertising company, which sued TLC after they refused to grant company permits to display video advertising on tablets in the back of Ubers, Lyfts, and other FHV’s.²⁵ The decision was eventually reversed by the federal appeals court, upholding TLC’s decision to ban advertising inside FHV’s.²⁶

There are some similarities between what would be provided for interior advertising in FHV’s and existing TLC requirement for taxicabs to be equipped with a Taxi TV and a Taxicab Technology System (otherwise known as a “T-PEP system”) to, among other things, process payments and collect data.²⁷ The main difference is that taxi drivers and vehicle owners do not earn any income from their advertisements from Taxi TVs; rather, any advertising revenue generated offsets the cost of the devices.²⁸ This difference is substantial; according to

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ Winnie Hu, Kellen Browning, Karen Zraick, The New York Times, *Uber Partners With Yellow Taxi Companies in NYC*, March 24, 2022, available at <https://www.nytimes.com/2022/03/24/business/uber-new-york-taxis.html>

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ Ben Brachfeld, AMNY, *Uber starts dispatching yellow taxis to some NYC customers through app*, August 29, 2023, available at <https://www.amny.com/transit/uber-dispatching-yellow-taxis-nyc-customers/>

²¹ *Id.*

²² Section 59A-29(e), NYC TLC Rules

²³ NYC TLC, Industry Notice #19-10, FHV Advertising, available for download at https://www.nyc.gov/assets/tlc/downloads/pdf/industry_notice_19_10_english.pdf

²⁴ Matthew Daus, Black Car News, *NYC TLC Bans FHV Advertising...What, Where and Why?*, October 2, 2019, available at <https://www.blackcarnews.com/article/nyc-tlc-bans-fhv-advertising-what-where-why>

²⁵ *Id.*

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

driver advocates, advertisements from tablets and screens can generate an extra \$4,000, annually without drivers having to log more hours on the road, thus is seen as an innovative way to boost driver income without requiring more hours worked.²⁹

LEGISLATIVE ANALYSIS

Analysis of Int. No. 1139-A

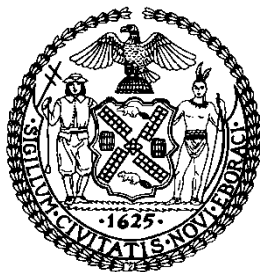
Int. No. 1139-A, sponsored by Council Member Fariás, would permit for-hire vehicles to display digital advertising on an approved electronic tablet attached to the interior of the vehicle. The approved tablet would be capable of being turned on and off, muted, or having its volume adjusted by the passenger in the vehicle. No driver would be required to have a tablet in their vehicle or pay for the installation of a tablet in the vehicle they drive. It would also be unlawful for any HVFHS or other service regulated by TLC to take negative action against any driver if the driver chooses not to have an approved tablet in their car. Any driver of a for-hire vehicle with an approved tablet in their vehicle would receive 25 percent of the revenue generated by such tablet in their vehicle. TLC would license the persons who provide or supply the approved tablets.

If enacted, the provisions found in Int. No. 1139-A would take effect 90 days after it becomes law.

UPDATE

On December 20, 2023, the Committee on Transportation and Infrastructure adopted Int. No. 1139-A with a vote of 12 in the affirmative, zero in the negative, with zero abstentions.

(The following is the text of the Fiscal Impact Statement for Int. No. 1139-A:)



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 1139-A

COMMITTEE: Transportation and Infrastructure

²⁹ *Id.*

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to advertising on the interior of for-hire vehicles.

SPONSOR(S): By Council Members Farías, Louis, Riley, Williams, Feliz, Sanchez, Stevens, Dinowitz, Lee, Schulman, Krishnan, Narcisse, Powers, Brooks-Powers, Marte, Ayala, Ung, Rivera, Won and Velázquez.

SUMMARY OF LEGISLATION: This bill would permit for-hire vehicles to display digital advertising on an approved electronic tablet attached to the interior of the vehicle. The approved tablet would be capable of being turned on and off, muted, or having its volume adjusted by the passenger in the vehicle. No driver would be required to have a tablet in their vehicle or pay for the installation of a tablet in the vehicle they drive. It would also be unlawful for any service regulated by the Taxi and Limousine Commission (TLC) to take negative action against any driver for choosing not to have an approved tablet in their car. Any driver of a for-hire vehicle with an approved tablet in their vehicle would receive 25 percent of the revenue generated by such tablet in their vehicle. TLC would license the persons who provide or supply the approved tablets.

EFFECTIVE DATE: This bill would take effect 90 days after becoming law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues (+)	See Below	See Below	See Below
Expenditures (-)	\$0	\$0	\$0
Net	See Below	See Below	See Below

IMPACT ON REVENUES: It is anticipated that there would be additional revenue as a result of this bill; however, the exact amount would depend on how many for-hire vehicles participate in the program. Revenue would come from licenses issued by TLC to interior advertising companies; the fee for this license shall be no more than \$500 per year.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation, as TLC would use existing resources to fulfill its requirement.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Michael Sherman, Senior Financial Analyst

ESTIMATE REVIEWED BY: Jack Storey, Unit Head
Chima Obichere, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on August 3, 2023, as Intro. No. 1139 and referred to the Committee on Transportation and Infrastructure (the Committee). A hearing was held by the Committee on October 13, 2023 and the bill was laid over. The legislation has been amended and the amended version, Proposed Intro. No. 1139-A will be considered by the Committee on December 20, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 1139-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: December 18, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1139-A:)

Int. No. 1139-A

By Council Members Farías, Louis, Riley, Williams, Feliz, Sanchez, Stevens, Dinowitz, Lee, Schulman, Krishnan, Narcisse, Powers, Brooks-Powers, Marte, Ayala, Ung, Rivera, Won, Velázquez and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to advertising on the interior of for-hire vehicles

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section § 19-525.1 to read as follows:

§ 19-525.1 *Interior advertising in for-hire vehicles. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Approved electronic tablet. The term “approved electronic tablet” means a third-party device, including an electronic display, touchscreen, or similar device, that is approved by the commission, attached to the interior of a for-hire vehicle, capable of broadcasting electronic media to a passenger of such for-hire vehicle, and capable of being turned on and off, muted, or having its volume adjusted by such passenger, that meets the specifications set out in the rules and regulations promulgated by the commission under this section.

Approved software. The term “approved software” means any software running on an approved electronic tablet, approved by the commission, for the purpose of broadcasting electronic media to a passenger of a for-hire vehicle, that meets the specifications set out in the rules and regulations promulgated by the commission under this section.

Discriminate. The term “discriminate” means imposing any negative consequences on a driver, including but not limited to deactivating the driver, refusing to lease a for-hire vehicle to a driver, imposing an additional charge for leasing a vehicle without an approved electronic tablet, reducing the compensation provided to the driver, either directly or indirectly through manipulating the number or type of rides assigned to the driver, or disciplinary action.

Electronic media. The term “electronic media” means audio-visual content, including but not limited to advertising, interactive content, informative graphics, music, and videos.

b. Optional use of an approved electronic tablet. A for-hire vehicle may have an approved electronic tablet running approved software in such vehicle, provided that such vehicle does not have more than 1 such tablet operating in the vehicle at the same time. No driver shall be required to install or pay for the installation of an approved electronic tablet in such driver’s vehicle, or be required to operate a vehicle with an approved electronic tablet. No high-volume for-hire service or other service regulated by the commission may discriminate against a driver based on whether the driver chooses to operate a vehicle with an approved electronic tablet, or based on the brand or affiliation of the approved electronic tablet if a driver chooses to use an approved electronic tablet, or based on the approved software running on such approved electronic tablet, except that it shall not be discrimination for such a service to pay for the installation of an approved electronic tablet; to provide a driver of a vehicle in which an approved electronic tablet is installed a portion of the proceeds it receives from broadcasting electronic media on an approved electronic tablet, as determined pursuant to subdivision d of this section; or to facilitate the payment of a gratuity from a passenger to a driver through such approved electronic tablet.

c. Interior advertising company license required. It shall be unlawful for any person to provide or supply an approved electronic tablet for use in a for-hire vehicle unless such person secures a license therefor from the

commission. The fee for the issuance of such license shall be no more than \$500 a year. Any person licensed under this section shall provide the commission with any and all information required by the rules and regulations promulgated pursuant to this section, including but not limited to the information required under section 19-546.

d. Driver compensation. Any interior advertising company licensed pursuant to subdivision c of this section shall compensate drivers of a for-hire vehicle with an approved electronic tablet with 25 percent of the revenue generated by such tablet in their vehicle. One year after the implementation of this local law, the commission shall provide the speaker of the council and the mayor a report examining the compensation received by drivers from approved tablets and may adjust the minimum compensation standards if the commission deems necessary. In the case of a for-hire vehicle with more than 1 driver, each driver operating such vehicle shall receive a pro rata share of such revenue, based on the share of hours the driver operated the vehicle.

e. Application to all drivers irrespective of vehicle ownership. The commission shall promulgate such rules and regulations as are necessary to carry out the provisions of this section, provided that such rules apply equally to drivers whether they rent, lease, or own the for-hire vehicle in which the approved electronic tablet is installed.

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

SELVENA N. BROOKS-POWERS, *Chairperson*; KALMAN YEGER FARAH N. LOUIS, CARLINA RIVERA, AMANDA FARIAS, LINDA LEE, MERCEDES NARCISSE, LINCOLN RESTLER, NANTASHA M. WILLIAMS, JULIE WON, DAVID M. CARR, JOANN ARIOLA; 12-0-0; *Absent*: Ari Kagan; Committee on Transportation and Infrastructure, December 20, 2023.

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

Report of the Committee on Veterans

Report for Int. No. 1237-A

Report of the Committee on Veterans 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 collection of demographic data on veterans.

The Committee on Veterans, to which the annexed proposed amended local law was referred on November 2, 2023 (Minutes, page 2933), respectfully

REPORTS:

I. Introduction

On December 20, 2023, the Committee on Veterans, chaired by Council Member Robert Holden, will consider the following legislation: Proposed Introduction Number (Int. No.) 1237-A, sponsored by Council Member Dinowitz, in relation to the collection of demographic data on veterans; Proposed Int. No. 1239-A, sponsored by Council Member Lee, in relation to community outreach and engagement on mental health resources for veterans; Proposed Int. No. 1241-A, sponsored by Council Member Narcisse, in relation to requiring the Commissioner of Veterans' Services to submit an annual report on the provision of mental health services by New York City (City) agencies to veterans; Proposed Int. No. 1244-A, sponsored by the Public Advocate, in relation to an online resource tool and pamphlet for veterans; and Resolution (Res.) No. 837, calling on the New York State Legislature to pass, and the Governor to sign, S.4717/A.3149, to authorize the New York State Department of Veterans' Services to provide eligible veterans with financial assistance for purchasing, training, and the upkeep of

service dogs and emotional support dogs. The Committee previously held a hearing on Proposed Int. No.'s 1237-A, 1239-A, 1241-A, and 1244-A and Res. No. 837 on November 30, 2023. Witnesses invited to testify included representatives from Department of Veterans Services (DVS), veterans' advocates, and other interested parties.

II. Bill Analysis

Proposed Int. No. 1237-A – A Local Law to amend the administrative code of the city of New York, in relation to the collection of demographic data on veterans.

Proposed Int. No. 1237-A would require any City agency that directly, or by contract, collects demographic information through form documents from individuals seeking social services to offer all such individuals a standardized and voluntary survey form that contains a demographic question on whether such person or any member of their household has served in the Armed Forces, National Guard, or Reserves of the United States. This bill would further require DVS to compile all survey data collected and submit a report to the Speaker on the total number of veterans who have sought social services through the City, disaggregated by agency, type of service requested, and the council district in which such person resides. This bill would take effect 180 days after it becomes law. Since introduction the bill received technical edits.

Proposed Int. No. 1239-A – A Local Law to amend the administrative code of the city of New York, in relation to community outreach and engagement on mental health resources for veterans.

Proposed Int. No. 1239-A would require DVS, in coordination with the Office of Community Mental Health and any agencies identified by the commissioner, to conduct outreach and engagement through social media, internet, radio, print media, or digital kiosks on mental health services available to veterans and how to access such services. This bill further requires DVS to include on its website a form that allows organizations that provide mental health services to veterans to submit information about the services offered to the department for potential inclusion in the required outreach and engagement. This bill would take effect 180 days after it comes law. Since introduction the bill received technical edits.

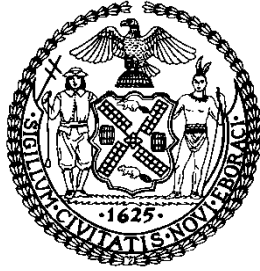
Proposed Int. No. 1241-A – A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of veterans' services to submit an annual report on the provision of mental health services by city agencies to veterans.

Proposed Int. No. 1241-A would require the Commissioner of DVS to submit to the Speaker, the mayor and post on DVS' website an annual report on mental health services provided by City agencies to veterans. This bill would take effect 180 days after it becomes law. Since introduction the bill received technical edits.

Proposed Int. No. 1244-A – A Local Law to amend the administrative code of the city of New York, in relation to an online resource tool and pamphlet for veterans.

Proposed Int. No. 1244-A would require DVS to maintain and operate an online resource tool to enable a veteran or a member of their household to request assistance with accessing and obtaining resources for veterans. This bill would require DVS to maintain a link to the online resource tool on its website and require the city to ensure that a link to the online resource tool is provided on any online platform through which the city disseminates information on social services and benefits. The bill further requires DVS to develop a pamphlet on the online resource tool, the veteran resource guide, and the locations of veteran resource centers. DVS would be required to distribute this pamphlet to agencies that provide social services, council member district offices, and community board offices. This bill would take effect 180 days after it becomes law. Since introduction the bill was amended to codify the online resource tool for veterans.

(The following is the text of the Fiscal Impact Statement for Int. No. 1237-A:)



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

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

RICHARD LEE, FINANCE DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 1237-A

COMMITTEE: Veterans

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the collection of demographic data on veterans.

SPONSOR(S): Council Members Dinowitz, Lee, Narcisse, Gutiérrez, Louis, Stevens, Hanif, Farías, Ung, Sanchez and Velázquez.

SUMMARY OF LEGISLATION: Proposed Intro. No. 1237-A would require any City agency that directly, or by contract, collects demographic information through form documents from individuals seeking social services in the City to offer all such individuals a standardized and voluntary survey form that contains a demographic question on whether such person or any member of their household has served in the armed forces, national guard, or reserves of the United States and an option for any person who responds affirmatively to such question to consent to being contacted by the Department of Veterans' Services (DVS) regarding services and resources for veterans. This bill would also require DVS to compile all survey data collected and submit a report to the Council on the total number of veterans who have responded affirmatively to the veteran status question, disaggregated by the agency to which such person applied for services, the type of service sought, and the council district in which such person resides. The report is due by December 15, 2024 and annually thereafter.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
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 DVS will utilize existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Ross S. Goldstein, Financial Analyst

ESTIMATE REVIEWED BY: Julia K. Haramis, Unit Head
Chima Obichere, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on November 2, 2023, as Int. No. 1237 and was referred to the Committee on Veterans (the Committee). A hearing was held by the Committee on November 30, 2023, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 1237-A, will be voted on by the Committee at a hearing on December 20, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 1237-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: December 14, 2023.

(For text of Int. Nos. 1239-A, 1241-A, and 1244-A and their Fiscal Impact Statements, please see the Report of the Committee on Veterans for Int. Nos. 1239-A 1241-A and 1244-A, respectively, printed in these Minutes; for text of Res. No. 837, please see the Report of the Committee on Veterans for Res. No. 837 printed in the voice-vote Resolutions calendar section of these Minutes; for text of Int. No. 1237-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 1237-A, 1239-A, 1241-A, 1244-A and Res. No. 837.

(The following is the text of Int. No. 1237-A:)

Int. No. 1237-A

By Council Members Dinowitz, Lee, Narcisse, Gutiérrez, Louis, Stevens, Hanif, Farías, Ung, Sanchez, Velázquez, Avilés, Cabán, Won and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to the collection of demographic data on veterans

Be it enacted by the Council as follows:

Section 1. Title 31 of the administrative code of the city of New York is amended by adding a new section 31-113 to read as follows:

§ 31-113 Demographic data collection on veterans.

a. Any agency that requests demographic information from any person applying for services, including services provided by such agency directly or by contract, shall include on any application for such services:

1. A question about whether such person or any member of their household has served in the armed forces, national guard, or reserves of the United States, provided that responding to such question shall be voluntary; and

2. An option for any person who responds affirmatively to the question included pursuant to paragraph 1 of this subdivision to indicate whether such person consents to the department contacting them regarding services and resources for veterans.

b. Subdivision a of this section shall not apply where applicable law would prohibit an agency from modifying a form to include such question or option.

c. No later than December 15, 2024, and annually thereafter, the department shall include in the annual report required pursuant to section 31-109 the total number of persons who responded affirmatively to questions included in any application for services from any city agency, as required by paragraph 1 of subdivision a of this section, disaggregated by (i) the agency to which such person applied for services; (ii) the type of service sought; (iii) and the council district in which such person resides.

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

ROBERT F. HOLDEN, *Chairperson*; SANDY NURSE, KRISTIN RICHARDSON JORDAN; JOANN ARIOLA; VICKIE PALADINO; 5-0-0; *Absent*: Ari Kagan; Committee on Veterans, December 20, 2023. *Other Council Members Attending*: Council Members Narcisse, Dinowitz and the Public Advocate (Mr. Williams).

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

Report for Int. No. 1239-A

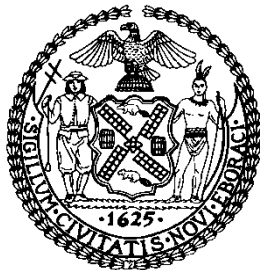
Report of the Committee on Veterans in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to community outreach and engagement on mental health resources for veterans.

The Committee on Veterans, to which the annexed proposed amended local law was referred on November 2, 2023 (Minutes, page 2937), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Veterans for Int. No. 1237-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1239-A:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

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

RICHARD LEE, FINANCE DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO. 1239-A

COMMITTEE: Veterans

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to community outreach and engagement on mental health resources for veterans.

SPONSOR(S): Council Members Lee, Gutiérrez, Restler, Brewer, Louis, Stevens, Hanif, Ung, Sanchez, Velázquez, and Hudson.

SUMMARY OF LEGISLATION: Proposed Int. No. 1239-A would require the Department of Veterans' Services (DVS), in coordination with the Office of Community Mental Health and any agencies identified by the commissioner to conduct outreach and engagement through social media, internet, radio, print media, or digital kiosks on mental health resources available to veterans and how to access such services. The bill also requires DVS to include on its website a form that allows organizations that provide mental health services to veterans to submit information about the services offered to the department for potential inclusion in the required outreach and engagement.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
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 DVS will utilize existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Ross S. Goldstein, Financial Analyst

ESTIMATE REVIEWED BY: Julia K. Haramis, Unit Head
Chima Obichere, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on November 2, 2023, as Int. No. 1239 and was referred to the Committee on Veterans (the Committee). A hearing was held by the Committee on November 30, 2023, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 1239-A, will be voted on by the Committee at a hearing on December 20, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 1239-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: December 14, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1239-A:)

Int. No. 1239-A

By Council Members Lee, Gutiérrez, Restler, Brewer, Louis, Stevens, Hanif, Ung, Sanchez, Velázquez, Hudson, Avilés, Cabán, Won, Gennaro and Dinowitz.

A Local Law to amend the administrative code of the city of New York, in relation to community outreach and engagement on mental health resources for veterans

Be it enacted by the Council as follows:

Section 1. Title 31 of the administrative code of the city of New York is amended by adding a new section 31-114 to read as follows:

§ 31-114 *Outreach and engagement on mental health resources.*

a. Definitions. For purposes of this section, the term “veteran” has the same meaning as set forth in section 3101 of the charter.

b. The commissioner, in consultation with the office of community mental health and any agencies identified by the commissioner, shall conduct outreach and engagement regarding the availability of mental health resources for veterans. Such resources shall include, but need not be limited to, veteran crisis hotlines and mental health resources included in the veteran resource guide as described in section 31-108.

c. In conducting such outreach and engagement, the department shall utilize social media, internet, radio, print media, or digital kiosks, and shall advise veterans as to how to obtain additional information about mental health resources for veterans.

d. The department shall include on its website a form that allows non-profit organizations or other entities that provide mental health services to veterans to submit information about such services to the department. The commissioner may include such information in the outreach and engagement required by subdivision b of this section and in the veteran resource guide as described in section 31-108.

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

ROBERT F. HOLDEN, *Chairperson*; SANDY NURSE, KRISTIN RICHARDSON JORDAN; JOANN ARIOLA; VICKIE PALADINO; 5-0-0; *Absent*: Ari Kagan; Committee on Veterans, December 20, 2023. *Other Council Members Attending: Council Members Narcisse, Dinowitz and the Public Advocate (Mr. Williams).*

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

Report for Int. No. 1241-A

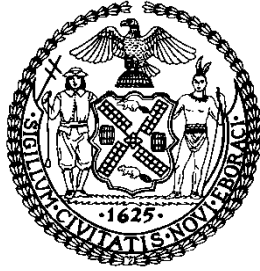
Report of the Committee on Veterans in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of veterans’ services to submit an annual report on the provision of mental health services by city agencies to veterans.

The Committee on Veterans, to which the annexed proposed amended local law was referred on November 2, 2023 (Minutes, page 2941), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Veterans for Int. No. 1237-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1239-A:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION

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

RICHARD LEE, FINANCE DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 1241-A

COMMITTEE: Veterans

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of veterans' services to submit an annual report on the provision of mental health services by city agencies to veterans.

SPONSOR(S): Council Members Narcisse, Gutiérrez, Louis, Stevens, Hanif, Sanchez, and Velázquez.

SUMMARY OF LEGISLATION: Proposed Int. No. 1241-A would require the Department of Veterans' Services (DVS) to submit to the Council, the mayor, and post on its website a report on mental health services provided by City agencies to veterans. The report will identify each agency that provides, directly or by contract, mental health services to veterans and include information on the number of veterans who requested mental health services from such agency, disaggregated by type of mental health service sought; the number of veterans who received mental health services from such agency; a summary of the methods of communication used by the agency to provide information on those mental health services; and a description of the mental health services provided by such agency to veterans. This report is due December 15, 2024 and annually thereafter.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
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 DVS will utilize existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Ross S. Goldstein, Financial Analyst

ESTIMATE REVIEWED BY: Julia K. Haramis, Unit Head
Chima Obichere, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on November 2, 2023, as Int. No. 1241 and was referred to the Committee on Veterans (the Committee). A hearing was held by the Committee on November 30, 2023, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 1241-A, will be voted on by the Committee at a hearing on December 20, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 1241-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: December 14, 2023

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1241-A:)

Int. No. 1241-A

By Council Members Narcisse, Gutiérrez, Louis, Stevens, Hanif, Sanchez, Velázquez, Avilés, Cabán, Won, Gennaro and Dinowitz.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of veterans' services to submit an annual report on the provision of mental health services by city agencies to veterans

Be it enacted by the Council as follows:

Section 1. Title 31 of the administrative code of the city of New York is amended by adding a new section 31-115 to read as follows:

§ 31-115 Report on mental health services for veterans.

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

Mental health services. The term "mental health services" means in-person or telehealth services including, but not limited to: (i) psychotherapy services; (ii) emotional and psychological counseling; (iii) psychiatric assessments to diagnose mental illness, conduct diagnosis follow-up, or coordinate clinical treatment plans; (iv) liaising with or providing referrals to emergency medical or psychiatric care providers; or (v) medication monitoring or management.

Veteran. The term "veteran" has the same meaning as set forth in section 3101 of the charter.

b. No later than December 15, 2024, and annually thereafter, the department shall submit to the speaker of the council and the mayor and post on the website of the department a report on mental health services provided by

agencies to veterans. Such report shall identify each agency that provides, directly or by contract, such services to veterans and shall include, for the preceding fiscal year, the following information for each agency:

1. The number of veterans who requested mental health services from such agency, disaggregated, to the extent practicable, by the type of mental health service sought;
2. The number of such veterans who received mental health services from such agency;
3. A summary of any methods of communication used by such agency to provide information about mental health services to veterans, including, but not limited to, advertisements, pamphlets, brochures, posters, flyers, hotlines, webpages, in-person communications, electronic mail, social media, or other web application; and
4. A description of the mental health services provided by such agency to veterans.

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

ROBERT F. HOLDEN, *Chairperson*; SANDY NURSE, KRISTIN RICHARDSON JORDAN; JOANN ARIOLA; VICKIE PALADINO; 5-0-0; *Absent*: Ari Kagan; Committee on Veterans, December 20, 2023. *Other Council Members Attending*: Council Members Narcisse, Dinowitz and the Public Advocate (Mr. Williams).

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

Report for Int. No. 1244-A

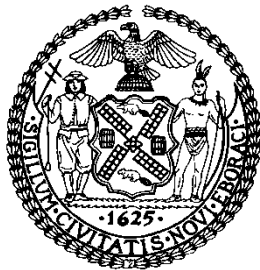
Report of the Committee on Veterans in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to an online resource tool and pamphlet for veterans.

The Committee on Veterans, to which the annexed proposed amended local law was referred on November 2, 2023 (Minutes, page 2944), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Veterans for Int. No. 1237-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 1244-A:



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

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

RICHARD LEE, FINANCE DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 1244-A

COMMITTEE: Veterans

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to an online resource tool and pamphlet for veterans.

SPONSOR(S): Public Advocate Williams and Council Members Gutiérrez, Louis, Stevens, Hanif, Sanchez, and Velázquez.

SUMMARY OF LEGISLATION: Proposed Int. No. 1244-A would require the Department of Veterans Services (DVS) to maintain and operate an online resource tool to enable a veteran or a member of their household to request assistance with accessing and obtaining resources for veterans. This bill would require DVS to maintain a link to the online resource tool on its website and require the city to ensure that a link to the online resource tool is provided on any online platform through which the city disseminates information on social services and benefits. The bill further requires that DVS develop a pamphlet that provides information on the online resource tool, the veteran resource guide, and the locations of veteran resource centers. DVS would be required to distribute this pamphlet to agencies that provide social services, council member district offices, and community board offices.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal Year 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
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 DVS will utilize existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Ross S. Goldstein, Financial Analyst

ESTIMATE REVIEWED BY: Julia K. Haramis, Unit Head
Chima Obichere, Deputy Director
Jonathan Rosenberg, Managing Deputy Director
Kathleen Ahn, Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council on November 2, 2023, as Int. No. 1244 and was referred to the Committee on Veterans (the Committee). A hearing was held by the Committee on November 30, 2023, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Int. No. 1244-A, will be voted on by the Committee at a hearing on December 20, 2023. Upon a successful vote by the Committee, Proposed Intro. No. 1244-A will be submitted to the full Council for a vote on December 20, 2023.

DATE PREPARED: December 14, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 1244-A:)

Int. No. 1244-A

By the Public Advocate (Mr. Williams) and Council Members Gutiérrez, Louis, Stevens, Hanif, Sanchez, Velázquez, Avilés Cabán, Won, Gennaro and Dinowitz.

A Local Law to amend the administrative code of the city of New York, in relation to an online resource tool and pamphlet for veterans

Be it enacted by the Council as follows:

Section 1. Title 31 of the administrative code of the city of New York is amended by adding a new section 31-116 to read as follows:

§ 31-116 Online resource tool and pamphlet for veterans.

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

Veteran. The term “veteran” has the same meaning as set forth in section 3101 of the charter.

Veteran service organization. The term “veteran service organization” means an organization, recognized by the United States department of veterans affairs pursuant to section 5902 of title 38 of the United States code, for the purpose of assisting with the claims for benefits provided by such department.

b. The department shall maintain and operate an online resource tool to enable a veteran or a member of their household to request assistance with accessing resources and obtaining services for veterans, including, but not limited to, services and resources provided by veteran service organizations, community based organizations, the department, or federal, state or local government agencies.

c. The department shall provide a link to the online resource tool described in subdivision b of this section on the website of the department.

d. The city shall ensure that a link to such online resource tool is provided on any online platform through which the city disseminates information on social services and benefits.

e. The department shall develop a pamphlet that provides information about resources and services provided by the department. Such pamphlet shall include, but need not be limited to, information about the online resource tool described in subdivision b of this section, the veteran resource guide required by section 31-108, and the locations of veteran resource centers as described in section 31-106. The department shall distribute copies of such pamphlet to agencies that provide social services, council member district offices, and community board offices.

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

ROBERT F. HOLDEN, *Chairperson*; SANDY NURSE, KRISTIN RICHARDSON JORDAN; JOANN ARIOLA; VICKIE PALADINO; 5-0-0; *Absent:* Ari Kagan; Committee on Veterans, December 20, 2023. *Others Attending:* Council Members Narcisse, Dinowitz and the Public Advocate (Mr. Williams).

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

GENERAL ORDERS CALENDAR

Report for L.U. No. 296 & Res. No. 879

Report of the Committee on Land Use in favor of approving, as modified, Application number C 220426 ZMR (541-545 Bay Street) submitted by Epsilon Enterprises Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21c, changing from a C4-2 District to an R6 District, establishing within a proposed R6 District a C2-3 District, and establishing a Special Bay Street Corridor District (BSC), Borough of Staten Island, Community District 1, Council District 49.

The Committee on Land Use, to which the annexed Land Use item was referred on December 6, 2023 (Minutes, page 3365) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

STATEN ISLAND CB-1 – TWO APPLICATIONS RELATED TO 541-545 BAY STREET

C 220426 ZMR (L.U. No. 296)

City Planning Commission decision approving an application submitted by Epsilon Enterprises Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21c:

1. changing from a C4-2 District to an R6 District property bounded by Sands Street, the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right-of-Way, Prospect Street, and Bay Street;
2. establishing within a proposed R6 District a C2-3 District bounded by Sands Street, the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right-of-Way, Prospect Street, and Bay Street; and
3. establishing a Special Bay Street Corridor District (BSC) bounded by Sands Street, the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right-of-Way, Prospect Street, and Bay Street;

as shown on a diagram (for illustrative purposes only) dated July 10, 2023, and subject to the conditions of CEQR Declaration E-722.

N 220392 ZRR (L.U. No. 297)

City Planning Commission decision approving an application submitted by Epsilon Enterprises Realty, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XIII, Chapter 5 (Special Bay Street Corridor District) to create a new Subdistrict and APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

To approve the amendment to rezone the project area from a C4-2 district to R6/C2-3 Bay Street Corridor (BSC) and amend the zoning text to create a new Subdistrict within the Special Bay Street Corridor District and to designate a Mandatory Inclusionary Housing (MIH) area, to facilitate the proposed development of an eight-story mixed-use building with ground-floor commercial space and 81 residential units in the Stapleton Neighborhood of Community District 1 in Staten Island.

PUBLIC HEARING

DATE: November 30, 2023

Witnesses in Favor: One

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: December 12, 2023

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on L.U. No. 296 and approve with modifications the decision of the City Planning Commission on L.U. No. 297.

In Favor:

Riley
Moya
Louis
Abreu
Bottcher
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: December 12, 2023

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Rivera
Louis
Riley

Against:

None

Abstain:

None

Abreu
Brooks-Powers
Bottcher
Hanks
Krishnan
Mealy
Sanchez
Borelli

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated [*date*], 2023, with the Council on [*date*], 2023, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 879

Resolution approving the decision of the City Planning Commission on ULURP No. C 220426 ZMR, a Zoning Map amendment (Preconsidered L.U. No. 296).

By Council Members Salamanca and Riley.

WHEREAS, Epsilon Enterprises Realty, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 21c, by changing from a C4-2 District to an R6 District, establishing within a proposed R6 District a C2-3 District, and establishing a Special Bay Street Corridor District (BSC), which in conjunction with the related action would facilitate the proposed development of an eight-story mixed-use building with ground-floor commercial space and 81 residential units, in the Stapleton Neighborhood of Community District 1 in Staten Island (ULURP No. C 220426 ZMR) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on November 29, 2023 its decision dated November 15, 2023 (the “Decision”) on the Application;

WHEREAS, the Application is related to application N 220392 ZRR (Pre. L.U. No. 297), a zoning text amendment to create a new Subdistrict within the Special Bay Street Corridor District and to designate a Mandatory Inclusionary Housing (MIH) area;

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

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on November 30, 2023;

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 10th, 2023 (CEQR No. 23DCP037R) (the “Negative Declaration”).

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 220426 ZMR, 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. 21c:

1. changing from a C4-2 District to an R6 District property bounded by Sands Street, the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right-of-Way, Prospect Street, and Bay Street;
2. establishing within a proposed R6 District a C2-3 District bounded by Sands Street, the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right-of-Way, Prospect Street, and Bay Street; and
3. establishing a Special Bay Street Corridor District (BSC) bounded by Sands Street, the easterly boundary line of the Staten Island Rapid Transit (SIRT) Right-of-Way, Prospect Street, and Bay Street;

as shown on a diagram (for illustrative purposes only) dated July 10, 2023, and subject to the conditions of CEQR Declaration E-722, Borough of Staten Island, Community District 1.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHEER, KAMILLAH HANKS, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, December 12, 2023.

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

Report for L.U. No. 297 & Res. No. 880

Report of the Committee on Land Use in favor of approving, as modified, Application number N 220392 ZRR (541-545 Bay Street) submitted by Epsilon Enterprises Realty, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XIII, Chapter 5 (Special Bay Street Corridor District) to create a new Subdistrict and APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Staten Island, Community District 1, Council District 49.

The Committee on Land Use, to which the annexed Land Use item was referred on December 6, 2023 (Minutes, page 3365) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Land Use for L.U. No. 296 printed above in this General Orders Calendars section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 880

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 220392 ZRR, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 297).

By Council Members Salamanca and Riley.

WHEREAS, Epsilon Enterprises Realty, LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Article XIII, Chapter 5 (Special Bay Street Corridor District), to create a new Subdistrict, and APPENDIX F, for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would facilitate the development of an eight-story mixed-use building with ground-floor commercial space and 81 residential units in the Stapleton Neighborhood of Community District 1 in Staten Island (ULURP No. N 220392 ZRR), (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on November 29, 2023, its decision dated November 15, 2023 (the “Decision”) on the Application;

WHEREAS, the Application is related to application C 220426 ZMR (Pre. L.U. No. 296), a zoning map amendment Section No. 21c, to change a C4-2 District to a R6 District, establish a C2-3 District within the proposed R6 District, and extend the Special Bay Street Corridor District (BSC) one block south;

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 30, 2023;

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 10th, 2023 (CEQR No. 23DCP037R) (the “Negative Declaration”).

RESOLVED:

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

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 220392 ZRR, 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 XIII SPECIAL PURPOSE DISTRICTS

Chapter 5 Special Bay Street Corridor District

135-00 GENERAL PURPOSES

* * *

135-03 Subdistricts

In order to carry out the purposes and provisions of this Chapter, ~~five~~ six subdistricts are established as follows:

Subdistrict A
 Subdistrict B
 Subdistrict C
 Subdistrict D
 Subdistrict E
Subdistrict F

* * *

135-00 SPECIAL USE REGULATIONS

* * *

135-11 Ground Floor Use Regulations

For the purposes of applying to this Chapter the special #ground floor level# streetscape provisions set forth in Section 37-30, any portion of a #ground floor level# #street# frontage along Bay Street, as well as any #ground floor level# #street# frontage within 50 feet of Bay Street or along Prospect Street, shall be considered a #primary street frontage#. A #ground floor level# #street# frontage along any other #street# shall be considered a #secondary street frontage#. For the purposes of this Section, inclusive, defined terms shall include those in Sections 12-10 and 37-311.

* * *

135-20
SPECIAL BULK REGULATIONS

* * *

135-21
Special Floor Area Regulations

* * *

For #zoning lots# with #buildings# containing multiple #uses# or for #zoning lots# with multiple #buildings# containing different #uses#, the maximum #floor area ratio# for each #use# shall be as set forth in the table, and the maximum #floor area ratio# for the #zoning lot# shall not exceed the greatest #floor area ratio# permitted for any such #use# on the #zoning lot#.

MAXIMUM FLOOR AREA RATIO

	Column 1	Column 2	Column 3	Column 4	Column 5
Subdistrict, or Subarea, as applicable	For #commercial# #uses# other than offices	For offices	For #residences# other than #MIH sites# and #affordable independent residences for seniors#	For #MIH sites# and #community facility uses# other than #long-term care facilities#	For #affordable independent residences for seniors# or #long-term care facilities#
E	2.0	2.0	2.0	2.2	2.2
<u>E</u>	<u>2.0</u>	<u>2.0</u>	<u>3.0</u>	<u>3.6</u>	<u>3.9</u>

* * *

135-24
Special Street Wall Location Regulations

The underlying #street wall# location provisions are modified by the provisions of this Section.

(a) Along Bay Street or Prospect Street

Along Bay Street or Prospect Street, and along #streets# within 50 feet of their intersection with Bay Street, the following #street wall# regulations shall apply:

* * *

135-25
Special Height and Setback Regulations

* * *

MAXIMUM BASE HEIGHTS AND MAXIMUM BUILDING HEIGHTS

Subdistrict or Subarea, as applicable	Minimum Base Height (in feet)	Maximum Base Height (in feet)	Maximum Transition Height (in feet)	Maximum Height of #Buildings or Other Structures# in Certain Locations (in feet)	Maximum Number of #Stories#
* * *					
E	30	45	N/A	55	5
<u>F</u>	<u>40</u>	<u>65</u>	<u>N/A</u>	<u>85</u>	<u>8</u>

* * *

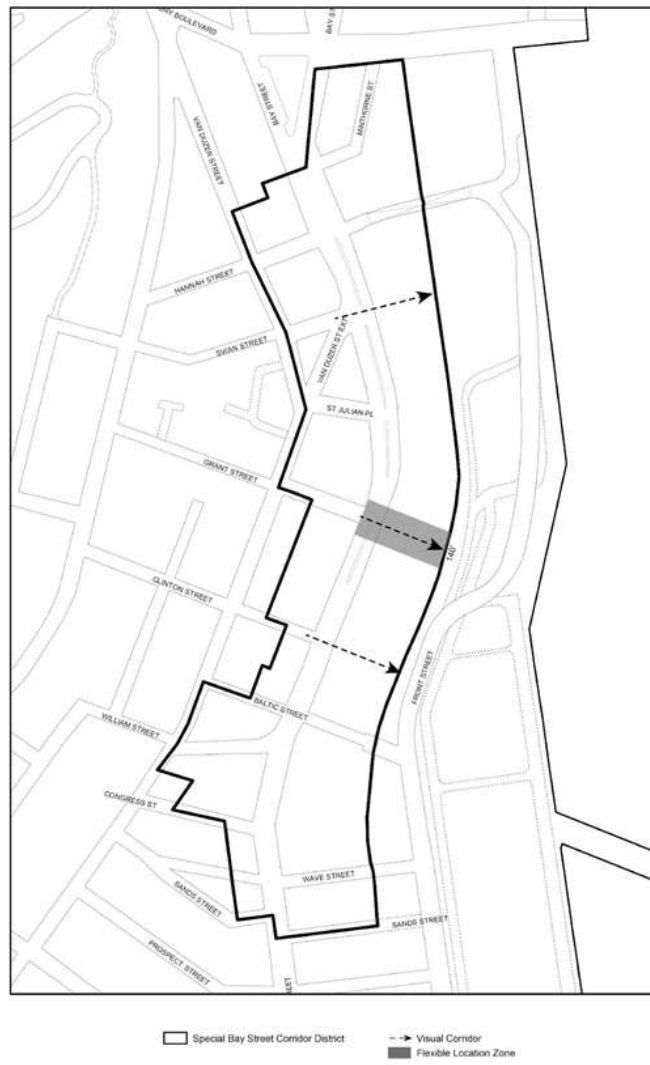
APPENDIX A**SPECIAL BAY STREET CORRIDOR DISTRICT****Map 1 – Special Bay Street Corridor District, Subdistricts and Subareas**

[illegible]

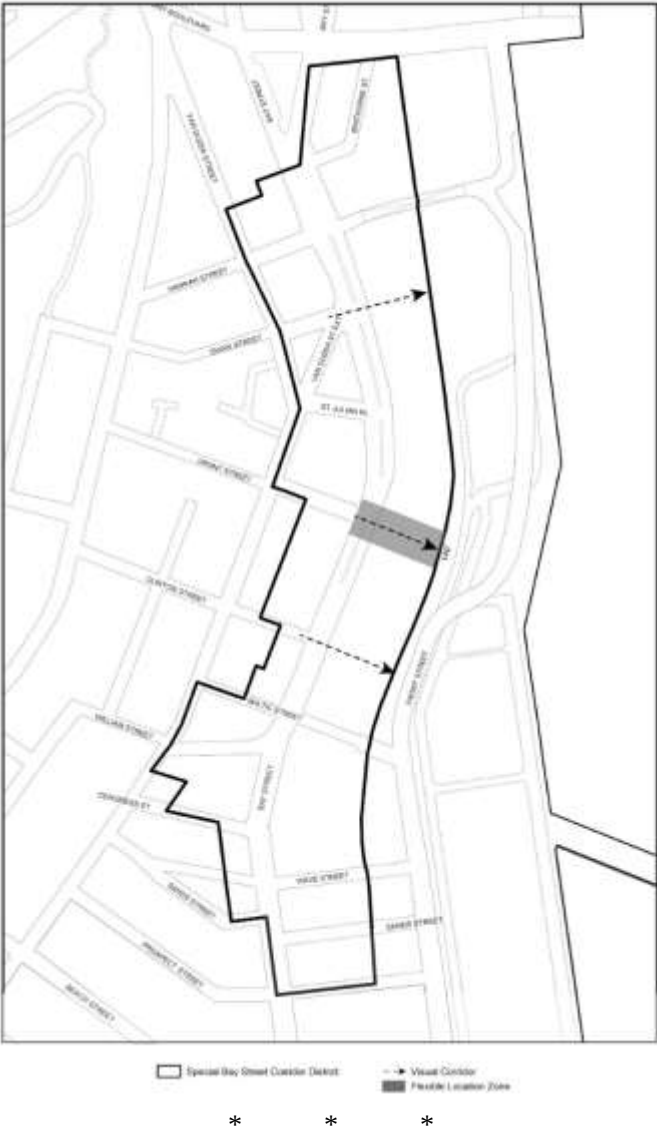
[illegible]

Map 2 – Location of visual corridors

[EXISTING MAP]



[PROPOSED MAP]



APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

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STATEN ISLAND

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Staten Island Community District 1

*

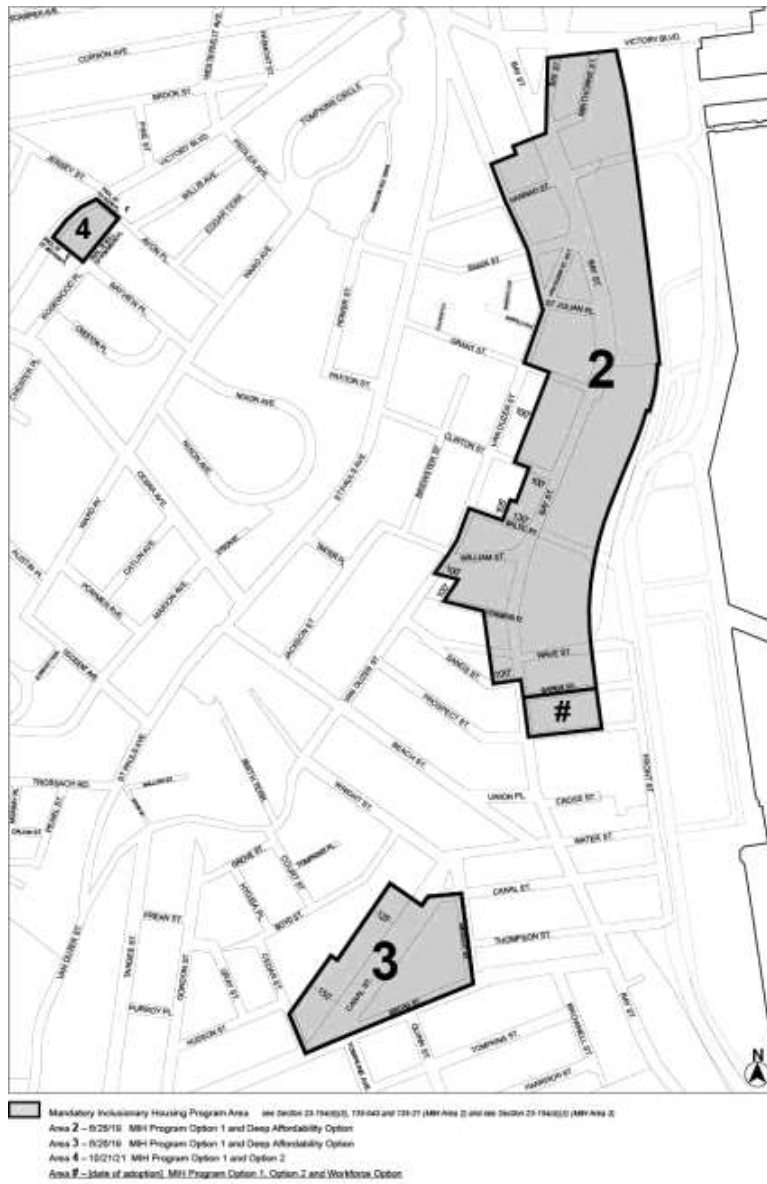
*

*

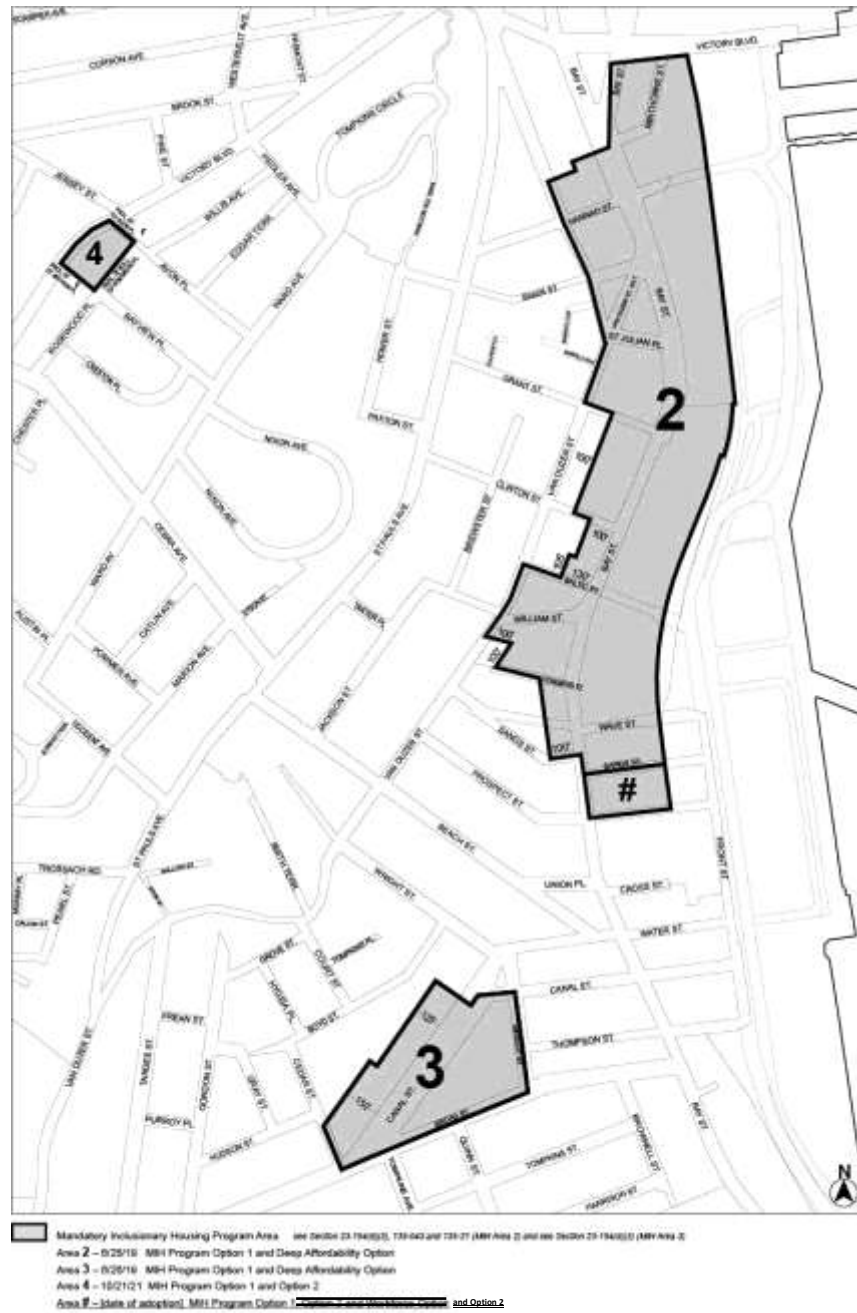
Mandatory Vacate Housing Program Area

Area 1 – 000118: BHI Program Option 1 and Deep Affordability Option
 Area 2 – 000118: BHI Program Option 1 and Deep Affordability Option
 Area 3 – 000121: BHI Program Option 1 and Option 2

[PROPOSED MAP]



[COUNCIL MODIFIED MAP]



Portion of Community District 1, Staten Island

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, SHAUN ABREU, ERIK D. BOTTCHEER, KAMILLAH HANKS, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, December 12, 2023.

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

Resolution approving various persons Commissioners of Deeds.

By the Presiding Officer –

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

<i>Approved New Applicants</i>		
<i>Name</i>	<i>Address</i>	<i>District #</i>
BENJAMIN JAMES	800 5th Ave, Apt 6B New York, New York 10065	4
NANCY PRENSA	2966 Briggs Ave, Apt 1G Bronx, New York 10458	11
LAMARANA SUWAREH	2980 Park Ave, Apt 12B Bronx, New York 10451	17
LINDITA ZORAQI	29-16 21st Ave, Apt 37 Queens, New York 11105	22
VAELI NEVIL	147-36 94th Ave, Apt 15G Queens, New York 11435	27
ESTHER PARK	85-28 65th Drive Queens, New York 11374	29
HENRY DEAN LACHMAN	679 Myrtle Ave Brooklyn, New York 11205	33
ADEMOLA WASIU BELLO	45 North Elliott Place, Apt 6A Brooklyn, New York 11205	35
MEIZI XIONG	5720 6th Ave Brooklyn, New York 11220	38
NICHOLAS HOWELL	287 Clinton Street Brooklyn, New York 11201	39
NICHOLAS VENDURAS	227 Ocean Pkwy, Apt 7J Brooklyn, New York 11218	39
ALESSANDRA MULARONI	607 Bainbridge Street Brooklyn, New York 11233	41
DAJAH LAWRENCE	827 E. New York Ave, Apt 2F Brooklyn, New York 11203	41

ADIP VORA	2580 Ocean Pkwy, Apt 5E Brooklyn, New York 11235	47
JESSICA MEI	2352 W 11th Street Brooklyn, New York 11223	47
STEVEN WELSOME	9 Kingsbridge Ave Staten Island, New York 10314	50
STEPHANIE TOMA	7 Joline Ave Staten Island, New York 10307	51
YAN ZHAO	18 Melrose Pl Staten Island, New York 10308	51

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

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

- | | |
|------------------------------|---|
| (1) Int. No. 3-A - | Responding to students in emotional crisis in public schools. |
| (2) Int. No. 145-A - | Department of Sanitation to remove fallen tree limbs, branches, and vegetation that obstruct streets and sidewalks as a result of severe weather. |
| (3) Int. No. 532-A - | Installing pumpout facilities to establish the coastal waters of the city as no-discharge zones. |
| (4) Int. No. 538-A - | New York Police Department to report on instances in which an individual denied an officer consent to a search. |
| (5) Int. No. 542-A - | Department of Education and the Administration for Children's Services to report on educational programming for juvenile delinquents, juvenile offenders, and adolescent offenders. |
| (6) Int. No. 549-A - | Banning solitary confinement in city jails and establishing standards for the use of restrictive housing and emergency lock-ins. |
| (7) Int. No. 563-A - | Private right of action to enforce the provisions of the Earned Safe and Sick Time Act. |
| (8) Int. No. 585-A - | Body-worn camera footage of the police department to the department of investigation. |
| (9) Int. No. 586-A - | Police Department to report on police-civilian investigative encounters. |
| (10) Int. No. 632-A - | Prohibiting housing discrimination on the basis of criminal history. |
| (11) Int. No. 638-A | Use of large donations received by the police department. |

- (12) **Int. No. 781-A -** Police Department to report on the justification for the stop in vehicle encounter reports.
- (13) **Int. No. 944-A -** Evaluation of civil actions alleging improper conduct by the police department.
- (14) **Int. No. 946-A -** Mental health coordinator to inform city employees about mental health support and services.
- (15) **Int. No. 948-A -** New York City Police Department to report information and data regarding the department operations.
- (16) **Int. No. 1011-A** Information on the reduced fare programs to persons issued a summons for fare evasion.
- (17) **Int. No. 1048-A -** Establishment of a document vault to store certain procurement-related documents.
- (18) **Int. No. 1131-A -** Outreach to unlicensed mobile car wash operators and authorizing seizure for certain mobile car washes, and to repeal certain educational outreach requirements.
- (19) **Int. No. 1139-A -** Advertising on the interior of for-hire vehicles.
- (20) **Int. No. 1153-A** Removals involving individuals experiencing homelessness and the outcomes for those individuals.
- (21) **Int. No. 1161-A -** Allowing reusable beverage containers in sports venues.
- (22) **Int. No. 1203-A -** Department of Correction to provide a letter of incarceration to all individuals as they leave the department's custody.
- (23) **Int. No. 1237-A -** Collection of demographic data on veterans.
- (24) **Int. No. 1239-A -** Community outreach and engagement on mental health resources for veterans.

- (25) **Int. No. 1241-A -** Commissioner of Veterans' Services to submit an annual report on the provision of mental health services by city agencies to veterans.
- (26) **Int. No. 1244-A -** Online resource tool and pamphlet for veterans.
- (27) **Preconsidered Int. No. 1278 -** The naming of 117 thoroughfares and public places (co-naming bill).
- (28) **Preconsidered Res. No. 864 -** New designation and changes in the designation of certain organizations to receive funding in the Expense Budget (**Transparency Resolution, December 20, 2023**).
- (29) **L.U. No. 281 & Res. No. 872 -** **App. G 230036 XAM (506 West 135th Street ANCP)**, Borough of Manhattan, Community District 9, Council District 7.
- (30) **L.U. No. 282 & Res. No. 873 -** **App. G 230037 NUK (Linden Gardens – UDAAP)**, Borough of Brooklyn, Community District 5, Council Districts 37 and 42.
- (31) **L.U. No. 283 & Res. No. 874 -** **App. G 230038 XAK (Linden Gardens – Article XI)**, Borough of Brooklyn, Community District 5, Council Districts 37 and 42.
- (32) **L.U. No. 292 & Res. No. 875 -** **App. G 230040 XAK (New Penn Article XI)**, Borough of Brooklyn, Community Districts 5 and 16, Council District 42.
- (33) **L.U. No. 293 & Res. No. 876 -** **App. G 230039 XAM (West 120-126th Street Cluster)**, Borough of Manhattan, Community District 10, Council District 9.
- (34) **L.U. No. 294 & Res. No. 877 -** **App. G 230041 SCK (New 676-Seat High School Facility)**, Borough of Brooklyn, Community District 10, Council District 43, Community School District 20.
- (35) **L.U. No. 295 & Res. No. 878 -** **App. G 230042 SCQ (New 696-Seat Primary School Facility)**, Borough of Queens, Community District 7, Council District 20, Community School District 25.

- | | |
|--|--|
| (36) L.U. No. 296 &
Res. No. 879 - | App. C 220426 ZMR (541-545 Bay Street), Borough of Staten Island, Community District 1, Council District 49. |
| (37) L.U. No. 297 &
Res. No. 880 - | App. N 220392 ZRR (541-545 Bay Street), Borough of Staten Island, Community District 1, Council District 49. |
| (38) Preconsidered
L.U. No. 298 &
Res. No. 869 &
Res. No. 870 - | Sojourner Truth: Block 1841, Lot 1, 7 (with two coupled resolutions). |
| (39) Preconsidered
L.U. No. 299 &
Res. No. 871 - | Aulder Preservation Portfolio: Block 2032, Lots 5, 6, 7, 8, and 9; Block 2045, Lot 37; Block 2133, Lots 10 and 13; Manhattan; Community District No. 10 and 12; Council District No. 9 and 10. |

(40) Resolution approving various persons Commissioners of Deeds.

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

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Velázquez, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - 47.

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

The following was the vote recorded for **Int. No. 538-A**:

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - 39.

Negative – Ariola, Carr, Holden, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) - 7.

Abstention – Velázquez – 1.

The following was the vote recorded for **Int. No. 549-A**:

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **39**.

Negative – Ariola, Carr, Holden, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) - **7**.

Abstention – Velázquez - **1**.

The following was the vote recorded for **Int. No. 563-A**:

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **40**.

Negative – Ariola, Carr, Holden, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) - **7**.

The following was the vote recorded for **Int. No. 585-A**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **46**.

Abstention – Velázquez – **1**.

The following was the vote recorded for **Int. No. 586-A**:

Affirmative – Abreu, Avilés, Ayala, Barron, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Krishnan, Louis, Marte, Menin, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **35**.

Negative – Ariola, Bottcher, Carr, Holden, Paladino, Velázquez, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) - **9**.

Abstention – Lee, Moya, and Narcisse – **3**.

The following was the vote recorded for **Int. No. 632-A**:

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Krishnan, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **38**.

Negative – Ariola, Carr, Holden, Lee, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) - **8**.

Abstention – Velázquez – **1**.

The following was the vote recorded for **Int. No. 781-A**:

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **39**.

Negative – Ariola, Carr, Holden, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) – **7**.

Abstention – Velázquez – **1**.

The following was the vote recorded for **Int. No. 944-A**:

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **40**.

Negative – Ariola, Carr, Holden, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) - **7**.

The following was the vote recorded for **Int. No. 948-A**:

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Velázquez, Williams, Won, Yeger, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **41**.

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

The following was the vote recorded for **Int. No. 1011-A:**

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Velázquez, Williams, Won, Yeger, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **41**.

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

The following was the vote recorded for **Int. No. 1131-A:**

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Velázquez, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **46**.

Negative – Cabán – **1**.

The following was the vote recorded for **Int. No. 1153-A:**

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Velázquez, Williams, Won, Yeger, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **42**.

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

The following was the vote recorded for **Int. No. 1161-A:**

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **40**.

Negative – Ariola, Carr, Holden, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) – **7**.

The following was the vote recorded for **Preconsidered Int. No. 1278**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Velázquez, Vernikov, Williams, Won, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **46**.

Abstention – Yeager – **1**.

The following was the vote recorded for **Preconsidered Res. No. 864**:

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

Negative - Ariola, Carr, the Minority Leader (Council Member Borelli) - **3**.

The following was the vote recorded for **L.U. No. 296 & Res. No. 879 and L.U. No. 297 & Res. No. 880**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Velázquez, Vernikov, Williams, Won, Yeager, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **46**.

Negative – Barron – **1**.

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

Int. Nos. 3-A, 145-A, 532-A, 538-A, 542-A, 549-A, 563-A, 585-A, 586-A, 632-A, 638-A, 781-A, 944-A, 946-A, 948-A, 1011-A, 1048-A, 1131-A, 1139-A, 1153-A, 1161-A, 1203-A, 1237-A, 1239-A, 1241-A, 1244-A, and Preconsidered Int. No. 1278.

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. 241-A

Report of the Committee on Criminal Justice in favor of approving, as amended, a Resolution calling upon the New York State Legislature to pass, and the Governor to sign, the Fair and Timely Parole Act (S307/A162) and Elder Parole Act (S2423/A2035).

The Committee on Criminal Justice, to which the annexed amended resolution was referred on June 16, 2022 (Minutes, page 1536), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Criminal Justice for Int. No. 549-A printed in the Report of the Standings Committee section of these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 241-A)

Res. No. 241-A

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, the Fair and Timely Parole Act (S307/A162) and Elder Parole Act (S2423/A2035).

By Council Member Hudson, the Public Advocate (Mr. Williams) and Council Members Hanif, Brewer, Won, Avilés, Louis, Gutiérrez, Restler, Riley, Rivera, Sanchez, Joseph, Krishnan, Richardson Jordan, Ossé, Nurse, De La Rosa, Cabán, Narcisse, Farías and Marte.

Whereas, New York State's Parole Board (the Board) oversee approximately 12,000 parole hearings per year, according various sources; and

Whereas, The Board is required to consider whether parole-eligible people in custody are likely to commit future crimes upon release and whether their release will deprecate the seriousness of their crime when deciding whether to approve or deny release; and

Whereas, According to a report from the *Correctional Association of New York* (CANY), the Board has been criticized for not releasing enough incarcerated people who are up for parole; and

Whereas, CANY's analysis of the DOCCS Under Custody dataset in October 2020 found that 69% of incarcerated people were denied parole after their first hearing; and

Whereas, According to CANY's report, fifty-eight per cent of respondents to their study reported filing an appeal, with only 11% successfully appealing and being granted a de novo interview; and

Whereas, According to CANY, low parole release rates along with longer minimum sentence are reasons people are aging in New York prisons; and

Whereas, New York's aging prison population requires more expensive medical care because the aging population have many health problems and longer and more frequent hospitalizations related to their age, according to a report from the Office of the New York State Comptroller; and

Whereas, The long-term incarceration of aging people does not promote public safety as research shows people age 50 and older in New York prisons are least likely to re-offend; and

Whereas, New York parole system disparately affects Black and Latinx communities; and

Whereas, For example, between 2018 and 2020, 34 percent of Black and 33 percent Latinx parole-eligible person were approved for parole compared to 41 percent of white parole-eligible person who were approved during that same period, according to the *Albany Times Union*; and

Whereas, S307, introduced by State Senator Julia Salazar, and companion bill A162, introduced by State Assembly member David Weprin, would create a presumption of release for parole-eligible incarcerated persons unless there is a reasonable public safety reason to keep them in prison; and

Whereas, S307/A162 would ensure that the parole release process in New York is based on rehabilitation and current risk to public safety; and

Whereas, S307/A162 would also save the state roughly \$60,000 per year for every parole-eligible incarcerated individual released from prison, according to state's estimates; and

Whereas, S2423, introduced by State Senator Brad Hoylman, and companion bill A2035, introduced by State Assembly Member Maritza Davila, would establish parole consideration for people at least 55 years old who have served 15 consecutive years in prison; and

Whereas, Parole advocates, such as Release Aging People in Prison (RAPP) indicate there are now about 8,000 older adults in the New York Prison system; and

Whereas, should S2423/A2035 become law, it could help thousands of elderly people in the New York prison system; and,

Whereas, according to a report from Columbia University, together the two bills, S2423/A2035 and S307/A162, are estimated to save \$522 million annually for New York State, now, therefore be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, the Fair and Timely Parole Act (S307/A162) and Elder Parole Act (S2423/A2035).

CARLINA RIVERA, *Chairperson*; SHAUN ABREU, SHAHANA K. HANIF, MERCEDES NARCISSE, LINCOLN RESTLER, LYNN C. SCHULMAN; 6-1-0; *Negative*: David M. Carr; *Absent*: Althea V. Stevens; Committee on Criminal Justice, December 20, 2023. *Others Attending*: The Public Advocate (Mr. Williams).

Pursuant to Rule 8.50 of the Council, Majority Leader and Acting President Pro Tempore (Council Member Powers) called for a voice vote. Hearing those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Powers) declared the Resolution to be adopted.

The following 7 Council Members formally noted their intention to vote **negative** on this item:

Council Members Ariola, Carr, Holden, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli).

The following Council Member formally noted her intention to **abstain** from voting on this item:

Council Members Velázquez.

Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 473

Report of the Committee on Public Safety in favor of approving a Resolution calling on the New York State Legislature to pass, and the Governor to sign, S1099/A1963 which would protect youth during custodial police interrogation.

The Committee on Public Safety, to which the annexed resolution was referred on February 2, 2022 (Minutes, page 406), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Public Safety for Int. No. 538-A 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. 473:)

Res. No. 473

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S1099/A1963 which would protect youth during custodial police interrogation.

By Council Members Cabán, Hanif, Hudson, Richardson Jordan, Stevens, Riley, Krishnan, Brooks-Powers, Barron, Avilés, Williams, Sanchez and Won.

Whereas, Youth under the age of 18, under certain circumstances, are subject to similar conditions as adults with regard to pre-arraignment detention; and

Whereas, In New York, youth can be arrested, taken for questioning, encouraged to waive their rights, and interrogated using sophisticated tactics designed to draw out a confession; and

Whereas, Reports indicate interrogations can sometimes involve remaining in police custody for more than 24 hours without a parent or guardian or access to legal counsel; and

Whereas, Experts report that brain neural regions responsible for decision making and for managing emotional or stressful situations socioemotionally are among the last to fully develop in youths; and

Whereas, This developmental immaturity reportedly makes youths more likely to act impulsively, make decisions based on emotion, and prioritize short-term rewards over long-term consequences; and

Whereas, As a result, youths are uniquely vulnerable to unknowingly, unintelligently, or involuntarily waiving their Miranda rights and providing unreliable confessions; and

Whereas, Analyses of Miranda warnings indicate they typically include language too complicated for youths to understand, even when written explicitly with children in mind, and the majority of justice-involved youth have serious misunderstandings of at least one critical vocabulary word in the Miranda warning; and

Whereas, Many youths have, at best, a very vague sense of what an attorney does or how having one might be helpful when talking with police; and

Whereas, Even if an adolescent understands their rights, research shows that adolescent brains are too immature to make sound decisions about whether to waive their rights; and

Whereas, Youth are likely to prioritize appeasing authority figures and are susceptible to saying what they believe police want to hear; and

Whereas, According to *Behind Closed Doors: What Really Happens When Cops Question Kids*, over 90% of youth waive their Miranda rights, and once they do, are substantially more at risk for giving a false confession than are adults; and

Whereas, New York state recently enacted legislation requiring videotaping of youth interrogations, but this is insufficient as a safeguard because recording does not help youth understand their rights or prevent them from giving false confessions, nor does it prevent wrongful convictions based on false confessions; and

Whereas, While New York's Raise the Age law mandates immediate parental notification that youth have been arrested and the location where they are being detained, this safeguard has proven ineffective in practice; and

Whereas, S1099 sponsored by Senator Bailey and A1963 sponsored by Assemblymember Joyner would, among other items, prohibit the police from questioning anyone under 18 before the person has consulted with an attorney and if the child were questioned before an attorney was present, their statement would be inadmissible in court; and

Whereas, S1099/A1963 also requires officers to contact parents before a child can be moved from the location of their arrest; and

Whereas, Youth who have contact with the criminal justice system are disproportionately poor, Black and Hispanic, more likely to have a developmental disability or mental health condition, and be disconnected from school, thus these pressured split-second and uncounseled decisions can have irrevocable consequences that will impact the young person for life; 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, S1099/A1963 which would protect youth during custodial police interrogation.

KAMILLAH HANKS, *Chairperson*; JUSTIN L. BRANNAN, TIFFANY CABÁN, ERIK D. BOTTCHER, CARMEN N. De La ROSA, RITA C. JOSEPH, ALTHEA V. STEVENS; 7-2-0; *Negative*: Joann Ariola and Robert F. Holden; *Medical*: Darlene Mealy; Committee on Public Safety, December 20, 2023. *Other Council Members Attending*: Council Members Hanif, Avilés, Lee, Brooks-Powers and Feliz.

Pursuant to Rule 8.50 of the Council, Majority Leader and Acting President Pro Tempore (Council Member Powers) called for a voice vote. Hearing those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Powers) declared the Resolution to be adopted.

The following 6 Council Members formally noted their intention to vote **negative** on this item:

Council Members Ariola, Carr, Holden, Paladino, Vernikov, and the Minority Leader (Council Member Borelli).

The following Council Member formally noted his intention to **abstain** from voting on this item:

Council Member Yeger.

Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 556-B

Report of the Committee on Immigration in favor of approving, as amended, a Resolution calling on the New York State Legislature to pass and the Governor to sign A.170/S.999, also known as the Access to Representation Act, which establishes the right to legal counsel in immigration court proceedings and provides for the administration thereof.

The Committee on Immigration, to which the annexed amended resolution was referred on April 11, 2023 (Minutes, page 979), respectfully

REPORTS:

I. INTRODUCTION

On December 20, 2023, the Committee on Immigration, chaired by Council Member Shahana Hanif, held a vote on: Resolution Number 556-B (Res. 556-B), sponsored by Council Member Crystal Hudson, calling on the New York State Legislature to pass and the Governor to sign A.170/S.999, also known as the Access to Representation Act, which establishes the right to legal counsel in immigration court proceedings and provides for the administration thereof. A prior version of this bill was heard on April 28, 2023. Res. 556-B was approved by the Committee by a vote of five in the affirmative and zero in the negative.

II. BACKGROUND

a. Immigration Legal Proceedings

Removal proceedings begin when the U.S. Department of Homeland Security (DHS) files a Notice to Appear (NTA) with the immigration court after it is served on the noncitizen, who is called a respondent in immigration proceedings.¹ Removal proceedings take place in immigration court, before an immigration judge, an attorney whom the Attorney General appoints as an administrative judge within the U.S. Department of Justice, Executive Office for Immigration Review, Office of the Chief Immigration Judge.² The parties in removal proceedings are the noncitizen and DHS, who is represented by an attorney referred to as “the Assistant Chief Counsel,” “the DHS attorney,” or “the government attorney.”³

In a removal proceeding, an immigration judge determines a noncitizen’s removability or deportability from the United States and adjudicates “applications for relief from removal or deportation, including, but not limited to, asylum, withholding of removal, protection under the Convention Against Torture, cancellation of removal, adjustment of status, registry, and certain waivers.”⁴ DHS bears the evidentiary burden of establishing “alienage” (in the case of a noncitizen present in the United States without being admitted or paroled) or the noncitizen’s deportability from the United States (when the respondent is a lawful permanent resident).⁵ Once the immigration judge determines removability or deportability, the noncitizen bears the burden of proving eligibility for relief from removal.⁶

There is no right to representation for noncitizens in immigration court. A respondent in removal proceedings may appear without representation (“pro se”) or with representation from a practitioner authorized to provide representation under federal regulations.⁷ Immigrants who obtain legal representation are much likelier to win release from detention and prevail in their removal proceedings. Represented immigrants in detention who had a hearing to determine their ability to be released from DHS custody were four times more likely to be released from detention.⁸ Moreover, “detained immigrants with representation, when compared to their unrepresented counterparts, were ten-and-a-half times more likely to succeed” in terminating their removal proceedings or obtaining a grant of relief from removal or deportation.⁹ Finally, “immigrants who were never detained were three-and-a-half times more likely to succeed” in their immigration court proceedings.¹⁰

b. Growing Backlog

Since the summer of 2022, New York City has seen a significant increase in migrants and asylum seekers seeking care, with almost 140,000 coming to New York.¹¹ This has also been reflected in the increasing number of cases pending in New York immigration courts.¹² Although there has been an increase in cases in immigration courts across the country, New York City remains a top destination for asylum seekers and migrants.¹³ In August 2023, there were 14,084 NTAs received in New York City, compared to the second most preferred destination,

¹ 8 C.F.R. §§ 1003.13, 1003.14.

² *Id.* § 1001.1.

³ Immigration Court Practice Manual, Chapter 4.3 - References to Parties and the Immigration Judge, Executive Office for Immigration Review, U.S. Department of Justice, available at <https://www.justice.gov/eoir/reference-materials/ic/chapter-4/3>.

⁴ Immigration Court Practice Manual, Chapter 1.4 - Jurisdiction and Authority, Executive Office for Immigration Review, U.S. Department of Justice, available at <https://www.justice.gov/eoir/reference-materials/ic/chapter-1/4>.

⁵ *Woodby v. INS*, 385 U.S. 276 (1966); 8 C.F.R. § 1240.8(a), (c).

⁶ 8 C.F.R. § 1240.8(d).

⁷ Immigration Court Practice Manual, Chapter 4.4 - Representation, Executive Office for Immigration Review, U.S. Department of Justice, available at <https://www.justice.gov/eoir/reference-materials/ic/chapter-4/4>.

⁸ Ingrid Eagly & Steven Shafer, Am. Immigration Council, Access to Counsel in Immigration Court 17 (2016), available at https://www.americanimmigrationcouncil.org/sites/default/files/research/access_to_counsel_in_immigration_court.pdf.

⁹ *Id.* at 19.

¹⁰ *Id.*

¹¹ NYC Office of the Mayor. *New York City Hosts Eighth Annual “Cities for Action” Convening Focused on National Asylum Seeker Response*. NYC.GOV. (December 4, 2023). Available at: <https://www.nyc.gov/office-of-the-mayor/news/922-23/new-york-city-hosts-eighth-annual-cities-action-convening-focused-national-asylum-seeker/#/0>.

¹² *Immigration Court Backlog*, TRAC IMMIGRATION. Available at: <https://trac.syr.edu/phptools/immigration/backlog/> (Accessed on December 15, 2023.)

¹³ *Top County Destinations for Asylum Seekers*. TRAC IMMIGRATION. (June 21, 2023). Available at: <https://trac.syr.edu/reports/720/>

Houston, where 6,178 NTAs were received.¹⁴ New York continues to face a growing backlog of cases in immigration court. According to data gathered by Syracuse University's TRAC records, for Fiscal Year (FY) 2024 300,000 cases are pending in New York immigration courts.¹⁵ Pending cases have almost doubled since FY 2021, which had just over 160,000 cases.¹⁶ Additionally, more than half of the cases in the FY 2024 backlog do not have legal representation.¹⁷ The percentage of cases without legal representation in New York immigration courts has steadily increased since FY 2019, when only 14% of cases did not have legal representation.¹⁸ Between FY 2022 and FY 2023, the percentages of cases without legal representation jumped from 29% to 50%.¹⁹ In a closer look at the current pending cases without legal representation in New York based on the immigrant's address, New York County ranks in the top 7 lowest in the counties across the state, with only 24.6% represented out of roughly 24,000 cases.²⁰ Compared to Queens County with about 84,000 pending cases, about 53% have legal representation, and Kings County with almost 69,000 pending cases, about 52% have legal representation.²¹

c. Funding

In New York City there are a few funding streams that support organizations and initiatives that deal with immigration removal proceedings, such as the New York Immigrant Family Unity Project, which "is the first and largest public defender program in the country for detained immigrants facing deportation."²² The program commenced in 2013 with an initial investment from New York City Council and continues to receive funding from the city and the state each year.²³ Additionally, the city continues to support initiatives and organizations that provide legal counsel in removal proceedings, including the Immigrant Opportunities Initiative and Unaccompanied Minors and Families.²⁴ Funding for programs providing legal counsel in removal proceedings, however, is at risk in New York City. In the November 2023 Financial Plan's Program to Eliminate the Gap (PEG), the funding for the Rapid Response Legal Collective program under the Mayor's Office of Immigrant Affairs is being reduced.²⁵

In 2022, Governor Hochul announced \$3 million in funding for Catholic Charities, New York Legal Assistance Group, and Immigrant Advocate Response Collaborative.²⁶ This funding is administered over three years and includes funding for deportation defense.²⁷ This funding is added to the annual \$13 million provided by the state's Office for New Americans to legal providers to provide legal services, including representation.²⁸ As the number of immigrants requiring legal representation grows, however, affordable resources are becoming scarcer, and advocates and providers are calling for New York State to fully fund legal services for immigrants.²⁹ In testimony for the NYC Council's Committee on Immigration's hearing related to Legal Services for Asylum

¹⁴ *Record Number of New Immigration Court Cases Arrive in August; Destinations for Asylum Seekers Shifting*. TRAC IMMIGRATION. (September 20, 2023). Available at: <https://trac.syr.edu/reports/729/>

¹⁵ *Supra* note 11

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Pending Court Cases by Immigrant's Address*. TRAC IMMIGRATION. Available at: <https://trac.syr.edu/phptools/immigration/addressrep/>. (Accessed on December 15, 2023.)

²¹ *Id.*

²² Vera Institute of Justice. *Universal Representation for Detained Immigrants Facing Deportation in New York State*. The New York Immigrant Family Unity Project. Available at: <https://www.vera.org/ending-mass-incarceration/reducing-incarceration/detention-of-immigrants/new-york-immigrant-family-unity-project>. (Accessed on December 15, 2023.)

²³ *Id.*

²⁴ The Council of the City of New York. *Fiscal Year 2024 Adopted Expense Budget Adjustment Summary*. (June 30, 2023). Available at: <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2023/08/Fiscal-2024-Schedule-C-Merge-Final.pdf>.

²⁵ Mayor's Office of Management and Budget. *Program to Eliminate the Gap (PEG)*. (November 2023). Available at: <https://www.nyc.gov/assets/omb/downloads/pdf/peg11-23.pdf>

²⁶ New York State Governor Hochul News. *Governor Hochul Announces Legal Services Program to Aid Newly Arrived Immigrants in New York City*. (November 30, 2022). Available at: <https://www.governor.ny.gov/news/governor-hochul-announces-legal-services-program-aid-newly-arrived-immigrants-new-york-city>

²⁷ *Id.*

²⁸ *Id.*

²⁹ New York Immigration Coalition. *Legal Service Funding*. Available at: <https://www.nycic.org/our-work/campaigns/legal-service-funding/>. (Accessed on December 15, 2023.)

Seekers, the Immigration and Nationality Law Committee of the New York City Bar Association called for an increase in funding to legal service providers to support legal representation for all immigrants in removal proceedings.³⁰

III. RES. NO. 556 AMENDMENTS

On April 28, 2023, the Committee on Immigration considered Res. 556 at a joint hearing with the Committee on Governmental Operations. The Committees received testimony from the Mayor's Office of Immigrant Affairs, Human Resources Administration, the Department of Consumer and Worker Protection, Assembly Member Kenny Burgos, the NYC Public Advocate, immigration and housing advocates, and members of the public.

After the hearing, Res. 556 was amended to include positions from the New York State and American Bar Associations regarding funding needed to support access to legal representation for immigrants in removal proceedings. Res. 556 was also amended to include various initiatives in New York City that provide access to counsel in removal proceedings. Additionally, Res. 556 was amended to accurately reflect the growing backlog for cases in immigration court, the number of cases without legal representation, the updated number of asylum seekers and migrants in New York, and the recent budget cuts to immigration legal services being made in the November 2023 Financial Plan.

IV. RES. 556-B LEGISLATIVE ANALYSIS

The resolution calls on the New York State Legislature to pass and the Governor to sign A.170/S.999, also known as the Access to Representation Act, which would establish a right to legal counsel for immigrants in removal proceedings in New York immigration courts who meet income requirements. The Act would also establish consistent funding streams for immigration legal services. The passage of the Act would make New York the first state in the nation to guarantee this right to counsel. Immigrants in removal proceedings are responsible for obtaining and paying for counsel in order to defend their right to remain in the United States. Immigrants often represent themselves even though the government will be represented by an attorney. Without legal representation, immigrants defending themselves against removal in New York immigration courts have a low success rate, compared to those represented by a lawyer who has knowledge of complex immigration law. The passage of this legislation would support long-term legal services for the influx of asylum seekers and migrants to New York City.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 556-B:)

Res. No. 556-B

Resolution calling on the New York State Legislature to pass and the Governor to sign A.170/S.999, also known as the Access to Representation Act, which establishes the right to legal counsel in immigration court proceedings and provides for the administration thereof.

By Council Member Hudson, the Public Advocate (Mr. Williams) and Council Members Hanif, Abreu, Richardson Jordan, Restler, Ung, Brewer, Louis, Riley, Avilés, De La Rosa, Sanchez, Cabán and Won.

Whereas, The Sixth Amendment to the United States Constitution Assistance to Counsel clause provides criminal defendants with the right to counsel even if they are unable to afford an attorney; and

³⁰ Immigration and Nationality Law Committee, Dorian Rojas, and Ludivine Van der Heyden. *Written Testimony on "Oversight: legal services for asylum seekers in New York City."* (October 18, 2023). Available at: <https://www.nycbar.org/member-and-career-services/committees/reports-listing/reports/detail/testimony-oversight-legal-services-for-asylum-seekers-in-new-york-city>

Whereas, Immigrants facing removal proceedings under federal immigration law are not protected by the Sixth Amendment and are not provided a government-paid lawyer in immigration court; and

Whereas, In 2017 the American Bar Association (ABA) called for both a federally funded system of appointed counsel for indigent respondents in removal proceedings as well as for states and localities to provide such counsel until the federal government does so; and

Whereas, In 2019 the New York State Bar Association (NYSBA) approved a resolution supporting the ABA position that there should be a federally funded system of appointed counsel for indigent respondents in removal proceedings, but urging the New York State Legislature to act in the meantime; and

Whereas, Immigrants and their families subject to deportation are responsible for the expense of counsel, locating a non-profit for legal support, or representing themselves even though the government will be represented by a professional attorney; and

Whereas, According to a *Fordham University Law Review* study, immigrants in New York immigration court without legal representation have a three percent success rate in defending their right to remain in the United States; and

Whereas, A study by the *University of Pennsylvania Law School* revealed immigrants in removal proceedings are over ten times more likely to win their case to remain in the United States when represented by a lawyer; and

Whereas, Commencing with a \$500,000 investment by the New York City Council in 2013, the New York Immigrant Family Unity Project (NYIFUP) provides legal representation to indigent immigrants in removal proceedings in New York City and State; and

Whereas, New York City Council continues to provide immigrants in New York with access to counsel in deportation proceedings by funding various initiatives including NYIFUP, the Immigrant Children Advocates Response Effort (ICARE), the Immigrant Opportunity Initiative (IOI), and others; and

Whereas, According the November 2023 Financial Plan, immigration legal services provided by the Rapid Response Legal Collective are being cut under the Mayor's Program to Eliminate the Gap; and

Whereas, According to Syracuse University's TRAC-Immigration data reports, as of October 2023, over half of the backlog of over 300,000 cases in New York Immigration Courts lack legal representation--nearly 160,000 cases of individuals; and

Whereas, Over 140,000 migrants have arrived in New York City since the summer of 2022 who need access to both immediate and long-term legal services; and

Whereas, A.170, introduced by Assembly Member Catalina Cruz and pending in the New York State Assembly, and companion bill S.999 introduced by Senator Brad Hoylman-Sigal and pending in the New York State Senate, seeks to amend the executive law, in relation to establishing a universal right to legal counsel in immigration court proceedings; and

Whereas, In addition to establishing a universal right to counsel for indigent New Yorkers who are subject to removal proceedings under federal immigration law, A.170/S.999 establishes consistent funding streams for immigration legal services; and

Whereas, According to Vera Institute of Justice, A.170/S.999 will make New York the first state in the nation to guarantee the right to counsel for immigrants subject to removal under complex immigration law; and

Whereas, A.170/S.999 will codify elements of the New York Immigrant Family Unity Project, which provides legal representation to indigent immigrants in removal proceedings; and

Whereas, A.170/S.999 will expand representation to immigrant New Yorkers not currently covered by the New York Immigrant Family Unity Project; and

Whereas, A.170/S.999 will further establish New York as a defender of immigrant rights and dignity; 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.170/S.999, also known as the Access to Representation Act, which establishes the right to legal counsel in immigration court proceedings and provides for the administration thereof.

SHAHANA K. HANIF, *Chairperson*; CARMEN N. De La ROSA, RITA C. JOSEPH, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ; 5-0-0; *Absent*: Sandra Ung; *Medical*: Francisco P. Moya; Committee on Immigration, December 20, 2023.

Pursuant to Rule 8.50 of the Council, Majority Leader and Acting President Pro Tempore (Council Member Powers) called for a voice vote. Hearing those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Powers) declared the Resolution to be adopted.

The following 7 Council Members formally noted their intention to vote **negative** on this item:

Council Members Ariola, Carr, Holden, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli).

Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 584

Report of the Committee on Mental Health, Disabilities and Addiction in favor of approving a Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation to enter the Interstate Medical Licensure Compact, the Nurse Licensure Compact, and the Psychology Interjurisdictional Compact, to enhance the portability of medical and mental health providers to become licensed in multiple participating states.

The Committee on Mental Health, Disabilities and Addiction, to which the annexed resolution was referred on April 27, 2023 (Minutes, page 1150), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Mental Health, Disabilities and Addiction for Int. No. 946-A printed in the Reports of the Standing Committee section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 584:)

Res. No. 584

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation to enter the Interstate Medical Licensure Compact, the Nurse Licensure Compact, and the Psychology Interjurisdictional Compact, to enhance the portability of medical and mental health providers to become licensed in multiple participating states.

By Council Members Lee, Powers, Rivera, Bottcher, Riley, Louis, Menin, Ayala, Brewer, Ung, Abreu, Avilés, Velázquez, Hudson, Cabán, Hanif and Gennaro (in conjunction with the Brooklyn Borough President).

Whereas, According to the Kaiser Family Foundation, the rapid increased use of telehealth services during the COVID-19 pandemic played a critical role in meeting the needs of mental and physical health care in America; and

Whereas, Researchers in the U.S. Department of Health and Human Services found that telehealth visits significantly increased for Medicare beneficiaries as a result of waivers being expanded to include in-home visits during the pandemic due to social distancing concerns; and

Whereas, According to the Journal of the American Medical Association, during the pandemic, all medical disciplines suffered severe shortages of qualified personnel nationwide, and more than one in five healthcare workers considered reducing their hours or quitting the workforce entirely due to being overwhelmed by stress and the inability to maintain a work-life balance; and

Whereas, Staffing shortages continue to threaten the medical workforce in New York City, as evidenced by the nurses strike at Mount Sinai Hospital in Manhattan and Montifiore Medical Center in the Bronx, which began on January 4, 2023, and ended January 12, 2023, after both hospitals agreed to add nurses and improve working conditions; and

Whereas, A federal omnibus bill passed in December 2022 included critical funding to allow Staten Island University Hospital to retain 300 residency slots among “a national physician shortage” complicated by the triple-demic of COVID-19, influenza, and respiratory syncytial virus (RSV), which overwhelmed hospitals in late 2022; and

Whereas, The Association of American Medical Colleges projects an estimated loss of 124,000 physicians in both primary and specialty care by the year 2034, signaling the need to implement innovative ways of providing care, including telehealth visits, to ensure necessary service delivery; and

Whereas, While federal standards govern medical training and the U.S. Medical Licensing Examination, each state has its own licensing board and, with limited exceptions for emergency consultations, all physicians must be licensed by the state in which they choose to practice, which serves as a barrier to providing telemedicine in more than one state; and

Whereas, The Interstate Medical Licensure Compact (IMLC) is an agreement allowing physicians to become licensed in multiple participating states, thereby expanding the portability of their medical licensure in order to provide increased medical services; and

Whereas, The Nurse Licensure Compact (NLC) is a multistate license issued by a nurse’s Primary State of Residence that allows a nurse to practice in other NLC states and territories without obtaining additional licenses and, similar to a driver’s license, is recognized across state lines; and

Whereas, The Psychology Interjurisdictional Compact (PSYPACT) is an interstate agreement designed to allow licensed psychologists to practice tele-psychology and conduct temporary in-person practices across state boundaries as a means to provide services to a wider patient population; and

Whereas, New York State Senate bill S.2216, introduced by State Senator Thomas F. O’Mara, and its companion bill A.4860, introduced by New York State Assembly Member Philip A. Palmesano, would enact the IMLC to simplify the processes of allowing physicians to become licensed in multiple participating states and enhance the portability of medical licenses; and

Whereas, New York State Assembly bill A.3391, introduced by Assembly Member Daniel J. O’Donnell, would enact the IMLC and the NLC to strengthen access to healthcare by providing a streamlined process to become a licensed healthcare provider in multiples states; and

Whereas, New York State Assembly bill A.4528, introduced by Assembly Member Brian D. Miller, would enact the PSYPACT, the recognition of emergency medical services personnel licensure interstate compact, and the counseling compact model legislation, which would serve to expand the mobility of the psychology and counseling workforce; and

Whereas, Telehealth services proved invaluable to New York City residents during the pandemic, and digital medical appointments continue to serve as a safe, convenient, and innovative way to access medical and behavioral healthcare for individuals who are unable or prefer not to attend in-person healthcare visits; and

Whereas, The need for medical health professionals to have greater portability and flexibility to practice in more than one state is projected to increase in the future; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, legislation to enter the Interstate Medical Licensure Compact, the Nurse Licensure Compact, and the Psychology Interjurisdictional Compact, to enhance the portability of medical and mental health providers to become licensed in multiple participating states.

LINDA LEE, *Chairperson*, DIANA I. AYALA, TIFFANY CABÁN, SHAUN ABREU, ERIK D. BOTTCHER, SHAHANA K. HANIF, NANTASHA M. WILLIAMS; 7-0-0; *Medical*: Darlene Mealy; Committee on Mental Health, Disabilities and Addiction, December 20, 2023. *Other Council Members Attending: Council Member Hudson.*

Pursuant to Rule 8.50 of the Council, Majority Leader and Acting President Pro Tempore (Council Member Powers) called for a voice vote. Hearing those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Powers) declared the Resolution to be adopted.

The following 6 Council Members formally noted their intention to vote **negative** on this item:

Council Members Ariola, Carr, Paladino, Vernikov, Yeager, and the Minority Leader (Council Member Borelli).

Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 837

Report of the Committee on Veterans in favor of approving a Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.4717/A.3149, to authorize the New York State Department of Veterans' Services to provide eligible veterans with financial assistance for purchasing, training, and the upkeep of service dogs and emotional support dogs.

The Committee on Veterans, to which the annexed resolution was referred on November 2, 2023 (Minutes, page 2935), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Veterans for Int. No. 1237-A printed above in the Report of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 837:)

Res. No. 837

Resolution calling on the New York State Legislature to pass, and the Governor to sign, S.4717/A.3149, to authorize the New York State Department of Veterans' Services to provide eligible veterans with financial assistance for purchasing, training, and the upkeep of service dogs and emotional support dogs.

By Council Members Holden, Gutiérrez, Louis, Stevens, Hanif, Farías, Avilés, Velázquez, Ariola, Cabán, Won, Gennaro, Paladino and Vernikov.

Whereas, According to the United States (U.S.) Department of Veterans Affairs, as of September 2022, there were over 18.5 million veterans in the U.S.; and

Whereas, The New York State Department of Health (NYS DOH) estimated that as of 2021, there were 968,528 veterans in New York State (NYS), representing 6.1 percent of the state's adult population; and

Whereas, Per the NYS DOH, in New York City, as of 2021, there were 282,664 veterans, accounting for 4.2 percent of the city's adult residents; and

Whereas, The impacts of military service on psychological health are complex, and as a result, veterans tend to suffer from substance and alcohol use/misuse, military sexual trauma, behavioral issues, and mental health disorders, including Post-Traumatic Stress Disorder (PTSD), at higher rates than non-veterans; and

Whereas, According to the 2021 Behavioral Risk Factor Surveillance System (BRFSS) report on veterans' health by the NYS DOH, veterans in NYS experience a higher prevalence of disabilities than non-veterans; and

Whereas, Thus, per the NYS DOH, in 2021, 37 percent of veterans in NYS reported at least one disability in contrast with 25.9 percent of non-veterans; and

Whereas, Moreover, as of 2021, the rates of smoking were higher among veterans than non-veterans in NYS, at 14.9 percent and 11.9 percent, respectively, and contrasted with 12 percent among all adults in the state; and

Whereas, Furthermore, as of 2021, 14.6 percent of veterans in NYS were engaging in binge or heavy drinking, and the prevalence of this problem was even higher among veterans aged 18 to 64 years, at 22.3 percent; and

Whereas, Also, in 2021, 9.3 percent of veterans in NYS reported poor self-assessed mental health; and

Whereas, Additionally, during 2021, 14.4 percent of veterans in NYS had a depressive disorder diagnosis, and this rate was elevated among veterans between the ages of 18 and 64 years, at 18.3 percent; and

Whereas, According to an October 2021 report by the New York State Health Foundation, data collected between 2015 and 2018 revealed that approximately 10 percent of veterans in NYS reported ever receiving treatment for substance or alcohol use/misuse, which was double the rate among non-veterans of 5 percent; and

Whereas, Per the same 2021 report by the New York State Health Foundation, survey data from 2015 to 2018 showed that about 6 percent of veterans in NYS experienced serious psychological distress in the past 12 months; and

Whereas, In addition, 20 percent of veterans in NYS reported feeling sad, empty, or depressed for several days or longer; and

Whereas, The New York State Health Foundation's 2021 report also highlighted that the incidence of Post-Traumatic Stress Disorder (PTSD) among veterans was double the rate as among non-veterans, at 12.9 percent and 6.8 percent, respectively; and

Whereas, Moreover, the New York State Health Foundation stressed that in 2019, 156 veterans died by suicide in NYS, and that compared with the general population in the state, veterans die by suicide at a much higher proportion—at twice the non-veterans' rate in 2019; and

Whereas, According to the U.S. Department of Veterans Affairs (VA), in 2020, 143 veterans died by suicide in NYS, representing the rate of 19.2 per 100,000 veterans and contrasted with the state's general population's rate of 10.5 per 100,000 NYS residents; and

Whereas, A meta-review of research on benefits and efficacy of Animal-Assisted Therapies (AAT) cited by the VA demonstrates that AAT can be an effective treatment for mental, mood, and behavioral disorders, including PTSD, anxiety, depression, schizophrenia, and alcohol and substance use/misuse, can increase social engagement and improve quality of life, self-efficacy, and ability to cope, as well as can yield significant therapeutic benefits for people with acquired brain injury and cognitive impairment; and

Whereas, The VA's 2015 Healthcare Analysis Information Group survey found that 52 percent of VA healthcare systems offer AAT for veterans, an increase from 25 percent in 2011; and

Whereas, To meet veterans' therapeutic need for AAT, State Senator James Sanders Jr. introduced S.4717 in the NYS Senate, and Assembly Member Pamela J. Hunter introduced companion bill A.3149 in the NYS Assembly, which would authorize the NYS Department of Veterans' Services to provide eligible veterans with financial assistance for purchasing, training, and the upkeep of service dogs and emotional support dogs; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S.4717/A.3149, to authorize the New York State Department of Veterans' Services to provide eligible veterans with financial assistance for purchasing, training, and the upkeep of service dogs and emotional support dogs.

ROBERT F. HOLDEN, *Chairperson*; SANDY NURSE, KRISTIN RICHARDSON JORDAN; JOANN ARIOLA; VICKIE PALADINO; 5-0-0; *Absent*: Ari Kagan; Committee on Veterans, December 20, 2023. *Others Attending: Council Members Narcisse, Dinowitz and the Public Advocate (Mr. Williams).*

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

Adopted unanimously by the Council by voice-vote.

At this point, the Speaker (Council Member Adams) announced that the following item had been **preconsidered** by the Committee on Cultural Affairs, Libraries and International Intergroup Relations and had been favorably reported for adoption.

Report for voice-vote item Res. No. 863

Report of the Committee on Cultural Affairs, Libraries and International Intergroup Relations in favor of approving a Resolution condemning recent attacks on members of the Sikh community in the City of New York and seeking a swift end to any discrimination against Sikh New Yorkers.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations, to which the annexed resolution was referred on December 20, 2023, respectfully

REPORTS:

On Wednesday, December 20, 2023, the Committee on Cultural Affairs, Libraries and International Intergroup Relations, chaired by Council Member Chi Ossé, held a vote on Preconsidered Resolution Number 863 (Res. No.), sponsored by The Speaker (Council Member Adrienne Adams), condemning recent attacks on members of the Sikh community in the City of New York and seeking a swift end to any discrimination against Sikh New Yorkers. The Committee originally heard the Preconsidered Res. on December 13, 2023. At that hearing, the Committee received testimony on a variety of topics from the Department of Cultural Affairs (DCLA), various arts and cultural organizations, community groups, and community members.

The Committee on Cultural Affairs, Libraries and International Intergroup Relations passed the resolution by a vote of eight in the affirmative, zero in the negative, and zero abstentions.

Accordingly, this Committee recommends its adoption.

(The following is the text of Preconsidered Res. No. 863:)

Preconsidered Res. No. 863

Resolution condemning recent attacks on members of the Sikh community in the City of New York and seeking a swift end to any discrimination against Sikh New Yorkers.

By The Speaker (Council Member Adams) and Council Members Yeger, Velázquez, Cabán, Won, Hanif, Restler, Gennaro, Dinowitz and Rivera.

Whereas, Sikhism is a religion originating in the Punjab region of the Indian subcontinent in 1469, which follows the teachings of Guru Nanak and whose tenets include social equality, service to others, and devotion to God; and

Whereas, Following the annexation by the British of the Punjab province in 1849, in hopes of securing a better economic future, some Sikhs with a background in agriculture immigrated to the United States (U.S.); and

Whereas, According to the University of California at Davis, during the 1940s, due to discrimination and xenophobia against many Asian immigrants, Sikhs were met with newly enacted discriminatory laws branding most immigrants ineligible from holding leases on agricultural lands or securing U.S. citizenship; and

Whereas, These restrictions caused Sikh immigrants to secure employment as laborers for railroad construction projects and lumber mills and eventually to accept work as farm laborers; and

Whereas, According to the University of California at Davis, despite their significant contributions to building the infrastructure of America, a fundamental misunderstanding and mistrust of Sikhs by white Americans have led to acts of violence and discrimination against many Sikh communities since their arrival in the 19th century; and

Whereas, One memorable example of violence against Sikhs came in 1907, when a crowd of 600 white men drove 400 Sikh Americans out of Bellingham, Washington; and

Whereas, Almost 95 years later, the Sikh Coalition, an advocacy group, was founded in New York City (NYC) on the night of 9/11, as a result of an assault on an elderly Sikh man and two teenagers and in anticipation of the coming ill-informed backlash against the Sikh community, with a goal of raising awareness about Sikh Americans and defending their civil rights; and

Whereas, Despite the fact that Sikhism is the world's fifth-largest religion, with more than 25 million followers worldwide and about 500,000 in the U.S. today, a 2015 national survey conducted in the U.S. by Hart Research Associates found that about 60 percent of Americans admitted they knew nothing at all about Sikh Americans; and

Whereas, According to the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting Program publication *Hate Crime Statistics, 2020*, total hate crimes in 2020 were at their highest since 2008 and were thought to be underreported; and

Whereas, According to *Hate Crime Statistics, 2020*, there were 67 anti-Sikh hate crimes, an increase of 37 percent over 2019; and

Whereas, In response to the upward trend in FBI figures, Sim J. Singh Attariwala, Sikh Coalition Senior Policy and Advocacy Manager, noted that, in the days following the terrorist attacks of 9/11, the Coalition "tracked more than 300 instances of hate and bias against Sikhs," perhaps in part because the Sikh faith requires men not to shave or cut their hair and to wrap their hair inside turbans, which unfortunately associates them with a negative and bigoted stereotype of what some people believe terrorists look like; and

Whereas, Kiran Kaur Gill, Executive Director of the Sikh American Legal Defense and Education Fund, explained that hate crimes against Sikh Americans are not always reported to or properly classified by law enforcement agencies and noted the FBI's practice of categorizing hate crimes by the apparent bias of the attacker rather than the actual identity of the victim; and

Whereas, Gill further explained that the number of hate crimes does not include many other incidents of bias, such as abusive speech or bullying, and that better data collection is needed in order to shed light on the true size of the problem; and

Whereas, A 2014 study by the Sikh Coalition reported that about 54 percent of all Sikh American school-age children have been bullied at school, but that 67 percent of Sikh American children wearing turbans have experienced bullying; and

Whereas, The Sikh Coalition study also reported that about 51 percent of Sikh American youth did not feel that school officials did enough to stop the bullying they faced; and

Whereas, According to a 2007 Sikh Coalition Advocacy Survey, there were an estimated 50,000 Sikhs living in Queens, based upon reported membership in Sikh places of worship; and

Whereas, According to the 2021 American Community Survey, the estimate of the number of Sikhs living in metropolitan New York was almost 80,000, with a strong concentration in Richmond Hill, Queens; and

Whereas, In October, 2023, Jasmer Singh, a Sikh man in his 60s who came from India to the U.S. to raise his family, was brutally assaulted after a minor traffic accident in Queens and has since died from the injuries inflicted by the other driver; and

Whereas, The other driver has been arrested and charged with manslaughter and assault, but not with a hate crime; and

Whereas, Singh's son, who believes that his father, who was wearing a turban, was actually the victim of a hate crime, said, "Consider the safety of the Sikh community, please, that nobody would lose the father, brother, or son, like I did"; now, therefore be it

Resolved, That the Council of the City of New York condemns recent attacks on members of the Sikh community in the City of New York and seeks a swift end to any discrimination against Sikh New Yorkers.

CHI A. OSSÉ, *Chairperson*; FRANCISCO P. MOYA, FARAH N. LOUIS, ERIC DINOWITZ, AMANDA FARÍAS, SHAHANA K. HANIF, CRYSTAL HUDSON, RITA C. JOSEPH; 8-0-0; *Absent*: Sandra Ung; Committee on Cultural Affairs, Libraries and International Intergroup Relations, December 20, 2023.

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

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Preconsidered Res. No. 863

Resolution condemning recent attacks on members of the Sikh community in the City of New York and seeking a swift end to any discrimination against Sikh New Yorkers.

By The Speaker (Council Member Adams) and Council Members Yeger, Velázquez, Cabán, Won, Hanif, Restler, Gennaro, Dinowitz and Rivera.

Whereas, Sikhism is a religion originating in the Punjab region of the Indian subcontinent in 1469, which follows the teachings of Guru Nanak and whose tenets include social equality, service to others, and devotion to God; and

Whereas, Following the annexation by the British of the Punjab province in 1849, in hopes of securing a better economic future, some Sikhs with a background in agriculture immigrated to the United States (U.S.); and

Whereas, According to the University of California at Davis, during the 1940s, due to discrimination and xenophobia against many Asian immigrants, Sikhs were met with newly enacted discriminatory laws branding most immigrants ineligible from holding leases on agricultural lands or securing U.S. citizenship; and

Whereas, These restrictions caused Sikh immigrants to secure employment as laborers for railroad construction projects and lumber mills and eventually to accept work as farm laborers; and

Whereas, According to the University of California at Davis, despite their significant contributions to building the infrastructure of America, a fundamental misunderstanding and mistrust of Sikhs by white Americans have led to acts of violence and discrimination against many Sikh communities since their arrival in the 19th century; and

Whereas, One memorable example of violence against Sikhs came in 1907, when a crowd of 600 white men drove 400 Sikh Americans out of Bellingham, Washington; and

Whereas, Almost 95 years later, the Sikh Coalition, an advocacy group, was founded in New York City (NYC) on the night of 9/11, as a result of an assault on an elderly Sikh man and two teenagers and in anticipation of the coming ill-informed backlash against the Sikh community, with a goal of raising awareness about Sikh Americans and defending their civil rights; and

Whereas, Despite the fact that Sikhism is the world's fifth-largest religion, with more than 25 million followers worldwide and about 500,000 in the U.S. today, a 2015 national survey conducted in the U.S. by Hart Research Associates found that about 60 percent of Americans admitted they knew nothing at all about Sikh Americans; and

Whereas, According to the Federal Bureau of Investigation's (FBI) Uniform Crime Reporting Program publication *Hate Crime Statistics, 2020*, total hate crimes in 2020 were at their highest since 2008 and were thought to be underreported; and

Whereas, According to *Hate Crime Statistics, 2020*, there were 67 anti-Sikh hate crimes, an increase of 37 percent over 2019; and

Whereas, In response to the upward trend in FBI figures, Sim J. Singh Attariwala, Sikh Coalition Senior Policy and Advocacy Manager, noted that, in the days following the terrorist attacks of 9/11, the Coalition "tracked more than 300 instances of hate and bias against Sikhs," perhaps in part because the Sikh faith requires men not to shave or cut their hair and to wrap their hair inside turbans, which unfortunately associates them with a negative and bigoted stereotype of what some people believe terrorists look like; and

Whereas, Kiran Kaur Gill, Executive Director of the Sikh American Legal Defense and Education Fund, explained that hate crimes against Sikh Americans are not always reported to or properly classified by law enforcement agencies and noted the FBI's practice of categorizing hate crimes by the apparent bias of the attacker rather than the actual identity of the victim; and

Whereas, Gill further explained that the number of hate crimes does not include many other incidents of bias, such as abusive speech or bullying, and that better data collection is needed in order to shed light on the true size of the problem; and

Whereas, A 2014 study by the Sikh Coalition reported that about 54 percent of all Sikh American school-age children have been bullied at school, but that 67 percent of Sikh American children wearing turbans have experienced bullying; and

Whereas, The Sikh Coalition study also reported that about 51 percent of Sikh American youth did not feel that school officials did enough to stop the bullying they faced; and

Whereas, According to a 2007 Sikh Coalition Advocacy Survey, there were an estimated 50,000 Sikhs living in Queens, based upon reported membership in Sikh places of worship; and

Whereas, According to the 2021 American Community Survey, the estimate of the number of Sikhs living in metropolitan New York was almost 80,000, with a strong concentration in Richmond Hill, Queens; and

Whereas, In October, 2023, Jasmer Singh, a Sikh man in his 60s who came from India to the U.S. to raise his family, was brutally assaulted after a minor traffic accident in Queens and has since died from the injuries inflicted by the other driver; and

Whereas, The other driver has been arrested and charged with manslaughter and assault, but not with a hate crime; and

Whereas, Singh's son, who believes that his father, who was wearing a turban, was actually the victim of a hate crime, said, "Consider the safety of the Sikh community, please, that nobody would lose the father, brother, or son, like I did"; now, therefore be it

Resolved, That the Council of the City of New York condemns recent attacks on members of the Sikh community in the City of New York and seeks a swift end to any discrimination against Sikh New Yorkers.

Adopted by the Council by voice-vote (preconsidered and approved by the Committee on Cultural Affairs, Libraries and International Intergroup Relations).

Preconsidered Res. No. 864

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

By Council Member Brannan.

Whereas, On June 30, 2023, the Council of the City of New York (the "City Council") adopted the expense budget for Fiscal Year 2024 with various programs and initiatives (the "Fiscal 2024 Expense Budget"); and

Whereas, On June 13, 2022, the Council of the City of New York (the "City Council") adopted the expense budget for Fiscal Year 2023 with various programs and initiatives (the "Fiscal 2023 Expense Budget"); and

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, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2024 and Fiscal 2023 and Fiscal 2022 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, aging, youth, anti-poverty, boroughwide, and Speaker's initiative 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 2024 Budget by approving new Description/Scope of Services for certain organizations receiving local discretionary funding and certain organization receiving funding pursuant to certain initiatives; now, therefore, be it

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2024 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Community Safety and Victim Services Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designations and change in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation and changes in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designations of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designations and changes in the designation of certain organizations receiving funding pursuant to the Support Our Older Adults Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Domestic Violence and Empowerment (DoVE) Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designations and change in the designation of certain organizations receiving funding pursuant to the Food Pantries Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the AAPI Community Support Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Crisis Management System Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Welcome NYC Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Support for Educators Initiative in accordance with the Fiscal 2024 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 Alternatives to Incarceration (ATI's) Initiative in accordance with the Fiscal 2024 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 Ending the Epidemic Initiative in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving local discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council approves the new designation and change in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 27; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Art a Catalyst for Change Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 28; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Educational Programs for Students Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 29; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the AAPI Community Support Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 30; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Educational Programs for Students Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 31; and be it further

Resolved, That the City Council approves the change in the designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 32; and be it further

Resolved, That the City Council amends the Purpose of Funds for certain organizations receiving funding in accordance with the Fiscal 2024 Expense Budget, as set forth in Chart 33.

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. 864 of 2023 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov>).

Preconsidered Int. No. 1275

By Council Members Brewer and Fariás.

A Local Law to amend the administrative code of the city of New York, in relation to vending on bridges

Be it enacted by the Council as follows:

Section 1. Section 17-315 of the administrative code of the city of the New York is amended by adding new subdivisions n, o and p to read as follows:

n. No food vendor shall vend on any elevated pedestrian walkway or bicycle lane on a bridge approach.

o. No pushcart shall be placed on any elevated pedestrian walkway on a bridge unless said elevated pedestrian walkway has at least a sixteen foot clear pedestrian path to be measured from one side of the walkway to any obstruction in or on the walkway, or if there are no obstructions to the other side of the walkway, such measurement shall not include bicycle lanes.

p. No vending pushcart operating on any elevated pedestrian walkway on a bridge shall be within 20 feet of another vending pushcart operating on such elevated pedestrian walkway on a bridge.

§ 2. Section 20-465 of the administrative code of the city of New York is amended by adding new subdivisions s, t and u to read as follows:

s. No general vendor shall vend on any elevated pedestrian walkway or bicycle lane on a bridge approach.

t. No pushcart shall be placed on any elevated pedestrian walkway on a bridge unless said elevated pedestrian walkway has at least a sixteen foot clear pedestrian path to be measured from one side of the walkway to any obstruction in or on the walkway, or if there are no obstructions to the other side of the walkway, such measurement shall not include bicycle lanes.

u. No vending pushcart operating on any elevated pedestrian walkway on a bridge shall be within 20 feet of another vending pushcart operating on such elevated pedestrian walkway on a bridge.

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

Referred to the Committee on Consumer and Worker Protection (preconsidered but laid over by the Committee on Consumer and Worker Protection).

Res. No. 865

Resolution calling on the National Highway Traffic Safety Administration to institute a recall of Hyundai and Kia models lacking immobilizer technology that are vulnerable to theft.

By Council Members Cabán and Brooks-Powers.

Whereas, More than eight million Hyundai and Kia vehicles manufactured between 2011 and 2022 have a vulnerability in their starting systems that allows them to be hotwired and stolen quickly and easily; and

Whereas, A viral social media trend has exposed this vulnerability and exacerbated the problem, with users posting videos that how show how to start the cars and challenging others to do the same; and

Whereas, The New York City Police Department reports that about 782 Kia and Hyundai vehicles were reported stolen in 2022, compared with approximately 351 in 2021, and that 977 Hyundai and Kia vehicles were reported stolen in the first four months of 2023, up about 660 percent from the same period in 2022; and

Whereas, In June 2023, New York City sued Kia and Hyundai alleging that the automakers were guilty of negligence by failing to include anti-theft devices in their cars and claiming that the vehicle thefts are straining police department resources and negatively impacting public safety and emergency services; and

Whereas, In July 2023, two teenagers were killed and several others were injured when the driver of a stolen Hyundai ran a red light and collided with another car near East 179th Street and Audobon Avenue in Manhattan; and

Whereas, Kia and Hyundai have offered free software updates to address this vulnerability, but many insurance companies refuse to cover the affected models due to the high risk of theft, according to NPR; and

Whereas, The attorneys general of 17 states including New York have called for a national recall of the affected vehicles, saying the thefts are creating a “safety crisis” on roads; and

Whereas, Unlike voluntary software upgrades, a recall includes mailed notification to all impacted vehicle owners; now, therefore, be it,

Resolved, that the Council of the City of New York calls on the National Highway Traffic Safety Administration to institute a recall of Hyundai and Kia models lacking immobilizer technology that are vulnerable to theft.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 1276

By Council Members Gutiérrez and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to requiring taxis and for-hire vehicles to display a decal warning passengers to look for cyclists when opening the door

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-557 to read as follows:

§ 19-557 Anti-dooring decal. *a. For purposes of this section, the term “anti-dooring decal” means a sign affixed to the inside of a vehicle's passenger doors that warns passengers to look for cyclists before opening the door.*

b. Every owner of a taxicab, coach, for-hire vehicle, commuter van, or wheelchair accessible van shall prominently display anti-dooring decals on the inside of the front passenger and rear passenger doors.

c. The anti-dooring decals shall be provided by the commission at no cost to the driver or owner of the vehicle.

d. The commission shall promulgate rules establishing the penalty for violation of subdivision b of this section.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 1277

By Council Members Holden and Carr.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that persons making 311 complaints or requests for service provide the 311 customer service center with identifying information

Be it enacted by the Council as follows:

Section 1. Section 23-301 of the administrative code of the city of New York, is amended by adding new subdivisions c and d to read as follows:

c. A person making a 311 complaint or request for service, whether by telephone, e-mail, electronic message, mobile device platform, or otherwise, shall be required to provide the following information when making such complaint or request:

1. *The person's full legal name;*
2. *The person's telephone number;*
3. *The person's e-mail address (optional); and*
4. *The person's reason for making the complaint or request for service.*

d. The 311 customer service center may only use the identifying information provided pursuant to this section to verify the identity of the person making the 311 complaint or request for service, to screen false complaints or requests for service, and for other internal auditing and authentication purposes. The 311 customer service center may share such identifying information with responding agencies only upon request and representation by the responding agencies that necessary and appropriate steps will be taken to protect the privacy of such information. The 311 customer service center shall anonymize information about complaints or requests for service in the event that such information is made available to the public, and otherwise shall not share identifying information collected under this section with third parties unless authorized by this section or other law.

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

Referred to the Committee on Governmental Operations.

Res. No. 866

Resolution calling on the New York State Legislature to pass, and the New York State Governor to sign, S.2447/A.5234, which would increase the penalties for purposefully obstructed license plates.

By Council Member Holden.

Whereas, Under New York State (NYS) law, license plates must be kept clean and in a condition which is easily readable and must not be covered by glass or any plastic material, covered or coated with any artificial or synthetic materials or substances that obscure recorded or photographic images of such plate, or obstructed by any part of the vehicle; and

Whereas, The law also provides that those who sell or distribute materials or substances for the purpose of distorting a license plate when recorded or photographed may be subject to punishment; and

Whereas, NYS law allows for these violations to be punishable by a fine ranging from \$25 to \$300; and

Whereas, Although illegal, the prevalence of covered, defaced, or obstructed license plates is a persistent problem that allows those who are using such plates to evade speed, red-light, and bus-lane cameras, and tolls, ultimately making roads less safe; and

Whereas, According to data obtained by Streetsblog from the City Department of Transportation, the problem of cars evading speed, red-light, and bus-lane cameras with defaced or covered plates has gotten worse over recent years, with 4.66 percent of plates being unreadable in December of 2022 as compared to just 3.98 percent of plates in December 2021; and

Whereas, The data also shows that between January 2019 and December 2022, the City lost as much as \$38.7 million in unissued tickets due to unreadable license plates, which can result from cars having temporary plates, no plates, or plates that are defaced or covered; and

Whereas, With the rise in use of covered, defaced, or obstructed license plates in recent years, current penalties for such violations need to be increased in order to deter drivers from utilizing such plates; and

Whereas, To deter such use, NYS Senator Andrew Gounardes and NYS Assemblymember Michaelle Solages introduced S.2447 and A.5234, respectively; and

Whereas, S.2447/A.5234 would increase the penalties for purposefully obstructed license plates and authorize a set of actions that law enforcement and the government can take, including confiscating coverings that obscure license plates, suspending a vehicle's registration, and/or temporarily blocking certain vehicle identification numbers from registration; and

Whereas, S.2447/A.5234 would discourage the use of purposefully obstructed license plates and allow for law enforcement and the government to properly enforce these violations, increasing safety on roads, and ensuring that tolls are paid by all those who use them; 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 New York State Governor to sign, S.2447/A.5234, which would increase the penalties for purposefully obstructed license plates.

Referred to the Committee on Public Safety.

Preconsidered Int. No. 1278

By Council Members Krishnan, Ariola, Avilés, Ayala, Barron, Borelli, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Richardson Jordan, Joseph, Lee, Louis, Moya, Nurse, Ossé, Powers, Restler, Rivera, Salamanca, Jr., Sanchez, Schulman, Stevens, Velázquez, Vernikov, Williams and Won.

A Local Law in relation to the naming of 117 thoroughfares and public places, St. John Baptist Church Place, Borough of Queens, Forest Park Carousel Way, Borough of Queens, Detective Maureen O’Flaherty Way, Borough of Queens, Crossing Guard Krystyna Naprawa Lane, Borough of Queens, Camille Ferraro Way, Borough of Queens, Karina Vetrano Way, Borough of Queens, Mary Ann Carey Way, Borough of Queens, Linda Ruscillo Way, Borough of Queens, Patrolman Arthur J. Kenney Way, Borough of Queens, Firefighter Timothy Klein Way, Borough of Queens, Dr. Antonia Pantoja Way, Borough of Brooklyn, Giuseppina “Josie” Santo Way, Borough of Manhattan, Graffiti Hall of Fame Way, Borough of Manhattan, Carmen D. Perez Way, Borough of Manhattan, Carolyn D. Faulkner Way, Capt. Ted Cohen USAF (Ret.) Avenue, Borough of Staten Island, NYPD Lieutenant John C. Rowland Place, Borough of Staten Island, Firefighter Thomas J. Alioto Way, Borough of Staten Island, Lloyd Richards Way, Borough of Manhattan, Sandra “Moe” Casatelli Way, Borough of Brooklyn, Domenico ‘Dom’ DeMarco Way, Borough of Brooklyn, Lorenzo Mannino Way, Borough of Brooklyn, Catherine “Katy” Ferguson Way, Borough of Manhattan, Dr. Deborah L. Hoyle Way, Borough of Queens, Justice Patricia P. Satterfield Way, Borough of Queens, Tony Bennett Place, Borough of Queens, Captain Paul W. Schmalzried Way, Borough of Queens, Karina Lariño Way, Borough of Queens, Philip P. Ressa Way, Borough of Staten Island, Charles LaGanga Way, Borough of Staten Island, Scherisce M. Lewis-Clinton Way, Borough of Staten Island, NYPD Detective Scott G. Lovendahl Way, Borough of Staten Island, SSGT James F. Healy Way, Borough of Staten Island, Giovanni da Verrazzano Way, Borough of Staten Island, Doctor Rocco L. DiAntonio Way, Borough of Staten Island, NYPD Det. Christopher E Cranston Way, Borough of Staten Island, Joseph J. Ponzi Way, Borough of Staten Island, St. Johns Villa Academy Way, Borough of Staten Island, FDNY Firefighter James “Soupy” Campbell Way, Borough of Staten Island, Mimi Cusick Way, Borough of Staten Island, Alfonso Compitiello Way, Dominique Alexander Way, Borough of Manhattan, Via Michele Greco “Mike Greco Way”, Borough of the Bronx, Michael Simanowitz Way, Borough of Queens, Nettie Mayersohn Way, Borough of Queens, Natalie Rogers Way, Borough of Queens, Agustina Muniz Way, Firefighter Albert A. Filosa Way, Borough of Brooklyn, Bettie J. Bellamy Way, Borough of Staten Island, Martin “Marty” Doherty Way, Borough of Staten Island, Lt. Gregg A. Atlas Way, Borough of Staten Island, Lt. Henry O. Schmiemann Way, Borough of Queens, Ptl. Philip H.L. Meyer Way, Borough of Queens, Hilda Vannata Way, Borough of Queens, Police Officer Robert E. Walsh Way, Borough of Queens, Patrolman Charles J. Reynolds Way, Borough of Queens, Patrolman Joseph W. Norden Way, Borough of Queens, SSA Orville M. Williams Way, Borough of Queens, Sergeant Thomas F. J. O’Grady Way, Borough of Queens, Patrolman John J. Madden Way, Borough of Queens, Patrolman Joseph L. Rauchut Way, Borough of Queens, Herman Hochberg Plaza, Borough of Queens, Dr. Beny J. Primm Way, Borough of Brooklyn, James Caldwell Way, Borough of Brooklyn, The English Way, Borough of Brooklyn, Ahmad Samhan Way, Borough of Brooklyn, Tylik Allen Way, Borough of Manhattan, Duane Andrew Jeremy Joseph Plaza, Borough of Brooklyn, Paseo Park, Borough of Queens, Lawrence Murphy Street, Borough of Queens, Gerard Neufeld Way, Borough of Queens, Mike Crowley Way 1st Pres. JHBG Way, Borough of Queens,

Marc A. Haken Way, Borough of Queens, Aracely Courtenay Way, Borough of Brooklyn, Elenora P. Bernard Way, Borough of Brooklyn, Anthony Federici Street, Borough of Queens, Mildred Phillips Way, Borough of Brooklyn, Sam Mendolia Way, Borough of Brooklyn, Akeal Christopher Way, Borough of Brooklyn, James “Rocky” Robinson Way, Borough of Brooklyn, Roger Brown Way, Borough of Brooklyn, Elsie Richardson Way, Dick Ravitch Way, Borough of Manhattan, Stanley Love Way, Borough of Brooklyn, Carl Stubbs Way, Borough of Brooklyn, Banker’s Anchor Plaza, Borough of Brooklyn, Firefighter Peter A. Chiodo Way, Borough of Brooklyn, Emmanuel St. Bernard’s Corner, Borough of Brooklyn, Patricia R. Tambakis Way, Borough of Brooklyn, Bronson Binger Way, Borough of Brooklyn, Mary Anne Yancey Place, Borough of Brooklyn, Richard Ocana Way, Borough of Brooklyn, SVA Way, Borough of Manhattan, Raphael Sadonte Ward Jr. Way, Borough of Manhattan, Kendra Williams-Melendez Way, Borough of the Bronx, Mothers on the Move/MOM Way, Borough of the Bronx, Luisa Pineiro Fuentes Way, Borough of the Bronx, Nicholas Otoniel Feliz Dominici Way, Borough of the Bronx, Sheikh Hamoud Saeidi Way, Borough of Queens, Murray & Carol Berger Way, Borough of Queens, Rabbi Moshe Neuman Way, Borough of Queens, Estella B. Diggs Place, Borough of the Bronx, Evangelist Josephine Gooding Place, Borough of the Bronx, Adem D. Celaj Way, Borough of the Bronx, Shpresa Nika Way, Borough of the Bronx, Anthony DiGirolamo Way, Borough of the Bronx, Nicholas J. Binetti Way, Borough of the Bronx, George Atsaves 9/11 Memorial Way, Borough of Brooklyn, Ethel L. Cuff Black Way, Borough of Queens, Rev. Robert Ross Johnson Boulevard, Borough of Queens, Annie Cotton-Morris Way, Borough of Queens, Enoch Gregory Hawthorne Way, Borough of Queens, Lowell Marin Stage, Borough of Queens, ST. PAT’S FOR ALL WAY, Borough of Queens, Jayden McLaurin Way, Borough of Queens, Little Sylhet, Borough of Queens, Sister Flora Marinelli Way, Borough of Queens and the repeal of sections 13, 56 and 113 of local law number 44 for the year 2023, section 30 of local law number 54 of 2022 and sections 8, 18, 59, 61, 85 and 90 of local law number 110 for the year 2023.

Be it enacted by the Council as follows:

Section 1. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
St. John Baptist Church Place	None	At the intersection of Beach 74th Street and Rockaway Beach Boulevard

§2. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Forest Park Carousel Way	None	At the intersection of Forest Park Drive and Woodhaven Boulevard

§3. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Detective Maureen O’Flaherty Way	None	At the intersection of Beach 128th Street and Cronston Avenue

§4. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Crossing Guard Krystyna Naprawa Lane	None	At the intersection of Atlantic Avenue and Woodhaven Boulevard

§5. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Camille Ferraro Way	None	At the intersection of 104th Street and 101st Avenue

§6. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Karina Vetrano Way	None	At the intersection of 165th Avenue and 84th Street

§7. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Mary Ann Carey Way	None	At the intersection of Glenmore Avenue and 79th Street

§8. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Linda Ruscillo Way	None	At the intersection of 124th Street and Rockaway Beach Boulevard

§9. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Patrolman Arthur J. Kenney Way	None	At the intersection of 90th Avenue and 80th Street

§10. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Firefighter Timothy Klein Way	None	At the intersection of 129th Street and Newport Avenue

§11. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dr. Antonia Pantoja Way	None	At the intersection of 36th Street and 5th Avenue

§12. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Giuseppina “Josie” Santo Way	None	At the intersection of 118th Street and 1st Avenue

§13. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Graffiti Hall of Fame Way	None	At the intersection of 106th Street and Park Avenue

§14. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Carmen D. Perez Way	None	At the intersection of 123rd Street and 2nd Avenue

§15. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Carolyn D. Faulkner Way	None	At the intersection of Cozine Avenue and Schenck Avenue

§16. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Capt. Ted Cohen USAF (Ret.) Avenue	None	At the intersection of Ridgewood Avenue and Barlow Avenue

§17. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
NYPD Lieutenant John C. Rowland Place	None	At the intersection of Katan Avenue and Notre Dame Avenue

§18. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Firefighter Thomas J. Alioto Way	None	At the intersection of Armstrong Avenue and Wilson Avenue

§19. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Lloyd Richards Way	47th Street	Between Broadway and 8th Avenue

§20. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Sandra “Moe” Casatelli Way	None	At the intersection of 92nd Street and Battery Avenue

§21. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Domenico ‘Dom’ DeMarco Way	None	At the intersection of Avenue J and East 15th Street

§22. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Lorenzo Mannino Way	None	At the intersection of 77th Street and 18th Avenue

§23. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Catherine “Katy” Ferguson Way	None	At the intersection of West 95th Street and Central Park West

§24. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dr. Deborah L. Hoyle Way	None	At the intersection of Beach 57th Street and Beach Channel Drive

§25. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Justice Patricia P. Satterfield Way	230th Street	Between 131st Avenue and 133rd Avenue

§26. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Tony Bennett Place	None	At the intersection of 32nd Street and Ditmars Boulevard

§27. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Captain Paul W. Schmalzried Way	31st Avenue	Between 29th Street and 30th Street

§28. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Karina Lariño Way	None	At the intersection of 21st Street and Astoria Park South

§29. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Philip P. Ressa Way	None	At the intersection of Coventry Road and Todt Hill Road

§30. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Charles LaGanga Way	None	At the intersection of Flagg Place and Todt Hill Road

§31. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Scherisce M. Lewis-Clinton Way	None	At the intersection of Norway Avenue and McClean Avenue

§32. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
NYPD Detective Scott G. Lovendahl Way	None	At the intersection of Stobe Avenue and Husson Street

§33. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
SSGT James F. Healy Way	None	At the intersection of Hillcrest Terrace and Clove Road

§34. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Giovanni da Verrazzano Way	None	At the intersection of Lily Pond Avenue and Major Avenue

§35. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Doctor Rocco L. DiAntonio Way	None	At the intersection of Melba Street and Holden Boulevard

§36. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
NYPD Det. Christopher E Cranston Way	None	At the intersection of Sterling Avenue and 10th Street

§37. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Joseph J. Ponzi Way	None	At the intersection of Dawson Circle and Arlene Street

§38. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
St. Johns Villa Academy Way	None	At the intersection of Chicago Avenue and Landis Avenue

§39. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
FDNY Firefighter James “Soupy” Campbell Way	None	At the intersection of Targee Street and Clove Road

§40. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Mimi Cusick Way	None	At the intersection of College Avenue and Ohio Place

§41. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Alfonso Compitiello Way	None	At the intersection of Victory Boulevard and Westcott Boulevard

§42. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dominique Alexander Way	None	At the intersection of Broadway and Arden Street

§43. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Via Michele Greco “Mike Greco Way”	None	At the intersection of Hughes Avenue and Crescent Avenue

§44. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Michael Simanowitz Way	75th Avenue	Between Main Street and 147th Street

§45. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Nettie Mayersohn Way	None	At the intersection of 161st Street and Jewel Avenue

§46. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Natalie Rogers Way	None	At the intersection of Goethals Avenue and 164th Street

§47. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Agustina Muniz Way	None	At the intersection of Kingsland Avenue and Frost Street

§48. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Firefighter Albert A. Filosa Way	None	At the intersection of Third Street and Seventh Avenue

§49. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Bettie J. Bellamy Way	None	At the intersection of William Street and Brewster Street

§50. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Martin “Marty” Doherty Way	None	At the intersection of Clove Road and Glenwood Place

§51. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Lt. Gregg A. Atlas Way	None	At the intersection of Centre Avenue and Woodside Avenue

§52. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Lt. Henry O. Schmiemann Way	82nd Place	Between Penelope Avenue and Eliot Avenue

§53. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ptl. Philip H.L. Meyer Way	61st Street	Between 60th Lane and 75th Avenue

§54. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Hilda Vannata Way	None	At the intersection of 77th Place and Juniper Valley Road

§55. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Police Officer Robert E. Walsh Way	54th Place	Between Arnold Avenue and Nurge Avenue

§56. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Patrolman Charles J. Reynolds Way	62nd Street	Between Catalpa Avenue and Cypress Hills Street

§57. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Patrolman Joseph W. Norden Way	Catalpa Avenue	Between 62nd Street and 64th Street

§58. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
SSA Orville M. Williams Way	Dexter Court	Between 85th Drive and 86th Road

§59. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Sergeant Thomas F. J. O'Grady Way	Eldert Lane	Between Jamaica Avenue and 87th Avenue

§60. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Patrolman John J. Madden Way	70th Street	Between Juniper Boulevard South and Penelope Avenue

§61. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Patrolman Joseph L. Rauchut Way	43rd Street	Between 54th Road and 55th Avenue

§62. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Herman Hochberg Plaza	None	At the intersection of Myrtle Avenue and 71st Avenue

§63. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dr. Beny J. Primm Way	Fulton Street	Between Waverly Avenue and Washington Avenue

§64. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
James Caldwell Way	None	At the intersection of Dean Street and Washington Avenue

§65. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
The English Way	New York Avenue	Between President Street and Union Street

§66. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ahmad Samhan Way	Hall Street	Between Myrtle Avenue and Willoughby Avenue

§67. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Tylik Allen Way	None	At the intersection of West 112 th Street and Lenox Avenue

§68. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Duane Andrew Jeremy Joseph Plaza	The Parkside Plaza	At Parkside Avenue between Flatbush Avenue and Ocean Avenue

§69. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated, and one sign shall be provided at each intersection inclusive of and between the limits indicated below.

New Name	Present Name	Limits
Paseo Park	34th Avenue	Between 69th Street and 93rd Street

§70. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Lawrence Murphy Street	None	At the intersection of 88th Street and 34th Avenue

§71. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Gerard Neufeld Way	None	At the intersection of 43rd Avenue and Whitney Avenue

§72. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Mike Crowley Way 1st Pres. JHBG Way	None	At the intersection of 80th Street and 35th Avenue

§73. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Marc A. Haken Way	Francis Lewis Boulevard	Between 204th Street and Epsom Course

§74. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Aracely Courtenay Way	Flatbush Avenue	Between Foster Avenue and East 26th Street

§75. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Elenora P. Bernard Way	None	At the intersection of East 45th Street and Church Avenue

§76. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Anthony Federici Street	None	At the intersection of 51st Avenue and Corona Avenue

§77. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Mildred Phillips Way	None	At the intersection of Eldert Street and Knickerbocker Avenue

§78. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Sam Mendolia Way	None	At the intersection of Himrod Street and Wilson Avenue

§79. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Akeal Christopher Way	Cornelia Street	Between Evergreen Avenue and Bushwick Avenue

§80. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
James “Rocky” Robinson Way	Marcus Garvey Boulevard	Between Lafayette Avenue and Lexington Avenue

§81. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Roger Brown Way	None	At the intersection of Prospect Place and Utica Avenue

§82. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Elsie Richardson Way	None	At the intersection of Prospect Place and Schenectady Avenue

§83. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dick Ravitch Way	Waterside Plaza	Between 25th and 28th Street

§84. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Stanley Love Way	North 12th Street	Between Bedford Avenue and Berry Street

§85. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Carl Stubbs Way	Douglass Street	Between 3rd Avenue and 4th Avenue

§86. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Banker's Anchor Plaza	North 15th Street	Between Banker Street and Nassau Avenue

§87. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Firefighter Peter A. Chiodo Way	State Street	Between Bond Street and Nevins Street

§88. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Emmanuel St. Bernard's Corner	Havemeyer Street	Between Division Avenue and South 9th Street

§89. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Patricia R. Tambakis Way	Monitor Street	Between Driggs Avenue and Nassau Avenue

§90. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Bronson Binger Way	Dean Street	Between Hoyt Street and Bond Street

§91. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Mary Anne Yancey Place	Monroe Place	Between Pierrepont Street and Clark Street

§92. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Richard Ocana Way	Milton Street	Between Franklin Street and West Street

§93. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
SVA Way	None	At the intersection of East 23rd Street and Third Avenue

§94. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Raphael Sadonte Ward Jr. Way	None	At the intersection of Columbia Street and Rivington Street

§95. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Kendra Williams-Melendez Way	None	At the intersection of East 156th Street and Cauldwell Avenue

§96. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Mothers on the Move/MOM Way	None	At the intersection of Kelly Street and Intervale Avenue

§97. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Luisa Pineiro Fuentes Way	None	At the intersection of Webb Avenue and Eames Avenue

§98. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Nicholas Otoniel Feliz Dominici Way	None	At the intersection of Kingsbridge Road and Kingsbridge Terrace

§99. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Sheikh Hamoud Saeidi Way	None	At the intersection of Jamaica Avenue and 109th Street

§100. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Murray & Carol Berger Way	None	At the intersection of 83rd Avenue and Kew Gardens Road

§101. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rabbi Moshe Neuman Way	None	At the intersection of Metropolitan Avenue and 125th Street

§102. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Estella B. Diggs Place	None	At the intersection of 167th Street and St. Augustine Way

§103. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Evangelist Josephine Gooding Place	None	At the intersection of Macombs Road and West Mount Eden Avenue

§104. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Adem D. Celaj Way	Kinsella Street	Between Bronxdale Avenue and Matthews Avenue

§105. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Shpresa Nika Way	Lydig Avenue	Between Williamsbridge Avenue and Tomlinson Avenue

§106. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Anthony DiGirolamo Way	None	At the intersection of Philip Avenue and Vincent Avenue

§107. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Nicholas J. Binetti Way	None	At the intersection of Harding Avenue and Huntington Avenue

§108. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
George Atsaves 9/11 Memorial Way	None	At the intersection of East 13th Street and Avenue Z

§109. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ethel L. Cuff Black Way	Foch Boulevard	Between Merrick Boulevard and 170th Street

§110. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rev. Robert Ross Johnson Boulevard	None	At the intersection of Linden Boulevard and Marne Place

§111. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Annie Cotton-Morris Way	31st Avenue	Between 49th Street and 50th Street

§112. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Enoch Gregory Hawthorne Way	58th Street	Between 43rd Avenue and 41st Drive

§113. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Lowell Marin Stage	34th Avenue	Between 59th Street and Broadway

§114. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
ST. PAT'S FOR ALL WAY	Skillman Avenue	Between 43rd Street and 44th Street

§115. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Jayden McLaurin Way	35th Avenue	Between 12th Street and 21st Street

§116. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Little Sylhet	36th Avenue	Between 29th Street and 30th Street

§117. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Sister Flora Marinelli Way	28th Street	Between 39th Avenue and 40th Avenue

§118. Sections 13, 56 and 113 of local law number 44 for the year 2023 are hereby REPEALED.

§119. Section 30 of local law number 54 for the year 2022 is hereby REPEALED.

§120. Sections 8, 18, 59, 61, 85 and 90 of local law number 110 for the year 2023 are hereby REPEALED.

§121. This local law shall take effect immediately.

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

Int. No. 1279

By Council Member Salamanca, Jr.

A Local Law in relation to renaming one thoroughfare and public place in the Borough of the Bronx, Sheridan Boulevard, 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 street name, in the Borough of the Bronx, is hereby renamed as hereafter indicated.

New Name	Present Name	Limits
Sheridan Boulevard	Sheridan Expressway	Between Westchester Avenue and 174th Street

§2. The official map of the city of New York shall be amended in accordance with the provisions of sections one and two of this local law.

§3. This local law shall take effect immediately.

Referred to the the Committee on Parks and Recreation.

Int. No. 1280

By Council Member Stevens, the Public Advocate (Mr. Williams) and Council Members Riley and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to report on sexual abuse and harassment of staff and ensure that staff have access to mental health treatment resources.

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding new sections 9-156.1 and 9-156.2 to read as follows:

§ 9-156.1 *Reporting on sexual abuse and sexual harassment of correctional staff. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Commissioner. The term “commissioner” means the commissioner of correction.

Correctional health services. The term “correctional health services” means any health care entity designated by the city of New York as the agency or agencies responsible for health services for incarcerated

individuals in the care and custody of the department of correction. When the responsibility is contractually shared with an outside provider, this term also applies.

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

Facility investigation. The term “facility investigation” means an investigation conducted by the department within a facility of the department but does not include an investigation conducted by the investigation division.

Investigation division. The term “investigation division” means any unit of the department responsible for investigating allegations of misconduct by staff.

Sexual abuse of staff. The term “sexual abuse of staff” includes any of the following acts if the victim is staff and the perpetrator is an incarcerated individual or other staff, and if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse: (i) contact between the penis and the vulva or the penis and the anus, including penetration, however slight; (ii) contact between the mouth and the penis, vulva, or anus; (iii) penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and (iv) any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual harassment of staff. The term “sexual harassment of staff” includes any of the following acts if the victim is staff and the perpetrator is an incarcerated individual or other staff: (i) any unwelcome sexual advances or requests for sexual favors; and (ii) any verbal comments, gestures, or actions of a sexual nature, including but not limited to demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Staff. The term “staff” means an individual, other than an incarcerated individual, who works directly for the department or correctional health services.

b. Incident report. No later than 1 year after the effective date of the local law that added this section and annually thereafter, the commissioner shall submit to the speaker of the council and the board of correction a report of all alleged incidents of sexual abuse of staff and sexual harassment of staff that occurred during the immediately preceding 12 months. All data in such report shall be reported in a machine-readable format. Such report shall include a table in which each row references an alleged incident of sexual abuse of staff or an alleged incident of sexual harassment of staff that occurred during the preceding 12 months, indicated by a unique identification number. Each such row shall include the following information, as well as any other information the commissioner deems appropriate, set forth in separate columns:

1. The unique identification number required under this subdivision;
2. Whether such incident involved sexual abuse of staff or sexual harassment of staff;
3. The specific type of sexual abuse of staff or sexual harassment of staff, as defined in subdivision a of this section, involved in such incident;
4. The date on which such incident occurred;
5. Whether the staff who was the alleged victim of such incident was working for the department or correctional health services at the time of such incident;
6. Whether the staff who was the alleged victim of such incident was civilian or uniformed staff at the time of such incident;
7. Whether such incident took place between the times of 7:00 a.m. and 3:00 p.m., 3:00 p.m. and 11:00 p.m., or 11:00 p.m. and 7:00 a.m.;
8. The gender identity of the staff who was the alleged victim of such incident;
9. The race of the staff who was the alleged victim of such incident;
10. The ethnic origin of the staff who was the alleged victim of such incident;
11. Whether the alleged perpetrator of such incident was an incarcerated individual or other staff;
12. If the alleged perpetrator of such incident was other staff, whether such perpetrator was working for the department or correctional health services at the time of such incident;
13. If the alleged perpetrator of such incident was other staff, whether such perpetrator was civilian or uniformed staff;
14. If the alleged perpetrator of such incident was staff, the number of any previous allegations against such perpetrator that were substantiated by the department;
15. If the alleged perpetrator of such incident was staff, the number of any previous allegations against such perpetrator that the department determined to be unsubstantiated;

16. *If the alleged perpetrator was staff, the number of any previous allegations against such perpetrator for which investigations by the department are still pending at the time of submission of such report;*
17. *The gender identity of the alleged perpetrator of such incident;*
18. *The race of the alleged perpetrator of such incident;*
19. *The ethnic origin of the alleged perpetrator of such incident;*
20. *The facility of the department in which such incident occurred;*
21. *Whether such incident occurred in a service area or housing area of such facility;*
22. *If such incident occurred in a housing area of such facility, the type of housing area;*
23. *Whether the department's video camera surveillance recorded such incident;*
24. *Whether the department obtained DNA or any other physical evidence in connection with such incident;*
25. *Whether a rape kit was administered, declined, or not applicable in connection with such incident;*
26. *If a rape kit was administered in connection with such incident, whether a sexual assault nurse examiner or sexual assault response team was present during such administration;*
27. *If a rape kit was deemed not applicable in connection with such incident, whether such determination was due to a delay in reporting of such incident to the department, the type of sexual abuse of staff or sexual harassment of staff alleged to have occurred, or any other reason;*
28. *The date on which such incident was reported to the department;*
29. *Whether the department opened an investigation of such incident, and, if so, the date the department opened such investigation;*
30. *Whether the department referred such incident to the department of investigation, and, if so, the date of such referral; and*
31. *If the department referred the incident to the department of investigation, whether the department of investigation referred it back to the department to investigate.*

c. *Report on investigations. No later than 1 year after the effective date of the local law that added this section and annually thereafter, the commissioner shall submit to the speaker of the council and the board of correction a report of investigations by the department of alleged incidents of sexual abuse of staff and sexual harassment of staff that occurred during the immediately preceding 12 months. All data in such report shall be reported in a machine-readable format. Such report shall include a table in which each row references an alleged incident of sexual abuse of staff or an alleged incident of sexual harassment of staff that occurred during the preceding 12 months for which the department opened an investigation, indicated by the unique identification number required under subdivision b of this section. Each such row shall include the following information, as well as any other information the commissioner deems appropriate, set forth in separate columns:*

1. *The unique identification number required under subdivision b of this section;*
2. *The date the department opened an investigation of such incident;*
3. *Whether such investigation is pending or has been closed at the time of submission of such report, including the date the department closed such investigation, if applicable;*
4. *Whether such investigation is a facility investigation or an investigation conducted by the investigation division;*
5. *Where such investigation was referred to the investigation division by the department facility in which such incident occurred, the reason for such referral;*
6. *Whether such investigation was referred back from the investigation division to the department facility in which the incident occurred and the reason for any such referral;*
7. *Whether the alleged perpetrator of such incident and the staff who was the alleged victim of such incident were separated from physical contact during the pendency of such investigation;*
8. *Whether the department determined that the allegation of such incident was substantiated, unsubstantiated, or unfounded;*
9. *For a substantiated allegation, whether such incident was referred for disciplinary action by the department, including whether the department declined to file disciplinary charges, or if disciplinary charges were filed, the outcome of the related disciplinary proceeding;*
10. *For a substantiated allegation, if the perpetrator was staff, whether during the pendency of such investigation such perpetrator resigned, was suspended, was placed on modified duty, was placed on administrative leave, or was administered any other form of discipline by the department;*

11. For a substantiated allegation, if the perpetrator was staff and such incident was referred for disciplinary action by the department, whether such perpetrator resigned or retired in lieu of any charges or as part of a negotiated plea;

12. Whether the staff who was the alleged victim of such incident was notified regarding the outcome of such investigation; and

13. Whether such incident was referred to a district attorney's office, and if so, whether such district attorney's office decided to prosecute the alleged perpetrator and the status or outcome of any prosecution.

d. Review of reported information. The commissioner shall review the information collected through the reports required under subdivisions b and c of this section in order to assess and improve the effectiveness of the department's prevention, detection, and response policies concerning sexual abuse of staff and sexual harassment of staff. No later than 1 year after the effective date of the local law that added this section and annually thereafter, the commissioner shall submit to the speaker of the council and the board of correction a report including the following information:

1. The commissioner's findings through such review; and

2. Any updates to such policies for each facility of the department and for the department as a whole made by the commissioner in response to such review.

e. Website posting. The department shall post the reports required under this section on its website and store such reports on the department's website for at least 10 years.

f. Role of correctional health services. Unless otherwise prohibited by law, correctional health services shall assist the department in collecting the information required to be reported under subdivisions b and c of this section.

g. Retention of information. The department shall ensure that all information collected pursuant to this section is securely retained. Unless otherwise required or prohibited by federal or state law, the department shall retain such information indefinitely after the date of initial collection of such information.

h. Limitations. The department shall report the information required under this section in accordance with applicable federal and state law but notwithstanding any other provision of local law. Before making information collected pursuant to this section available to the speaker of the council, to the board of correction, and publicly online, the department shall remove all personal information as defined in subdivision a of section 10-501 and any other information the disclosure of which would violate federal or state law.

§ 9-156.2 Mental health treatment resources for correctional staff. a. Definitions. For purposes of this section, the following terms have the following meanings:

Commissioner. The term "commissioner" means the commissioner of correction.

Sexual abuse of staff. The term "sexual abuse of staff" includes any of the following acts if the victim is staff and the perpetrator is an incarcerated individual or other staff, and if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse: (i) contact between the penis and the vulva or the penis and the anus, including penetration, however slight; (ii) contact between the mouth and the penis, vulva, or anus; (iii) penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and (iv) any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

Sexual harassment of staff. The term "sexual harassment of staff" includes any of the following acts if the victim is staff and the perpetrator is an incarcerated individual or other staff: (i) any unwelcome sexual advances or requests for sexual favors; and (ii) any verbal comments, gestures, or actions of a sexual nature, including but not limited to demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.

Staff. The term "staff" means an individual, other than an incarcerated individual, who works directly for the department or correctional health services.

b. The commissioner shall ensure that staff have access to mental health treatment resources to reduce organizational trauma and stress. In ensuring such access, the commissioner shall follow any best practices relating to the provision of mental health treatment resources for staff established by the national institute of corrections. Such resources shall include but are not limited to confidential mental health counseling with a focus on addressing sexual abuse of staff and sexual harassment of staff.

c. The commissioner shall publicize the availability of such resources to staff, including but not limited through the department's website, by electronically communicating notices and advertisements concerning the availability of such resources to staff, and by physically posting such notices and advertisements in conspicuous locations in facilities of the department.

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

Referred to the Committee on Criminal Justice.

Res. No. 867

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.7910/S.7298 to prohibit insurance discrimination because of the affordability of residential buildings and residential construction projects.

Council Members Velázquez and Bottcher.

Whereas, On November 22, 2022, the New York State Department of Financial Services (“DFS”) and the New York State Homes and Community Renewal (“HCR”) conducted a comprehensive study (“the study”) to examine the rising costs of insurance premiums and the decreasing availability of insurance coverage for affordable housing developments; and

Whereas, The study collected stakeholder feedback and examined factors that contribute to underwriting, rating, and pricing, analyzed insurance costs and coverage of affordable housing projects within HCRs portfolio; and

Whereas, Under the New York State Insurance Law, insurers may consider underwriting and rating factors that could cause potential losses, in order to adequately set rates; and

Whereas, The study revealed that insurance companies often asked housing developers if their buildings had affordable, subsidized or section 8 units, when making underwriting or rating determinations; and

Whereas, The New York State Insurance Law explicitly prohibits the use of certain factors in underwriting and rating, such as race, color, creed, national origin, disability, and marital status but it does not explicitly prohibit insurance companies from asking if a property has affordable housing; and

Whereas, These insurer inquiries about affordable housing, during the determination period, raise concerns from stakeholders about potential discriminatory results due to such actions; and

Whereas, A.7910, introduced by Assembly Member Liz Krueger and pending in the New York State Assembly, and companion bill S.7298, introduced by State Senator Brian Kavanagh and pending in the New York State Senate would ensure that affordable housing is not subject to discrimination in purchasing and retaining insurance; 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.7910/S.7298 to prohibit insurance discrimination because of the affordability of residential buildings and residential construction projects.

Referred to the Committee on Housing and Buildings.

Res. No. 868

Resolution calling on the State Legislature to pass, and the Governor to sign legislation to increase criminal penalties for individuals who threaten, harass, or assault elected officials and their staff members.

By Council Members Velázquez and Brannan.

Whereas, Elected officials and their staff members play a crucial role in the functioning of government and are essential to the democratic process; and

Whereas, These dedicated government workers should be able to carry out their responsibilities without fear of threats, harassment, or assault that goes beyond the risks faced by the general public, as they are targeted specifically due to the nature of their work; and

Whereas, Threats, harassment, and assaults against elected officials and their staffers poses a serious threat to the functioning of democratic institutions and undermines the ability of elected officials to serve their communities effectively; and

Whereas, It is the responsibility of the State Legislature to enact legislation that ensures a safe and secure working environment for elected officials and their employees; and

Whereas, While the First Amendment's to the United States Constitution safeguards free speech, it does not allow citizens to threaten, harass or assault anyone; and

Whereas, The existing criminal penalties for threats, harassment, and assaults against elected officials and their staffers don't provide sufficient deterrence to potential offenders, and

Whereas, stronger penalties for those who engage in threatening, harassing, or assaulting elected officials' and their staffers can serve as a greater deterrent and reinforce the importance of respecting and protecting those who work for us while preserving citizens' rights to disagree with their views; and

Whereas, The New York City Council is committed to ensuring the safety and well-being of elected officials and their employees; 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 legislation to increase criminal penalties for individuals who threaten, harass, or assault elected officials and their staff members.

Referred to the Committee on Public Safety.

Int. No. 1281

By Council Member Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to a property tax exemption for members of a volunteer firefighting or ambulance service

Be it enacted by the Council as follows:

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

§ 11-245.11 Exemption for members of a volunteer firefighting or ambulance service. a. Pursuant to section 466-a of the real property tax law as added by chapter 670 of the laws of 2022, the city hereby authorizes that real property owned by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service individually, or jointly with such enrolled member and their spouse, shall be exempt from taxation to the extent of ten percent of the assessed value of such property, in accordance with such section and any local laws adopted pursuant to such section.

b. Such exemption shall not be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service unless:

(i) the applicant resides in the geographic area served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;

(ii) the property is the primary residence of the applicant;

(iii) the property is used exclusively for residential purposes, provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section; and

(iv) the applicant has been certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or voluntary ambulance service in accordance with the procedure set forth in paragraph b below as an enrolled member of such incorporated volunteer fire company, fire department, or voluntary ambulance service for at least two years, however the applicant shall not be required to serve for longer than five years to be deemed eligible, and

(iv) the applicant complies with the requirements of paragraph c below.

b. Each incorporated volunteer fire company, incorporated volunteer fire department and incorporated voluntary ambulance service shall file a notice annually with the commissioner of finance prior to the taxable status date, certifying its enrolled members with two or more years of service. Such notice shall list as of the taxable status date the number of years of service served by each such enrolled member and such enrolled member's address of residence.

c. Application for such exemption shall be filed with the commissioner of finance on or before the taxable status date on a form as prescribed by the commissioner of finance.

d. The commissioner of finance may promulgate rules necessary for the implementation of this section.

§ 2. This local law shall take effect immediately.

Referred to the Committee on Finance.

Preconsidered L.U. No. 298

By Council Member Brannan:

Sojourner Truth: Block 1841, Lot 1, Block 1863, Lot 29; Manhattan; Community District No. 7; Council District No. 7.

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

Preconsidered L.U. No. 299

By Council Member Brannan:

Aulder Preservation Portfolio: Block 2032, Lots 5, 6, 7, 8, and 9; Block 2045, Lot 37; Block 2133, Lots 10 and 13; Manhattan; Community District No. 10 and 12; Council District No. 9 and 10.

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

[NEW YORK CITY COUNCIL](#)

ANNOUNCEMENTS

Wednesday, January 3, 2024

[**Charter Meeting**](#)

Council Chambers – City HallAgenda – 12:00 p.m

The following comments were among the remarks made by the Speaker (Council Member Adams) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Adams) acknowledged the recent death of a child from a migrant family in an Upper West Side shelter. On behalf of the Council, the Speaker (Council Member Adams) offered her thoughts and prayers to the child's grieving family and loved ones. She noted how this tragedy underscored the need for more culturally competent care and mental health resources in facilities and schools which serve asylum seekers.

The Speaker (Council Member Adams) acknowledged that a recent partial building collapse that took place in the Bronx in Council Member Sanchez's district led to the displacement of dozens of residents. While expressing gratitude that no one was injured, the Speaker (Council Member Adams) emphasized that it was critical that proactive measures be taken by the city to keep New Yorkers safe in their buildings.

The Speaker (Council Member Adams) took a moment to remember the lives of three New Yorkers who died in November 2023 during the course of their employment: Ommatt Cruz, Frederick D. Whiteside, and Hilarion Warren Eusta Joseph. On behalf of the Council, the Speaker (Council Member Adams) offered her thoughts and prayers to their families, their friends, and their communities as they grieve the loss of their loved ones.

The Speaker (Council Member Adams) acknowledged that December 12th marked the twelfth anniversary of the Sandy Hook Elementary School mass shooting tragedy in Newtown, Connecticut when 26 individuals, including 20 children, lost their lives. In memory of these victims and of all victims of such tragedies, she reiterated that we needed to find ways to work together to end the gun violence that is devastating our communities.

The Speaker (Council Member Adams) acknowledged that these proceedings marked the last Stated Meeting of 2023 and of the entire legislative session as well -- she thanked everyone for their hard work, dedication, and service on behalf of all New Yorkers.

The Speaker (Council Member Adams) wished a Happy Holiday season to everyone who celebrated Hanukkah, Christmas, or Kwanzaa. She wished all a wonderful holiday season and a happy new year spent with family and loved ones.

* * *

During the Meeting, the Public Advocate (Mr. Williams) spoke in support of the bills he had sponsored which were being voted on that day. He spoke in particular about Int. No. 549-A (banning solitary confinement) and Int. No. 586-A (report on police-civilian investigatory encounters). At a later point in the meeting, he acknowledged that former Council Member Danny Dromm had been present at City Hall earlier in the day. The Public Advocate (Mr. Williams) thanked former Council Member Dromm for carrying and advocating for the solitary confinement bill in a previous Council session.

Shortly before the adjournment of this meeting, the Speaker (Council Member Adams) and the Majority Leader and Acting President Pro Tempore (Council Member Powers) wished a Happy Holiday to all those assembled in the Chambers. The Speaker (Council Member Adams) also noted that it was her esteemed honor to have served as Speaker for the previous two years and she looked forward to a continued collaboration with everyone.

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Powers) adjourned these final proceedings of the two-year 2022-2023 legislative session to meet again for the Charter Meeting of the new session on Wednesday, January 3, 2024.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Note: For the transcript of these proceedings, please refer to the respective attachment section of items introduced or adopted at this Stated Meeting of December 20, 2023 on the New York City Council website at <https://council.nyc.gov>.

Editor's Local Law Note: Int. No. 1031-A, adopted by the Council at the November 15, 2023 Stated Meeting, was **signed into law** by the Mayor on December 13, 2023 as Local Law No. 167 of 2023.

Int. Nos. 348-A, 511-A, 564-A, 708-A, 1012-A, 1209, and 1210, all adopted at the November 15, 2023 Stated Meeting, were **returned unsigned** by the Mayor on December 18, 2023. These items had become law by December 16, 2023 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 168 to 174 of 2023, respectively.

Int. Nos. 195-B, 198-A, 417-B, 774-A, 775-A, 776-A, 778-A, 1055-A, 1056-A, 1057-A, 1058-A, 1059-A, 1101-A, 1118-A, 1184-A, and 1194-A, all adopted at the December 6, 2023 Stated Meeting, were **returned unsigned** by the Mayor on January 5, 2024. These items became law by January 6, 2024 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 1 to 16 of 2024, respectively.

Int. Nos. 3-A, 145-A, 532-A, 538-A, 542-A, 563-A, 585-A, 632-A, 638-A, 781-A, 944-A, 946-A, 948-A, 1011-A, 1048-A, 1131-A, 1139-A, 1153-A, 1161-A, 1203-A, 1237-A, 1239-A, 1241-A, 1244-A, and Preconsidered Int. 1278, all adopted at the December 20, 2023 Stated Meeting, were **returned unsigned** by the Mayor on January 19, 2024. These items became law by January 20, 2024 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 17 to 41 of 2024, respectively.

Editor's End of Session Note: *This Stated Meeting marks the end of the Council's proceedings for the two-year 2022-2023 legislative session. Any and all items that remained in committee as of December 31, 2023 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 four Council Members departed the Council as of December 31, 2023: Council Members Charles Barron, Ari Kagan, Kristin Richardson Jordan, and Marjorie Velázquez.

md/ldu