Mayor's Executive Orders
No. 1 - 54 (1970-1971)

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N.Y. City. Mayor

LINDSAY'S EXECUTIVE ORDERS

1970-71

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

Executive Order No. 1

January 1, 1970

CONTINUITY OF EXECUTIVE ORDERS

WHEREAS, executive orders have the force of law; and

WHEREAS certain of the executive orders heretofore made affect the structure and operation of the government of the City of New York; and

WHEREAS it is necessary and desirable to insure the continuity of the government of the City in the respects affected by such executive orders:

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. All executive orders which were in effect on December 31, 1969 be and the same hereby are continued in full force and effect.

John V. Lindsay

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER NO. 2 (2nd)

JANUARY 21, 1970

AWARDING OF CONTRACTS UNDER PUBLIC EMERGENCY CONDITIONS AND IN SPECIAL CASES

WHEREAS, the letting of contracts for public work or the purchase of supplies, material or equipment under public emergency conditions which in the public interest require immediate action which cannot await competitive bidding has been a subject of serious concern to the Mayor and the Comptroller of The City of New York; and

WHEREAS, in order to protect the public's interest in these matters, it is desirable and necessary to provide safeguards and adopt certain procedures in regard to the letting of contracts under public emergency conditions; and

WHEREAS, it is necessary and desirable to protect the public interest and to provide certain safeguards and adopt certain procedures in connection with the letting of additional work and the purchase of certain items of equipment without public letting;

NOW, THEREFORE, by the power vested in me as the Mayor of the City of New York, it is hereby ordered as follows:

SECTION 1. CONTRACTS FOR WORK OR SUPPLIES UNDER EMERGENCY CONDITIONS.

(a) Every contract for work to be awarded Under Section 103, Subdivision 4, of the General Municipal Law shall be subject to the following requirements:

(b) Initial Action by Agency

1. Declaration of Emergency.

The Administrator or Commissioner of any agency declaring an emergency shall, prior to any action letting a contract for services to remedy the emergency, issue a Declaration of Emergency and simultaneously therewith request the Corporation Counsel for an opinion as to whether the circumstances constitute an emergency. Such request to the Corporation Counsel shall be in writing and delivered to him forthwith by hand during business hours together with a copy of the Declaration of Emergency. The Declaration shall include a brief description of the nature of the problem, the reason why it must be dealt with as an emergency, and a statement that departmental forces are inadequate to handle the situation.

2. Obtaining Competitive Bids.

In every instance, the agency declaring an emergency must make an effort to obtain at least three (3) competitive bids or proposals from qualified contractors to undertake the necessary work.

3. Recording of Bids.

Where time permits, the bids or proposals shall be in writing. Where bids or proposals are bbtained by telephone because of time urgency, a memorandum of record shall be maintained.

4. Nature of Bids.

Where it is not feasible to obtain bids or proposals on a total cost basis because the nature of the work to be done is indefinite, they may be obtained on a time and material basis, with competitive bids for overhead

and profit.

5. Inability to Obtain Competitive Bids.

When it is not possible to obtain at least three (3) competitive bids, because of time urgency or other factors, the agency shall explain why in a memorandum of record.

6. Notification of Mayor and Other Officials.

Copies of the Declaration of Emergency and a record of competitive bids or proposals obtained or an explanation as to why they could not be obtained shall be forwarded forthwith to the Mayor, the Comptroller, the Corporation Counsel, the Director of the Budget and the Commissioner of Investigation.

7. Opinion by the Corporation Counsel.

The Corporation Counsel shall promptly acknowledge to the agency the receipt of the Declaration of Emergency and state whether in his opinion the facts set forth therein constitute an emergency within the meaning of the General Municipal Law, Section 103, Subdivision 4. Copies of such acknowledgements shall be forwarded to the Mayor, Comptroller, Director of the Budget, and the Commissioner of Investigation. Where the emergency does not permit, the agency is not required to await the receipt of the written opinion of the Corporation Counsel prior to letting a contract for services to remedy the emergency.

(c) Action by Agency After Declaration of Emergency.

After the agency has complied with the foregoing requirements, the following actions shall be taken:

1. The agency shall advise the contractor who is the low bidder for the work required to remedy the emergency to proceed therewith. This advise, where the urgency permits, must be in written form, and must consist of either a

Letter of Intent or a written agreement. Where, because of the urgency of the emergency, an oral direction to proceed is required, it shall be confirmed as soon as possible by a Letter of Intent or written agreement.

2. Where the Letter of Intent is used, it shall state: (1) the scope of the work to be done, (2) the cost and time limitations, (3) the fact that all payments for such work are subject to audit by the Comptroller, and (4) the fact that the Letter of Intent is subject to later confirmation in the form of a written agreement. Copies of the Letter of Intent shall be sent forthwith to the Comptroller, the Director of the Budget and the Corporation Counsel.

3. If a Letter of Intent is used as provided for herein above, the agency shall proceed at once to develop a written agreement for the emergency services. The agreement shall be submitted to the Corporation Counsel for approval as to form. After such approval, the agreement shall be filed with the Comptroller together with the written opinion of the Corporation Counsel. In addition, where the estimated cost of the work, chargeable to Expense Budget funds, exceeds $20,000, approval of the expenditure by the Director of the Budget is required.

(d) Special Provisions for Recurring Emergency Situations.

Where emergency situations provided for herein occur onaa regular basis, although the particular situation that arises cannot be foreseen, agencies experiencing such recurrences, or anticipating that they will take place, shall do the following:

1. Prepare and submit to the Mayor a description of the type of recurring emergency that the agency foresees, together with a plan for his approval for dealing with such situations. The plan shall include a statement of (1) the way in which the agency will insure that competitive bids can be

obtained prior to the actual emergency; and (2) the steps the agency is taking to limit the number of such emergency situations.

2. In the plan for dealing with recurring emergencies, the agency shall provide that notice of each emergency situation is submitted to the Mayor and the other officials as provided for in Section 1(b)6 hereinabove.

§ 2. Contracts for Purchases Without Public Letting.

(a) Except as to medical and surgical specialties, as defined by §12(g) of the Resolution adopted by the Board of Estimate on June 30, 1949 (Cal. No. 318-A) as amended, required in connection with existing facilities, purchases of equipment without public letting are subject to approval by the Board of Estimate, and shall be done only under the following conditions:

1. The agency involved certifies in writing that the equipment requested is manufactured only by one company; or is unique in that it has a high degree of efficiency or that employees can operate on only the type of equipment involved; or that it is for patented articles; or is to intermember with existing equipment or is unique for other reasons.

2. The Director of the Budget and Commissioner of Purchase submit written statements to the Board of Estimate supporting the request.

3. The foregoing Section 2 is not intended to affect the procedures for emergency purchases by the Department of Purchase provided by Section 10 of the Resolution adopted by the Board of Estimate on June 30, 1949 (Cal. No. 318-A) as amended.

§ 3. Contract Changes.

(a) The following requirements shall apply to authorization of any changes in a contract:

1. A change required due to design errors or omissions or to field

conditions not previously anticipated (such as changes in foundation conditions or in conditions uncovered during rehabilitation) may be authorized by the Administrator or Commissioner of an Agency.

2. Any Agency requiring such changes shall forward forthwith to the Director of the Budget supporting information and justification for the change.

3. No change that involves a change in the scope of a contract (such as the size or character of a structure) shall be authorized until after review and approval by the Director of the Budget.

4. Change orders involving more than a 5 per cent overrun in a contract will be submitted to the Board of Estimate with a report and recommendation by the Director of the Budget.

§ 4. This order supersedes Executive Order No. 59 of January 15, 1968 and shall take effect immediately.

JOHN V. LINDSAY
MAYOR

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER NO. 3 (2nd)

JANUARY 21, 1970

DESIGNATION OF OFFICER IN EACH AGENCY TO ACT AS LIAISON OFFICER IN FURNISHING PENSION DATA

WHEREAS, the New York City Employees' Retirement System (hereafter referred to as "The Retirement System") has been experiencing a substantial delay between the date of an employee's retirement and the computation and payment of the retiree's first benefit check, and

WHEREAS, such delay has, on occasion, imposed a financial hardship on a retiree, and

WHEREAS, the Board of Trustees of The Retirement System advises that payment of first benefit checks will be accelerated by expediting the supplying of certain necessary information to The Retirement System, and

WHEREAS, it is the declared policy of this Administration to make every effort to assure that employees retiring from City service shall receive their pension checks as soon after retirement as possible,

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1: The head of every City agency shall designate a deputy administrator if such agency is an administration; a deputy commissioner if such

agency is a department, or an assistant of corresponding rank in all other case to act as a liaison officer between the agency and The Retirement System. Noti of such designation shall be given to the Secretary of The Retirement System within ten days after the date of this order.

§2. Within seven working days of the receipt of a request, it shall be the duty of each agency's liaison officer to provide in writing any and all information sought by The Retirement System regarding a retired employe or an employee about to retire.

§3. The Secretary of the Retirement System shall notify the Chairman of the Board of Trustees of The Retirement System in writing of the failure on the part of any agency to comply with the provisions of this directive.

§4. This order shall take effect immediately.

JOHN V. LINDSAY
Mayor

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER NO. 4

JANUARY 28, 1970

CREATION OF POSITION OF DEPUTY MAYOR FOR INTERGOVERNMENTAL RELATIONS

WHEREAS, Section 3 of the New York City Charter authorizes the Mayor, as Chief Executive Officer of the City to create positions within his Executive Office as he may deem necessary to fulfill his duties, and

WHEREAS, Section 7 of the New York City Charter authorizes the Mayor to appoint two or more Deputies, and

WHEREAS, by Executive Order No. 9, dated March 4, 1966, it was provided that there shall be two Deputy Mayors, one of whom shall be designated Deputy Mayor for the Executive Office and one of whom shall be designated Deputy Mayor for Administration and City Administrator, and

WHEREAS, it is deemed necessary to appoint an additional Deputy Mayor to be designated as Deputy Mayor for Intergovernmental Relations and to exercise the functions, powers and duties hereinafter specified,

NOW, THEREFORE, by the power vested in me as the Mayor of the City of New York, it is hereby ordered as follows:

Section 1. That in addition to the two Deputy Mayors heretofore

specified, there shall be a Deputy Mayor for Intergovernmental Relations.

§ 2. The Deputy Mayor for Intergovernmental Relations shall:

a. supervise the operations of the New York City Albany Office and the development and management of the city's state legislative program;

b. supervise the operations of the New York City Washington Office and the development and management of the City's federal legislative program;;

c. serve as Chairman of the Mayor's Legislative Coordinating Committee, to develop and coordinate federal, state and city legislative strategy;

d. establish and direct machinery for insuring the full utilization of state and federal grant-in-aid programs by city agencies;

e. serve as the Mayor's representative on the Metropolitan Regional Council, the organization representing local governments of the tri-state area, and as liaison with other regional bodies;

f. serve as the Mayor's liaison with various intergovernmental agencies which operate in the New York City area, such as the Interstate Sanitation Commission and the Tri-State Transportation Commission;

g. serve as the Mayor's liaison with various organizations and groups engaged in lobbying at the state and federal levels, such as the National Urban Coalition, the U. S. Conference of Mayors, the National League of Cities, the New York State Conference of Mayors, and the "Big Six" mayors of New York State.

§3. This order shall take effect immediately.

John V. Lindsay
Mayor

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER #5

FEBRUARY 24 1970

WHEREAS, the Committee on Pensions was formally established in April, 1954 and

WHEREAS, such Committee has from time to time advised the Mayor on proposed pension legislation and other matters affecting the city's pension systems and

WHEREAS, in the interest of orderly government there is a need to formally establish the Mayor's Committee on Pensions within the Executive Office of the Mayor to advise the Mayor on pension matters on a regular and continuing basis,

NOW, THEREFORE, by the power vested in me as the Mayor of the City of New York, it is hereby ordered as follows:

SECTION 1. There shall be established within the Executive Office of the Mayor a Mayor's Committee on Pensions.

§2. The membership of the Mayor's Committee on Pensions shall consist of the following or their designees: a member of the Mayor's staff, who shall be the Chairman, The Comptroller of the City of New York, the President of the City Council, the Deputy Mayor-City Administrator, the Corporation Counsel, the Director of the Bureau of the Budget, the Director of Office of Labor Relations,

the Mayor's State Legislative representative, the City Actuary, a member of the City Council selected by the City Council and the Secretary of theNNew York City Retirement System, who shall serve as Secretary.

§3. The Mayor's Committee on Pensions shall advise the Mayor on city pension policies, proposed pension legislation and on all matters affecting the City's pension systems.

§4. This Order shall take affect immediately.

JOHN V. LINDSAY
Mayor

(5-A)

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

March 23, 1970

FROM: John V. Lindsay
Mayor

TO; All Department Heads and Agencies

For the duration of the mail stoppage and until further notice, we are establishing a shuttle service between the New York and Albany offices of the City's Legislative Representative.

It is absolutely essential that the lines of communication with our Albany office be kept open -- particularly since we are now in the latter part of the legislative session when so many crucial decisions are made.

Accordingly, please hand deliver all comments on legislation and other material to the New York office of the Legislative Representative -- Room 110, 52 Chambers Street -- before 4 p.m. each day and, at the same time, have your messenger pick up all material from the Albany office to your agency or department.

Your cooperation is urgently requested.

John V. Lindsay

5-A

MRK

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER NO. 6

APRIL 6, 1970

Establishment of the Criminal Justice Coordinating Council

WHEREAS, there are numerous public and private agencies involved in the City's criminal justice system,

WHEREAS, there is a need to coordinate the efforts of these separate agencies,

WHEREAS, the President's Crime Commission in 1967 recommended that every City have a single planning agency for the coordination of crime control activities,

WHEREAS, the Federal Omnibus Crime Control and Safe Streets Act requires that local criminal justice agencies develop coordinated plans and programs,

WHEREAS, the New York State Crime Control Planning Board has asked the Mayor to designate an agency to serve as the City's planning body,

WHEREAS, the Mayor's Criminal Justice Coordinating Council, established in 1967, has provided the City with a single planning agency for crime control planning and reform,

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. There is hereby established in the Office of the Mayor, a Criminal Justice Coordinating Council, which shall plan and coordinate crime control and criminal justice activities for the City.

§2. The Mayor shall serve as Chairman of the Council. He shall designate such other officers as he deems appropriate.

§3. The Mayor shall appoint a Director of the Council, who shall serve at the pleasure of the Mayor.

§4. The duties of the Director shall include but not be limited to the following:

(a) to confer with appropriate City, State, Federal, and private agencies concerned with the administration of criminal justice for the purpose of improving crime control programs and policies;

(b) to confer with appropriate City, State, Federal and private agencies for the purpose of securing funds for the support of the Council and for initiating programs of crime control and criminal justice reform, and, on behalf of the City, to accept, and enter into contracts for, grants of Federal, State or other funds to the City for such purposes;

(c) to advise the criminal justice agencies on improved policies and programs;

(d) to conduct research, operate programs, and conduct studies of crime control and criminal justice; and to contract with other public or private agencies and engage consultants for such research programs and studies;

(e) to prepare and publish such reports and sponsor such conferences as he deems appropriate;

(f) to encourage joint activities among the separate criminal justice agencies and to represent the overall interest and needs of the criminal justice system;

(g) to advise the Model Cities Administrator and the local Model Cities Committees in the planning and implementing of Crime Control and criminal justice programs in the Model Cities areas;

(h) to collect statistics and information relative to the criminal justice agencies, to design information systems for the standardization and collection of data and to prepare and publish reports, statistics and analyses of criminal justice operations.

§ 5. (a) The Mayor shall appoint the members of the Council to serve for four year terms. The terms of the members first appointed shall expire four years from January 1, 1970.

(b) The membership of the Council shall include representatives from all public agencies substantially involved in the criminal justice system.

(c) The Council shall have no less than fifty and no more than eighty members.

(d) Approximately one-half the Council members shall be private citizens.

(e) The members of the Council shall serve without compensation.

§6. The Mayor shall appoint an Executive Committee of not more than sixteen members which shall act on behalf of the Council. The Mayor shall serve as Chairman of the Executive Committee.

§7. The Executive Committee: (a) is hereby designated to act as the planning agency for the City under the provisions of the Omnibus Crime Control and Safe Streets Act, and (b) shall have the power to review and approve applications on behalf of the City for Federal and State crime control and criminal justice funds.

§8. All City agencies shall furnish the Director with such reports and information as he may deem necessary to carry out the functions and purposes of his office.

§9. The Director shall submit an annual report to the Mayor and the members of the Council.

§10. This order shall be effective immediately.

JOHN V. LINDSAY
MAYOR

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER NO. 7

April 10, 1970

ESTABLISHMENT OF COMMISSION FOR THE UNITED NATIONS AND FOR THE CONSULAR CORPS

WHEREAS, it is essential to the City of New York that the finest possible relationship be established and maintained between the personnel of the United Nations and the various foreign consulates and the people of the City of New York, and

WHEREAS, in order to achieve such objective it is necessary to make available to the personnel of the United Nations and to the Consular Corps all possible help and guidance and complete information about available city services, and,

WHEREAS, it is desirable that only one agency in the city be responsible for conducting such relations,

NOW, THEREFORE, pursuant to the authority vested in me as Mayor of the City of New York it is hereby ordered:

Section 1. There is hereby established in the Office of the Mayor the New York City Commission for the United Nations and for the Consular Corps.

§2. The Commission shall be headed by the Commissioner for the United Nations and for the Consular Corps. The Commissioner shall serve without salary and at the pleasure of the Mayor, and be the Mayor's personal representative.

§3. The commission shall have the following duties:

(a) Promoting the role of New York City as the headquarters of the United Nations; and for this and related purposes, maintaining close liaison with the United Nations Secretariat and the individual delegates and United Nations personnel, subject to the policy guidance of the appropriate officials in the United States Mission to the United Nations, but subject finally to the instructions of the Mayor.

(b) Promoting the role of New York City as one of the main centers of Foreign Consulates, maintaining close liaison with the Consular Corps, subject to the policy guidance of the United States State Department, but subject finally to the instructions of the Mayor.

(c) Informing United Nations and Consular Corps officials of services available to them from the various city agencies and taking such action as is necessary to assure that such services are rendered.

(d) Mobilizing serv ices, especially in the fields of education, health, housing and hospitals in both the public and private sector, within reasonable and practicable limits

for the benefit of officials, delegates and personnel of the United Nations and Consular Corps.

(e) Mobilizing the assistance of voluntary neighborhood and community organizations for the furtherance of the above purposes.

§4. The Consular Corps Committee of the City of New York is hereby transferred from the Department of Public Events to the Commission for the United Nations and for the Consular Corps.

§5. Executive Order No. 8 dated February 14, 1966, is hereby repealed.

§6. This order shall take effect immediately.

John V. Lindsay
MAYOR

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

OFFICE OF THE MAYOR

EXECUTIVE ORDER NO. 8

APRIL 15, 1970

WHEREAS, the Model Cities Program is a major City program designed to be a comprehensive attack on social, economic and physical problems in selected slum and blighted areas through the most effective and economical concentration and coordination of federal, state and local public and private efforts; and

WHEREAS, the City has appropriated capital funds to be used for Model Cities physical development programs; and

WHEREAS, the City has entered into a grant agreement with the Secretary of Housing and Urban Development of the United States in the amount of $65 million dollars, to be used by the City to implement the Model Cities program; and

WHEREAS, after a thorough study as to the manner in which the Model Cities Program should be structured in order to best accomplish its purposes, it is the intention of the Mayor to establish in the Office of the Mayor a Model Cities Administration comparable to the other administrations of the City carrying out major City programs, and

WHEREAS, a Model Cities Administrator has been designated by the Mayor; and

WHEREAS, it is essential to the success of the Model Cities Program that it go forward with all possible speed, given highest' priority by all City agencies, and maintain widespread and effective citizen participation;

NOW, THEREFORE, by virtue of the powers vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. There is established in the Office of the Mayor:

(a) The Model Cities Administration and the position of Model Cities Administrator. The Model Cities Administrator shall be appointed by the Mayor and shall serve at his pleasure.

(b) The Mayor's Model Cities Board which shall consist of the Model Cities Administrator, who shall be the Chairman of such board; two members, selected by each local Policy Committee, to be appointed by the Mayor; six other members who shall be designated by the Mayor and shall serve at his pleasure, and each Area Director who shall be a member ex-officio.

§2. Upon the request of the Model Cities Administrator each City agency responsible for planning, operating or reviewing Model Cities programs shall create a Model Cities staff as part of its ongoing operating structure and designate a Model Cities director at policy level.

§3. The Administrator, subject to approval by the Mayor, shall employ an Assistant Model Cities Administrator for each area, to be selected from a list of five candidates nominated by the Local Policy Committee of such area. Each such Assistant Model Cities Administrator shall act as Area Director for the Model Cities Local area for which he is appointed. Each Area Director shall be responsible to the Administrator for:

(a) Ensuring full and effective participation in the Model Cities program for neighborhood groups and organizations;

(b) Implementing procedures adopted or amended by the Model Cities Board for the election of and maintaining liaison with the Local Policy Committee;

(c) Coordinating existing programs operating in the Model Cities area for the purpose of effectuating the Model Cities program;

(d) Supervising the preparation and effectuation of Model Cities plans and programs in the area.

§4. The Mayor's Model Cities Board shall meet at least once each month. It shall be:

(a) Consulted by the Administrator on major policy and program decisions and plans;

(b) Responsible for planning and issuing guidelines for selection of members of Local Policy Committees and resolving any conflicts resulting from these selection procedures;

(c) Responsible for making recommendations as to monitoring the conduct of programs and activities,

participation of citizens in the evaluation of local programs and allocation of resources;

(d) Consulted by the Administrator on procedures to maximize employment opportunities of citizens of model neighborhoods;

(e) Consulted by the Administrator and shall make recommendations as to such other matters and activities as the Administrator, in his discretion, deems necessary, from time to time, in the proper execution of the Model Cities Program.

§5. All contracts entered into by the Administrator shall be approved by the Mayor.

§6. The Administrator shall coordinate overall planning and implementation of the Model Cities Program, and shall exercise and perform the following responsibilities and duties subject to the provisions of the Mayor's Executive Order No. 107:

(a) Develop policy guidelines for the City role in the New York Model Cities program and establish priorities among various programs in light of available resources;

(b) Review activities of City Departments and Administrations executing the Model Cities program, and establish policy guidelines for the conduct of such activities within the Model Cities areas;

(c) Allocate available financial resources for the planning, development, and operation of such a program and approve final programs as developed in each Model Cities area;

(d) Administer the Model Cities budget, including City allocations and any resources made available by federal or state governments or private agencies;

(e) Enter into and execute contracts and agreements necessary for implementation of the Model Cities program, including contracts and agreements with federal agencies, subject to section 5 of this Order;

(f) Employ all necessary staff in the central and local Model Cities offices;

(g) Advise the Mayor, the City Council, and the Board of Estimate on the progress of the program.

§7. The Administrator may require such reports, analyses, and statements from the agencies of the City as he may deem necessary for the proper performance of his duties hereunder.

§8. Notwithstanding any defect or irregularity or any omission of any requirement of the Mayor's Executive Order No. 55 of November 2, 1967 or of any Executive Order of the Mayor supplementary or amendatory thereof or of any other Executive Order of the Mayor, or any lack of authority under any Executive Order of the Mayor, the acts and proceedings of and contracts entered into by the Model Cities Committee established by Executive Order No. 55 of November 2, 1967, or the Executive Secretary, the Chairman or the Administrator of such Committee, or the Model Cities Administrator appointed by the Mayor prior to the effective date of this Executive Order, are hereby legalized, validated, and confirmed. Such acts, proceedings and contracts shall be deemed operative and effectual as of the dates on which such acts and proceedings were done or held and on which such contracts were executed.

§9. The Executive Order of the Mayor, No. 55, effective November 2, 1967, is hereby rescinded. This Executive Order shall take effect immediately.

John V. Lindsay
MAYOR

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

OFFICE OF THE MAYOR

EXECUTIVE ORDER NO. 9

MAY 4, 1970

UNIFORM RECORDS RETENTION PRACTICES

WHEREAS, it is essential that each City agency adopt uniform records retention practices to assure the efficient and timely flow of public records and papers from high-cost office space and equipment to low-cost records storage facilities and to provide for the prompt and continuing disposal of records found to be obsolete, and

WHEREAS, the Municipal Archives and Records Center of the Municipal Service Administration, after considerable study and research has devised a plan relating to public records and papers and their disposition, and

WHEREAS, such plan has been formulated into a "City-Wide Housekeeping Records Retention Schedule" with prefatory explanatory notes, and

WHEREAS, said Schedule and Notes establish a standard, uniform policy for the retention and disposition of public records and papers in accordance with law,

NOW, THEREFORE, by virture of the authority vested in me as Mayor of the City of New York, it is hereby ordered that all City agencies conform their departmental manuals and records keeping practices to coincide with

the following:

Section 1. Coverage. The appended Schedule was prepared specifically for usage by City administration and agencies which do not have City-wide or central responsibility for the administrative services documented by such house-keeping records. For example, the recommendation with regard to the retention of personnel folders should be adopted by all departments and administrations except the Department of Personnel. The recommendations covering payrolls and vouchers should likewise be adopted by all except the Comptroller's Office since the latter is, in this instance, the office of record or City-wide responsibility. Although offices of record are not necessarily precluded from adopting any of the recommendations relating to records which document their official City-wide functions, it is felt that specific provisions of the City Charter as well as unique internal operating requirements need special examination and appraisal with regard to records retention scheduling.

§2. Exceptions. Since disposal of all municipal records, including those listed on the appended Schedule, must be accomplished in strict accordance with provisions appearing in the Administrative Code, the Law Department will, as in the past, continue to disapprove the disposal of any records needed as a result of litigation. Another potential exception to the unqualified adoption of the Schedule results from Federal and State aid received by various City administrations and agencies. In some instances it may be necessary to retain specific records beyond the retention periods stated in the Schedule for reasons of Federal and State audits. However, this exception is regarded as minimal, and should only apply to records specifically requested for external audit purposes, and only when such audits have not been completed within the prescribed period. In such

instances, authorization for disposal should be promptly requested of the Board of Estimate upon completion of audit.

§3. Application and implementation. The Municipal Archives and Records Center will give technical assistance to any component of City government so that it may promptly, effectively and comprehensively apply the terms set forth in the appended Schedule to specific records maintained. Technical assistance includes recommendations on the establishment of filing systems and procedures compatible with the spontaneous and continuing application of the Schedule, preparation of disposal lists and requests for approval by the Board of Estimate, preparation of initial and annual listings of records scheduled for transfer to the Municipal Archives and Records Center, and the formulation of special instructions for the maintenance and disposition of records.

§4. Compliance and enforcement. It is essentially the responsibility of each City administration or agency to assure full and continuing compliance with the terms of the appended Schedule. For this reason, each organizational element of the City government must designate in writing a staff member to serve as its records management officer and file a copy of such designation with the Municipal Services Administrator. One of the major duties of a records management officer is to assure full and complete compliance with the terms of this Schedule. It is, therefore, essential for such a records officer to make frequent and continuing examinations of records maintained by his department if full and complete compliance is to be achieved.

§5. Revision. The massive restructuring of the City government, rapid technological advances in information storage and recall methods, and continuing changes in statutory requirements all indicate rather

clearly that periodic revisions of the appended Schedule will be necessary. Such revisions as required will be prepared annually at the beginning of each calendar year. Additions, deletions or changes in any area of the Schedule will be clearly set forth on this basis. However, the physical movement of housekeeping records from an agency to an administration as a result of the recent reorganization of the City Government does not and will not necessitate any change in the content, terms or conditions of the appended Schedule.

§6. City-Wide Housekeeping Records Retention Schedule

Index of Coded Symbols Appearing on Housekeeping Records Retention Schedule

Coded Symbol	Explanation of Coded Symbol
A	Active
I	Inactive
P	Permanent
PM	Permanently Maintained on 35 MM Aperture Cards
T	Termination (Of Contract, Employment, etc.)

§7. City-Wide Housekeeping Records Retention Schedule

June, 1970

RECORDS TITLE	RECORD RETENTION PERIOD (IN YEARS) OFFICE YEARS	REC. CTR. YEARS	TOTAL YEARS
Accidents Reports:			
Employees	6	-	6
Non-Employees			
Vehicles			
Applications, Employment:			
Employees	File With Personnel Folder		
Non-Employee	3	-	3

	RECORD RETENTION PERIOD (IN YEARS)		
	OFFICE YEARS	REC. CTR. YEARS	TOTAL YEARS
Attendance And Leave Records:			
Attendance Books or Sheets, daily	3	-	3
Attendance Reports or Summaries, Non-Annual	3	-	3
Leave of Absence Requests	3	-	3
Time and Leave Records, Annual	T+10	-	T+10
Time Sheets, Individual	3	-	3
Bank Records			
Bank Deposit Slips	2	-	2
Bank Reconciliations	3	-	3
Bank Statements	2	4	6
Canceled Checks	2	4	6
Checkbook Stubs	2	4	6
Board of Estimate Records			
Calendars	3 mos.	-	3 mos.
Minutes	A	-	I
Budget Data Approvals Certifications Estimates Modification Requests Workpapers	6	-	6
Capital Budget Records	10	-	10
City Record, Copies Of	3 mos.	-	3 mos.

RECORDS TITLE	RECORD RETENTION PERIOD (IN YEARS) OFFICE YEARS	REC. CTR. YEARS	TOTAL YEARS
Comptroller's Records:			
Audited changes	3	-	3
Estimates, Adjusted & Revised	3	-	3
Fund Balances and Statements	2	2	2
Contract Records			
Contracts-Official Copy	T+2	4	T+6
Correspondence	T+2	4	T+6
Drawings And Tracings	PM	-	PM
Specifications	T+2	4	T+6
General Ledger	P	-	P
Job Classification Records: Job Control Index Cards (Title Files) Position Classification Questionnaires Specifications	A	-	D

	RECORD RETENTION PERIOD (IN YEARS)		
	OFFICE YEARS	REC. CTR. YEARS	TOTAL YEARS
Journal Entry Books	P	-	P
Motor Vehicle & Travel Records			
Daily Reports, Operators & Mileage	2	-	2
Maintenance and Repair Records	3	-	33
Expense Reports	3	-	3
Summary Reports, Other Than Daily	3	-	3
Payroll Records:			
Earnings Record Card	T+1	9	T+10
Payroll Orders and Vouchers	2	4	6
Payroll Sheets and Recaps	3	-	3
Payroll Change Notices	3	-	3
Payroll Deduction Notices	3	-	3
Personnel Records:			
Index Or History Cards	T+10	-	T+10
Medical and Health Records	File With Personnel Folder		
Personnel ChangesNotices	3	-	3
Personnel & Civil Service Forms & Corres.	3	-	3
Personnel Folders-Employee	T+1	9	T+10
RECORDS TITLE			
Purchasing Records			
Open Market Orders	1	3	4
Purchase Orders, Official Copy	1	3	4
Purchase Requisitions	1	3	4
Purchasing Ledger or Register	2	4	6
Stores And Supplies Records			
Receiving Reports	4	-	4
Stock Inventories	2	-	2
Stores Reports (Issues & Withdrawals)	4	-	4
Stores Requisitions	1	3	4
Supply Requisitions	1	-	1
Vouchering Records			
Vouchers (All Types)	2	4	6
Voucher Registers	5	10	15
Voucher Schedules	2	-	2

Listed below are the departments which are excluded from the Schedule as they are official agencies of record:

Records Title	Offical Agency of Record
Accident Reports	Comptroller & Law Department
Applications, Employment	Personnel, Department of
Banking Records	Finance, Department of
Bd. of Estimate Records	Estimate, Board of
Budget Data	Budget, Bureau of
Capital Budget Records	Budget & City Planning, Dept.
City Record Copies	City Record
Comptroller's Records	Comptroller
Contract Records	Comptroller & Law Department
Job Classification Records	Personnel, Department of
Payroll Records	Comptroller
Personnel Records	Personnel, Department of
Purchasing and Stores Records	Purchase, Department of
Vouchering Records	Comptroller

Additional Schedules containing revisions will be transmitted periodically to appropriate agencies. Such Schedules will be adopted and applied in accordance with this Executive Order.

§8. This Order shall take effect immediately.

John V. Lindsay

Mayor

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER NO. 10

MAY 5, 1970

AMENDMENT TO EXECUTIVE ORDER #5
ISSUED ON FEBRUARY 24, 1970

SECTION TWO of Executive Order #5 is hereby amended to read as follows:

§2. The membership of the Mayor's Committee on Pensions shall consist of the following or their designees: a member of the Mayor's staff, who shall be the Chairman, The Comptroller of the City of New York, the President of the City Council, the Deputy Mayor-City Administrator, the Corporation Counsel, the Director of the Bureau of the Budget, the Director of Office of Labor Relations, the Mayor's State Legislative representative, the Director of Personnel, the City Actuary, a member of the City Council selected by the City Council and the Secretary of the New York City Retirement System, who shall serve as Secretary.

§3. This Order shall take affect immediately.

John V. Lindsay

JOHN V. LINDSAY
MAYOR

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

OFFICE OF THE MAYOR

EXECUTIVE ORDER NO. 11

MAY 21, 1970

APPOINTING A COMMISSION TO INVESTIGATE ALLEGATIONS OF POLICE CORRUPTION AND THE CITY'S ANTI-CORRUPTION PROCEDURES

Section 1. Pursuant to the Authority vested in the Mayor, I hereby appoint a Commission to (1) investigate the extent of alleged police corruption in the City and any relationship of such alleged corruption to crime and law enforcement; (2) inquire into and evaluate the existing procedures for investigating specific allegations of corruption and present practices designed to prevent corruption and ascertain whether these procedures provide the public with adequate assurance that charges of police corruption are dealt with vigorously, promptly and fairly; (3) recommend improvements in these procedures, additional steps to provide stronger safeguards against corruption, and any improvements in methods of law enforcement which will tend to eliminate police corruption; (4) take evidence and hold whatever hearings, public and private, the Commission may deem appropriate to ascertain the necessary facts.

§2. The Commission shall consist of the following persons who are hereby appointed as members thereof:

Whitman Knapp, Chairman
Arnold Bauman
Joseph Monserrat
Franklin A. Thomas
Cyrus R. Vance

§3. The Commission is empowered to prescribe its own procedures and to employ such assistants as it deems necessary, within the amounts appropriated therefor.

§4. All departments and agencies of the City are directed to furnish the Commission with such facilities, services and cooperation as it may request from time to time.

§5. This order shall take effect immediately.

John V. Lindsay
Mayor

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

OFFICE OF THE MAYOR

EXECUTIVE ORDER NO. 11

MAY 21, 1970

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Arnold Bauman
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§4. All departments and agencies of the City are directed to furnish the Commission with such facilities, services and cooperation as it may request from time to time.

§5. This order shall take effect immediately.

John V. Lindsay
Mayor

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER NO. 12

MAY 25, 1970

PROVIDING FOR PAYMENT FOR THE USE AND SUPPLY OF WATER BY HOSPITALS, ORPHAN ASYLUMS AND OTHER CHARITABLE INSTITUTIONS WHICH ARE ELIGIBLE TO RECEIVE REIMBURSEMENT FROM EITHER THE UNITED STATES, THE STATE OF NEW YORK OR THE CITY OF NEW YORK, OR ANY AGENCY THEREOF.

WHEREAS, Chapter 696 of the Laws of 1887 exempted hospitals, orphan asylums and other charitable institutions in the City of New York from paying for the use and supply of water, and

WHEREAS, water charges are clearly not a tax but a bill for the purchase of a product, and

WHEREAS, payments by the United States, the State and City of New York have become a significant part of the reimbursements, hospitals and similar institutions receive for their services, and

WHEREAS, because of the exemption granted for water consumption, hospitals and similar institutions do not include in the computation of their daily rate for services rendered, the cost of water supplied by the City of New York, and

WHEREAS, the exclusion of cost of water constitutes a subsidy by the City of New York which if supplied by a private water company would not be so excluded, and

WHEREAS, Chapter 167 of the Laws of 1970 amended Chapter 696 of the Laws of 1877, to provide as follows:--

> "---the mayor of the city of New York, by executive order, may provide that such institutions, society or corporation shall not be exempt from payment for the use and supply of water, except that such executive order shall apply only with respect to those institutions, societies or corporations who are eligible to receive reimbursement from either the United States, the state of New York, or the city of New York, or any agency thereof, for payments for the use and supply of water".

NOW, THEREFORE, by the power vested in me as the Mayor of the City of New York, I hereby order as follows:

Section 1. Pursuant to the provisions of Chapter 167 of the Laws of 1970, all institutions, societies or corporations which are eligible to receive reimbursement from either the United States, the State of New York, of the City of New York, or any agency thereof, shall not be exempt from payments for the use and supply of water.

§2. The effective date of this executive order shall be June 1st, 1970.

John V. Lindsay
Mayor

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

PAYMENT OF CITY VENDORS
AND CONTRACTORS

EXECUTIVE ORDER #13

June 3, 1970

WHEREAS, it has been determined by independent studies that the time required to pay City vendors and contractors is excessive; and,

WHEREAS, delays in making payment reduce competition for City work, impose heavy interest charges upon vendors and contractors, and impair sound relationships between the City and its vendors and contractors; and,

WHEREAS, delays in payment also tend to increase City prices and contribute to inflation; and,

WHEREAS, in recognition of the critical nature of the situation, I have appointed with the Comptroller a joint task force to solve our payments problems,

NOW, THEREFORE, by the power vested in me as Mayor, it is hereby ordered that:

Section 1. All City agencies process vouchers, invoices, and other payment-related documents with the maximum possible speed;

§2. All processing backlogs in all agencies be eliminated and workloads reduced to current status by July 30, 1970;

§3. The Director of the Bureau of the Budget is authorized to approve overtime requests in conformity with existing City policy as required to accomplish this end;

§4. All City agencies cooperate with and comply with the directives issued by the joint Mayor-Comptroller task force.

§5. This order shall take effect immediately.

John V. Lindsay
Mayor

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

EXECUTIVE ORDER NO. 14

June 16, 1970

Continuation of increased-take-home-pay plan during 1970-1971 fiscal year, for members of the Board of Education Retirement System

WHEREAS, since the City fiscal year 1960-1961, the New York City Board of Education, with the approval of the City, has provided, for successive periods of one fiscal year pursuant to statutes enacted by the State Legislature at the request of the City, an increased take-home-pay-plan applicable to members of the Board of Education Retirement System; and

WHEREAS, such plan makes possible a decrease in the pension contributions of such members without diminution or loss of pension rights, with the result that the take-home-pay of such members is increased; and

WHEREAS, by reason of the economic benefits conferred by such plan on such members, their morale, efficiency and productiveness are improved, with resulting substantial benefits to the administration of the affairs of the Board of Education and the City government and enhancement of the welfare of the people of the City; and

WHEREAS, the City, at the 1970 Session of the State Legislature, sponsored the enactment of Laws of 1970, Ch. 960 which authorizes the New York City Board of Education, with the approval of the Mayor, to continue such increased take-home-pay plan during the City's 1970-1971 fiscal year; and

WHEREAS, the New York City Board of Education, by resolution adopted on May 20 , 1970 has elected, subject to the approval of the Mayor, to continue such increased-take-home-pay plan during the City's 1970-1971 fiscal year; and

WHEREAS, I have determined that it is in the best interests of the City, the Board of Education and the members of the Board of Education Retirement System that such plan be so continued;

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N. Y.

Executive Order No.

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. The annexed resolution of the Board of Education, adopted on May 20 ,1970, amending the provisions governing the Board of Education Retirement System to the extent necessary to put into effect a pensions-providing-for-increased-take-home-pay plan for the fiscal year 1970-1971 analogous to that authorized by Laws 1962, Ch.789, is hereby approved.

This order shall take effect June 16 ,1970.

JOHN V. LINDSAY

M A Y O R

Richard R. Aurelio

By RICHARD R. AURELIO
Deputy Mayor

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.
BOARD OF EDUCATION
OF THE CITY OF NEW YORK
110 LIVINGSTON STREET
BROOKLYN, N.Y. 11201

May 21, 1970

Bd.Ed.Mtg. 5/20/70
Cal. No. 27

Hon. John V. Lindsay
Mayor, The City of New York
City Hall
New York, N.Y. 10007

Dear Mr. Mayor:

Pursuant to the provisions of Section 2575 of the Education Law, enclosed for your approval is a certified copy of the resolution adopted by the Board of Education at a Special Meeting held on May 20, 1970, approving amendments to the rules and regulations governing the Board of Education Retirement System to continue reserve-for-increased-take-home-pay.

Very truly yours,

Harold Siegel
HAROLD SIEGEL
Secretary

HS:nc
Encl.

cc: Mr. John J. Lanigan
Office of the Budget Director

~~Miss Mary Bass~~ Mrs. Kowloff
Office of Corporation Counsel

Mr. Antoinetta
Mr. Oppenheim

Mr. William T. Scott
Executive Secretary
Teachers' Retirement Board
40 Worth Street
New York, N.Y. 10013

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

May 1, 1970

AMENDMENTS TO THE RULES AND REGULATIONS OF THE BOARD OF EDUCATION RETIREMENT SYSTEM TO CONTINUE RESERVE-FOR-INCREASED-TAKE-HOME-PAY.

The following resolution is submitted for adoption:

RESOLVED, That pursuant to the provisions of Section 2575 of the Education Law, the Board of Education subject to the approval by the Mayor of the City of New York hereby adopts and submits to the Teachers' Retirement Board for approval the following amendments to the rules and regulations governing the Board of Education Retirement System.

1. Subdivision a of Section 29 of the rules and regulations is hereby amended to read as follows: (matter in brackets to be deleted, matter underlined and in italics is new matter)

a. Beginning with the payroll period the first day of which is nearest to July first, nineteen hundred sixty-one, and ending with the payroll immediately prior to that, the first day of which is nearest to June thirtieth, nineteen hundred /seventy,/ seventy-one, the contribution of each member, other than any member excluded under the terms of subdivision h or subdivision i of this section, and other than any member with respect to whom it is otherwise provided in subdivisions j, k, l, m, n, o, p, q, /and r/ r and s of this section, to the annuity savings fund, exclusive of any increase thereof made pursuant to section four-a, paragraphs b and k of Subdivision (one) of section eight, or Subdivision (five) of section ten, and before any reduction thereof pursuant to Subdivision one of section one hundred thirty-eight-b of the retirement and social security law, shall be reduced by an amount equal to five percentum of his compensation. If such rate of contribution exclusive of any increase thereof made pursuant to section four-a, paragraphs b and k of Subdivision (one) of section eight, or Subdivision (five) of section ten, and before reduction thereof pursuant to Subdivision one of section one hundred thirty-eight-b of the retirement and social security law, and before reduction thereof pursuant to the provisions of this section, is equal to or less than five percentum, such rate shall be discontinued. The methods of computation and the deductions from compensation prescribed by paragraphs c, d, e, f, h, i, j, l and m of Subdivision (one) of section eight, Subdivision (four) of section eleven, Subdivision (five) of section twelve and Subdivision (five) of section fourteen shall be appropriately modified in the case of a member for whom a rate of contribution is otherwise fixed pursuant to this subdivision.

2. Section 29 is further amended by adding a new subdivision to be subdivision s to read as follows: (all new matter)

I s. Beginning with July 1, 1970 and ending with June 30, 1971, the contribution
of each member who is in a career pension plan position, to the annuity savings
T fund exclusive of any increase thereof made pursuant to section four-a, para-
graphs b and k of Subdivision (one) of section eight, or Subdivision (five) of
A section ten, and before any reduction thereof pursuant to Subdivision one of
section one hundred thirty-eight-b of the retirement and social security law,
L shall be reduced by an amount equal to four percentum of his compensation. If
such rate of contribution exclusive of any increase thereof made pursuant to
I section four-a, paragraphs b and k of Subdivision (one) of section eight, or
Subdivision (five) of section ten, and before reduction thereof pursuant to Sub-
C division one of section one hundred thirty-eight-b of the retirement and social
security law, and before reduction thereof pursuant to the provisions of this
S section, is equal to or less than four percentum, such rate shall be discontinued.

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

3. The provisions of this resolution shall not imply any obligation, commitment or promise that the benefits herein granted or provided for shall be continued beyond the termination date thereof, as herein prescribed.

4. This resolution shall take effect upon the date of approval thereof by the Mayor.

EXPLANATION

It has been the policy of the Board of Education beginning with the year 1960 to amend the rules and regulations of the Board of Education Retirement System to implement the "pension providing for increased take home pay plan" authorized by State law and approved by the Mayor of the City of New York. Authorization for the increased take home pay plan is for one year only and must be renewed each year to effectuate a continuance of the plan.

The foregoing amendments provide for a continuance of the increased take home pay plan now in effect for members of the system.

Approved,

Secretary, Board of Retirement

Respectfully submitted,

Acting Superintendent of Schools

A true copy of resolution(s) adopted by the Board of Education on MAY 20 1970

Assistant Secretary, Board of Education

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

EXECUTIVE ORDER NO. 15

June 16, 1970

Continuation of increased-take-home-pay-plan during 1970-1971 fiscal year, for officers and employees of the New York City Transit Authority

WHEREAS, since the City fiscal year 1960-1961, the New York City Transit Authority, with the approval of the City has provided, for successive periods of one fiscal year pursuant to statutes enacted by the State Legislature at the request of the City, for increased-take-home-pay plan applicable to officers and employees of the New York City Transit Authority who are members of the New York City Employees' Retirement System; and

WHEREAS, such plan makes possible a decrease in the pension contributions of Authority personnel without diminution or loss of pension rights, with the result that the take-home-pay of Authority personnel is increased; and

WHEREAS, by reason of the economic benefits conferred by such plan on Authority personnel, their morale, efficiency and productiveness are improved, with resulting substantial benefits to the functioning of the Authority and the City government and enhancement of the welfare of the people of the City; and

WHEREAS, the New York City Transit Authority, by resolution adopted June 5, 1970 has elected subject to the approval of the Mayor, to continue such increased-take-home-pay plan during the City's 1970-1971 fiscal year; and

WHEREAS, I have determined that it is in the best interests of the City, the Authority and the officers and employees of the Authority that such plan shall be so continued;

Section 1. The aforesaid resolution of the New York City Transit Authority, adopted by such Authority on June 5, 1970 is hereby approved.

Section 1. The annexed resolution of the New York City Transit Authority, adopted by such Authority on June 5, 1970 is hereby approved.

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

Executive Order No.

§2. This order shall take effect June 16, 1970.

JOHN V. LINDSAY
M A Y O R

By Richard R. Aurelio
RICHARD R. AURELIO
Deputy Mayor

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

New York City
Transit
Authority

370 Jay Street Brooklyn, New York 11201 Phone 212 852-5000

June 5, 1970

From: New York City Transit Authority

To: Honorable John V. Lindsay
Mayor of the City of New York

Subject: Approval of Transit Authority Resolution for
Pensions-Providing-for-Increased-Take-Home-Pay

Transmitted herewith for your approval in accordance with Administrative Code, §B3-36.1, is a certified copy of a resolution adopted this day by this Authority, granting pensions-providing-for-increased-take-home-pay for certain officers and employees of this Authority who are members of the New York City Employees' Retirement System.

Your approval is respectfully requested.

NEW YORK CITY TRANSIT AUTHORITY
by

LLOYD PETERSON
Lloyd Peterson
Secretary

NEW YORK CITY TRANSIT AUTHORITY

by

LLOYD PETERSON
Lloyd Peterson
Secretary

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

WHEREAS, Chapter 960 of the Laws of 1970 amended the Administrative Code in relation to the New York City Employees' Retirement System so as to authorize the New York City Transit Authority to provide a pensions-providing-for-increased-take-home-pay plan, during the fiscal year 1970-1971, for certain of its officers and employees who are members of said retirement system; and

WHEREAS, the Authority has determined to extend benefits analogous to those authorized during the fiscal year 1962-1963 by L. of 1962, c. 787 to certain of its officers and employees;

RESOLVED, by the New York City Transit Authority as follows:

1. For the purposes of this resolution, the provisions of subdivision j of §B3-36.1 of the Administrative Code shall apply, subject to the terms and conditions specified in this resolution, in the same manner, to the same extent and with the same force and effect as if:

   (a) wherever the word "sixty-two" appears in such subdivision j, the word "seventy" were substituted therefor;

   (b) wherever the word "sixty-three" appears in such subdivision j, the word "seventy-one" were substituted therefor;

   (c) wherever "board of estimate" is referred to in such subdivision j, the word "mayor" were substituted therefor; and

   (d) wherever such subdivision refers to adoption of a resolution by the board of estimate, such subdivision instead referred to adoption of an order by the Mayor.

2. Effective during the period of time from and including the payroll period the first day of which is nearest to July 1, 1970 and to and including the payroll period immediately preceding that, the first day of which is nearest to June 30, 1971 (which total period of time is hereinafter referred to as the "1970-1971 increased-take-home-pay period"), the governing provisions of paragraph 14 of such subdivision j, as hereby made applicable, and the provisions of subdivisions g, h and i of such §B3-36.1 shall be applicable to and for the benefit of all officers and employees of this Authority who are members of the New York City Employees' Retirement System except for any officer or employee whose minimum period for service retirement pursuant to an election made under §B3-36.6 of the Administrative Code (as added by Chapter 290 of the Laws of 1968), is twenty years, and except for those officers and employees who are members of the Uniformed Transit Police Force and who have elected optional retirement pursuant to §B3-36.3 of the Administrative Code (as added by Chapter 969 of the Laws of 1964).

3. The Authority hereby designates five per cent as the reduced rate-of-contribution factor to be used in computing the reduction of contributions of members entitled to benefits under the provisions of paragraph 2 of this resolution; except for those officers and employees who are career pension plan members or who are eligible to elect to become career pension plan members, regardless of whether they make such election, such reduced-rate-of-contribution factor shall be four per cent.

4. The Authority hereby designates for conditional exclusion from the benefits provided by paragraphs 2 and 3 of this resolution, all members:

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

(1) who are subject to prevailing rate determinations made within the purview of §220 of the Labor Law, or

(2) to whom wage accord determinations made by the City Comptroller apply.

This exclusion from applicability set forth above shall remain in effect with respect to each member so excluded for the entire 1970-1971 increased-take-home-pay period unless each such member waives any and all claims arising out of any consent determination made under section two hundred twenty of the Labor Law, or arising out of any agreement or resolution of the Authority, to any reduction of member contributions greater than that provided in paragraph 3 hereof. The election by any such member to become a career pension plan member or a fifty-five-year-increased-service fraction member shall for the purpose of this paragraph 4 be deemed to constitute such a waiver.

5. The provisions of this resolution shall not imply any obligation, commitment or promise that benefits herein granted or provided for shall be continued beyond the termination date thereof, as herein prescribed.

6. This resolution shall not take effect unless approved by the Mayor.

NEW YORK CITY TRANSIT AUTHORITY
By

Lloyd Peterson
Secretary
June 5, 1970

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

EXECUTIVE ORDER NO. 16

June 16, 1970

Continuation of increased-take-home-pay plan during 1970-1971 fiscal year, for members, officers and employees of the New York City Housing Authority

WHEREAS, since the City fiscal year 1960-1961, the New York City Housing Authority with the approval of the City, has provided, for successive periods of one fiscal year pursuant to statutes enacted by the State Legislature at the request of the City, an increased take-home-pay plan applicable to members, officers and employees of the New York City Housing Authority who are members of the New York City Employees' Retirement System; and

WHEREAS, such plan makes possible a decrease in the pension contributions of Authority personnel without diminution or loss of pension rights, with the result that the take-home-pay of Authority personnel is increased; and

WHEREAS, by reason of the economic benefits conferred by such plan on Authority personnel, their morale, efficiency and productiveness are improved, with resulting substantial benefits to the functioning of the Authority and the City government and enhancement of the welfare of the people of the City; and

WHEREAS, the New York City Housing Authority, by resolution adopted on May 27, 1970 has elected, subject to the approval of the Mayor, to continue such increased-take-home-pay plan during the City's 1970-1971 fiscal year; and

WHEREAS, I have determined that it is in the best interests of the City, the Authority and the members, officers and employees of the Authority that such plan shall be so continued;

NOW THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. The annexed resolution of the New York City Housing Authority, adopted by such Authority on May 27, 1970 is hereby approved.

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

Executive Order No.

§2. This order shall take effect June 16, 1970.

JOHN V. LINDSAY

MAYOR

Richard R. Aurelio

By RICHARD R. AURELIO
Deputy Mayor

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

NEW YORK CITY HOUSING AUTHORITY

250 BROADWAY · NEW YORK, N. Y. 10007

LEGAL DEPARTMENT

May 28, 1970

Mrs. Dorothy Kowaloff
Assistant Corporation Counsel
Municipal Building, Room 1747
New York, N.Y. 10007

Re: Resolution with respect to Pensions for Increased-Take-Home Pay

Dear Mrs. Kowaloff:

In accordance with your request, I am transmitting herewith 10 copies of a Resolution adopted by the New York City Housing Authority at its meeting held on May 27, 1970 entitled:

"RESOLUTION AUTHORIZING FOR THE 1970-1971 FISCAL YEAR INCREASED-TAKE-HOME PAY BENEFITS FOR MEMBERS, OFFICERS AND EMPLOYEES OF THE AUTHORITY BY REDUCING THEIR CONTRIBUTION TO THE NEW YORK CITY EMPLOYEES' RETIREMENT SYSTEM".

This Resolution, pursuant to the provisions of Chapter 960 of the Laws of 1970, requires mayoral approval prior to June 16, 1970 before it may become effective.

Would you please take the necessary action to obtain such approval.

Very truly yours,

Gerald Davis

Gerald Davis
Assistant Counsel

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

RESOLUTION AUTHORIZING FOR THE 1970-1971 FISCAL YEAR INCREASED-TAKE-HOME PAY BENEFITS FOR MEMBERS, OFFICERS AND EMPLOYEES OF THE AUTHORITY BY REDUCING THEIR CONTRIBUTION TO THE NEW YORK CITY EMPLOYEES' RETIREMENT SYSTEM

IT IS HEREBY RESOLVED BY THE MEMBERS OF THE NEW YORK CITY HOUSING AUTHORITY, AS FOLLOWS:

Section 1. For the purposes of this resolution, the provisions of subdivision j of Section B3-36.1 of the Administrative Code shall apply, subject to the terms and conditions specified in this resolution, in the same manner, to the same extent and with the same force and effect as if:

(1) wherever the word "sixty-two" appears in such subdivision j, the word "seventy" were substituted therefor;

(2) wherever the word "sixty-three" appears in such subdivision j, the word "seventy-one" were substituted therefor;

(3) wherever "board of estimate" is referred to in such subdivision j, the word "mayor" were substituted therefor;

(4) wherever such subdivision refers to adoption of a resolution by the board of estimate, such subdivision instead referred to adoption of an executive order by the mayor.

Section 2. From and including the payroll period the first day of which is nearest to July 1, 1970, to and including the payroll period immediately prior to the payroll period the first day of which is nearest to June 30, 1971, the benefits provided by the governing provisions of paragraph 14 of subdivision j, and the provisions of subdivisions g, h and i of Administrative Code Section B3-36.1, shall be applicable to and for the benefit of all Members, officers and employees of the Authority who are members of the New York City Employees' Retirement System, with a reduced-rate-of-contribution factor of four per centum, except that with respect to such employees who are members of the Housing Police Service the reduced-rate-of-contribution factor is five per centum.

Section 3. The provisions of this resolution shall not imply any obligation, commitment or promise that the benefits herein granted shall be continued beyond the termination date thereof, as hereinabove prescribed.

Section 4. The Controller of the Authority is hereby authorized and directed to do and perform all acts necessary to carry out and implement this resolution.

Section 5. This resolution is subject to approval by the Mayor of the City of New York.

Section 6. This resolution is adopted pursuant to the provisions of Administrative Code Section B3-36.1, as amended by Chapter 960 of the Laws of 1970.

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

EXECUTIVE ORDER NO. 17

June 16, 1970

CONTINUATION OF SALARY ADJUSTMENT PLAN

WHEREAS, the New York City Board of Estimate, on June 21, 1962 (Cal. No. 525) adopted a salary adjustment plan for the City's 1962-1963 fiscal year, providing certain salary adjustments for specified categories of City employees and other public or quasi-public employees, who could not benefit from the increased-take-home-pay plan put into effect by the City for members of City-supported retirement systems; and

WHEREAS, such salary adjustment plan has been since continued by the City for each fiscal year as to which such increased-take-home-pay plan has been continued; and

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. The salary adjustment plan adopted by the Board of Estimate on June 21, 1962 (Cal. No. 525) for the 1962-1963 fiscal year is hereby continued for the 1970-1971 fiscal year, including the same terms and conditions. In addition to the City employees covered by the plan, the salary adjustment plan is continued for officers and employees of public authorities, Board of Education and Higher Education, the Community Colleges, and the Cultural Institutions, provided such agencies provided the necessary funds from their existing appropriations. This salary adjustment plan is also continued for employees in the New York Zoological Garden and Brooklyn Botanic Garden whose wages are fixed in accordance with Section 220 of the Labor Law under the same terms and conditions provided by Executive Order No. 74 issued for the 1963-1964 fiscal year.

§2. This order shall take effect June 16, 1970.

JOHN V. LINDSAY
MAYOR

By Richard R. Aurelio
RICHARD R. AURELIO
Deputy Mayor

By Richard R. Aurelio
RICHARD R. AURELIO
Deputy Mayor

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

EXECUTIVE ORDER NO. 18

June 16, 1970

Continuation of increased-take-home-pay plan during 1970-1971 fiscal year, for City-paid officers and employees who are members of City-supported retirement systems and additional provisions relating to the period October first, nineteen hundred sixty-eight through June thirtieth, nineteen hundred seventy for sanitation members other than sanitationmen.

WHEREAS, since the City fiscal year 1960-1961, the City has provided, for successive periods of one fiscal year pursuant to statutes enacted by the State Legislature at the request of the City, an increased-take-home-pay plan applicable to City-paid officers and employees who are members of City-supported retirement systems; and

WHEREAS, under such plan the City makes possible a decrease in pension contributions of such personnel without diminution or loss of pension rights, with the result that the take-home-pay of such personnel is increased; and

WHEREAS, by reason of the economic benefits conferred by such plan on such personnel, their morale, efficiency and productiveness are improved, with resulting substantial benefits to the functioning of the City government and the welfare of the people of the City; and

WHEREAS, I have determined that it is in the best interests of the City and the above-mentioned officers and employees that such plan shall be continued during the 1970-1971 fiscal year;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

OTHER-THAN-AUTHORITY MEMBERS OF THE NEW YORK CITY EMPLOYEES' RETIREMENT SYSTEM.

Section 1. For the purposes of this executive order,

OTHER-THAN-AUTHORITY MEMBERS OF THE
NEW YORK CITY EMPLOYEES' RETIREMENT
SYSTEM.

Section 1. For the purposes of this executive order,

the provisions of subdivision j of section B3-36.1 of the Administrative Code shall apply, subject to the terms and conditions specified in this executive order, in the same manner, to the same extent and with the same force and effect as if:

(a) wherever the word "sixty-two" appears in such subdivision j, the word "seventy" were substituted therefor;

(b) wherever the word "sixty-three" appears in such subdivision j, the word "seventy-one" were substituted therefor;

(c) wherever "board of estimate" is referred to in such subdivision j, the word "mayor" were substituted therefor; and

(d) wherever such subdivision refers to adoption of a resolution by the board of estimate, such subdivision instead referred to adoption of an executive order by the mayor.

§ 2. Effective during the period of time from and including the payroll period the first day of which is nearest to July 1, 1970 (which first day is hereinafter referred to as the commencement date of the 1970-1971 increased-take-home-pay period) and to and including the payroll period immediately preceding that, the first day of which is nearest to June 30, 1971 (which total period of time is hereinafter referred to as the "1970-1971 increased-take-home-pay period"), the governing provisions of subdivision 14 of such subdivision j, are hereby made applicable, and the provisions of subdivisions g, h and i of such section B3-36.1 shall be applicable to and for the benefit of all other-than-authority members of the New York City Employees' Retirement System, provided, however, that the reduced rate of contribution to be used in computing the reduction of contributions shall be four per cent, except as otherwise provided in sections three and four of this executive order.

§ 3.(a) Pursuant to Chapters 764 and 960 of the Laws of 1970 and subdivision i of section B3-36.3 of the Administrative Code (L.1964, ch. 954), the reduced-rate-of contribution factor shall be five percent in the case of all members of the Uniformed Correction Force, as defined by Laws 1964, Chapter 954, who elected the optional plan of retirement provided for by such Chapter pursuant to its terms or pursuant to such Chapter 764 and who were members of the New York City Employees' Retirement System under such plan immediately prior to the commencement date of the 1970-1971 increased-take-home-pay period.

elected the optional plan of retirement provided for by such Chapter pursuant to its terms or pursuant to such Chapter 764 and who were members of the New York City Employees' Retirement System under such plan immediately prior to the commencement date of the 1970-1971 increased-take-home-pay period.

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y.

(b) The reduced-rate-of-contribution factor in the case of all members of the Uniformed Correction Force, as defined in Laws of 1964, Chapter 954, who on or after the commencement date of the 1970-1971 increased-take-home-pay period, have the privilege, under such Chapter 764, of electing the optional plan of retirement provided for by such Chapter, and who elect, within the time limited therefor by such Chapter 764, an optional plan of retirement pursuant to such chapter shall be five percent, and such benefit shall be effective from the commencement date of the 1970-1971 increased-take-home-pay period.

(c) The reduced-rate-of-contribution factor in the case of all members of the Uniformed Correction Force, as defined in Laws of 1964, Chapter 954, who on or after January 1, 1971, have the privilege, under such Chapter of electing the optional plan of retirement provided for by such chapter, and who elect, within the time limited therefor by such Chapter 954, an optional plan of retirement pursuant to such chapter, shall be five percent, and such benefit shall be effective from the date of commencement of membership in the New York City Employees' Retirement System, or from the date of commencement of service in the Uniformed Correction Force, whichever is later, provided however that such benefits shall not be effective from any date earlier than the commencement date of the 1970-1971 increased-take-home-pay-period.

§4.(a) Subject to the provisions of subdivision (b) of this Section 4, the reduced rate-of-contribution factor shall be two and one-half per cent in the case of all sanitation members as defined in subdivision forty-nine of section B3-1.0 of the code, except members in the title of sanitationman, from and including the payroll period, the first day of which is nearest to October 1, 1968, to and including the payroll period immediately prior to that, the first day of which is nearest to June 30, 1970.

(b) Any reduction made pursuant to subdivision (a) of this section four shall be in addition to any reduction made pursuant to §4(a) of Executive Order No. 77, signed by the Mayor on June 16, 1968, and §4(a) of Executive Order No. 100, signed by the Mayor on June 13, 1969, but such additional reduction shall be made only from and including the payroll period, the first day of which is nearest to October 1, 1968 to and including the payroll period immediately prior to that, the first day of which is nearest to June 30, 1970.

(c) The reduced rate-of-contribution factor for all sanitation members for the 1970-1971 increased-take home-pay period shall be five per cent.

the first day of which is nearest to June 30, 1970.

(c) The reduced rate-of-contribution factor for all sanitation members for the 1970-1971 increased-take home-pay period shall be five per cent.

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OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

MEMBERS OF THE NEW YORK CITY TEACHERS' RETIREMENT SYSTEM WHO ARE TRANSFERRED CONTRIBUTORS AND OTHER CONTRIBUTORS TO SUCH SYSTEM.

§ 5. Pursuant to subparagraph h of paragraph one of subdivision i of Section B20-41.1 of the Administrative Code, and paragraph two of such subdivision i, beginning with the payroll period the first day of which is nearest to July 1, 1970, and ending with the payroll period immediately prior to that, the first day of which is nearest to June 30, 1971, the provisions of paragraph four of subdivision i of Section B20-41.1 and the provisions of subdivisions e and f of such section shall be applicable to and for the benefit of (1) all contributors who are transferred contributors and (2) all contributors other than contributors who are employees of the Board of Education of the City of New YOrk or Board of Higher Education of the City of New York.

MEMBERS OF THE APPELLATE DIVISION, FIRST DEPARTMENT AND FIRST JUDICIAL DISTRICT RETIREMENT FUND.

§6. The deduction from the salary or compensation of any employee or officer made pursuant to Section 108 of the Judiciary Law, need not be made and no contribution in lieu thereof need be made during the one-year period commencing with July 1, 1970.

MEMBERS OF THE RELIEF AND PENSION FUND OF THE DEPARTMENT OF STREET CLEANING.

§7. The deduction from the pay, salary or compensation of any member of the Relief and Pension Fund of the Department of Street Cleaning, made pursuant to the provisions of Section G51-3.0, par. 2 of the Administrative Code, shall be reduced to zero percentum during the one-year period commencing with July 1, 1970.

MEMBERS OF THE HEALTH DEPARTMENT PENSION FUND.

§8. The deduction from the pay, salary or compensation of each member of the Health Department Pension Fund made pursuant to Section G51-53.0 of the Administrative Code need not be made and no contribution in lieu thereof need be made by any such member during the one-year period commencing with July 1, 1970.

30. The deduction from the pay, salary or compensation of each member of the Health Department Pension Fund made pursuant to Section 651-53.0 of the Administrative Code need not be made and no contribution in lieu thereof need be made by any such member during the one-year period commencing with July 1, 1970.

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NO IMPLICATION OF FURTHER CONTINUATION OF BENEFITS.

§9. The provisions of this executive order shall not imply any obligation, commitment or promise that benefits herein granted or provided for shall be continued beyond the termination date thereof, as herein prescribed.

EFFECTIVE DATE.

§10. This order shall take effect on June 16, 1970.

JOHN V. LINDSAY

MAYOR

Richard R. Aurelio

By: RICHARD R. AURELIO
Deputy Mayor

30. The deduction from the pay, salary or compensation of each member of the Health Department Pension Fund made pursuant to Section G51-53.0 of the Administrative Code need not be made and no contribution in lieu thereof need be made by any such member during the one-year period commencing with July 1, 1970.

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OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

For text of Exec Order #19, See Lindsay's Memoranda 1969-'71 (M45.59). The E.O is attached to the memo in those volumes, but not here.

July 9, 1970

MEMORANDUM TO: HEADS OF ALL AGENCIES -

FROM: John V. Lindsay, Mayor

SUBJECT: Administration of the Budget Appropriations for the Fiscal Year 1970-1971 and Prior Fiscal Years

- - - - - - - - - - - - - - -

There is attached hereto Executive Order #19 for the administration of budget appropriations for the 1970-1971 fiscal year. Your attention is particularly directed to section 7 (L) "Limitation on Expenditures" which states that "All balances of appropriations for which no contract liability is registered on the books of the Office of the Comptroller shall expire six months after the close of the 1970-1971 fiscal year and disposed of pursuant to law, except for encumbered balances in General Purchase Fund accounts, which shall expire one year after the close of the 1970-1971 fiscal year. The Department of Purchase shall accept no requisitions encumbering appropriations after June 30, 1971, and for purposes of efficient operation may set such date earlier in that month. Agencies shall place neither orders chargeable to, nor further encumbrances on, annual requirement contracts issued for the fiscal year 1970-1971, after June 30, 1971."

The same limitations on expenditures shall apply to the 1969-1970 fiscal year so that all balances of appropriations for which no contract liability is registered on the books of the Office of the Comptroller shall expire six months after the close of the 1969-1970 fiscal year and disposed of pursuant to law, except for encumbered balances in General Purchase Fund accounts, which shall expire one year after the close of the 1969-1970 fiscal year. Agencies shall place neither orders chargeable to, nor further encumbrances on, annual requirement contracts issued for the fiscal year 1969-1970.

In addition, effective immediately, no further vouchers are to be processed for payment to the Office of the Comptroller chargeable to appropriations made for the fiscal year 1968-1969 or prior fiscal years unless a contract liability is registered on the books of the Office of the Comptroller.

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OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

The Expense Budget for the 1969-1970 fiscal period was financed by estimated state and federal aid totalling $2.6 billion. Delay in receipt of state and federal reimbursement requires major temporary borrowing by the Comptroller with the result that the City must bear a greater interest cost to finance current operations. In addition, failure to realize these estimated revenues within the fiscal period places severe financial strains on the budget.

You are therefore directed to exert all your efforts to obtain these receivables still outstanding for the fiscal period 1969-1970 as quickly as possible covering all activities eligible for such aid. To provide better budgetary and fiscal controls in the current and future fiscal years, you are to submit monthly to the Director of the Budget a statement on the condition of these receivables, in duplicate. This form must be submitted by the 15th day after the end of the month. In addition, separate statements on the condition of receivables must be filed in duplicate for expenditures reimbursable from federal or state funds chargeable to authorizations provided for in the Capital Budget.

All agencies which are provided with funds in the expense and capital budgets must comply with the provisions of this memorandum.

John V. Lindsay

JOHN V. LINDSAY
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

Amended by
E.O. 31, Jan 18, 1971

EXECUTIVE ORDER NO. 20

JULY 15, 1970

ON JOB TRAINING PROGRAMS ON CITY FINANCED OR ASSISTED CONSTRUCTION PROJECTS

WHEREAS, Executive Order No. 71, of April 2, 1968, declares that it is the policy of the City of New York to provide that in the performance of City contracts equal opportunity for and in employment be given to all qualified persons without discrimination because of race, creed, color or national origin, and to achieve such objectives through affirmative programs to be undertaken by contractors in the City of New York and their subcontractors; and

WHEREAS, it is the policy of the City of New York that on City financed or assisted construction projects equal opportunity for and in employment be given to all qualified persons in accordance with the provisions of Executive Order 71; and

WHEREAS, it is necessary and desirable that there be on-the-job training programs on City financed or assisted construction projects for the implementation and enforcement of a policy of equal opportunity for and in employment; and

WHEREAS, the goal of on-the-job training programs shall be the development of fully qualified minority journeymen eligible for immediate union membership;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

SECTION 1: Definitions

As used in this Executive Order, the following terms have the following meanings:

a) "Construction project" means any erection, construction, reconstruction, rehabilitation, alteration, conversion, extension, repair, or demolition of improvements to real property.

b) "City financing or assistance" means

i) a construction contract entered into by the City; or

ii) financial aid or financial benefit issuing from the City; or

iii) sale, lease or other disposition of property by the city.

c) "Agency" means any board, bureau, administration, department, commission, agency or other governmental office of the City, or any other body, or any official thereof, who or which is authorized to provide City financing or assistance to or for construction projects in the City.

§2: On Job Training on City Financed or Assisted CONSTRUCTION PROJECTS

In administering any City financing or assistance to or for a construction project, agencies shall require, where not prohibited by law, that as a condition of their approval of such financing or assistance,

there be compliance with the provisions of Executive Order 71 and that there be an on-the-job training program for minority individuals to be employed on the construction project. In compliance with this condition, an applicant for financing or assistance shall agree to incorporate or cause to be incorporated in any construction contract related to such project, except for contracts exempted in accordance with Section 4 of Executive Order 71, the provisions required by Executive Order 71 and the following provisions:

1. The contractor shall employ minority individuals for training level jobs and shall participate in an on-the-job training program for them, which is acceptable to the City of New York. The contractor shall make a good faith effort to achieve the goal of one trainee to every four journeymen of each craft.
2. The contractor shall participate in programs for rapid advancement to full journeymen pay scale for new minority employees who by training and experience can perform the duties of a qualified journeyman.
3. The appropriate agencies, the applicant for financing or assistance, the contractor, the subcontractor and the unions which have collective bargaining contracts with the contractor and subcontractor, shall meet regularly to discuss goals for the employment and training of minority groups.

§3: Implementation

a) This order shall be implemented under the direction of the Manpower and Career Development Agency, which shall distribute to all

agencies a directive embodying the provisions of this Executive Order and which shall establish an advisory committee of appropriate agencies to review its activities required by this Order. The committee shall include, but not be limited to, the Municipal Service Administration, the Housing and Development Administration, the Board of Education of the City of New York, the Model Cities Administration, the Human Rights Commission, the Office of the City Administrator, and the New York City Housing Authority.

Among its duties, the Manpower and Career Development Agency shall recruit, screen and place minority individuals in appropriate jobs and training programs pursuant to the provisions of this Order.

b) The Manpower and Career Development Agency is authorized to adopt and promulgate rules, regulations and orders necessary for the implementation of the program set forth in this Order.

§4: Compliance

a) The Office of the City Administrator, in accordance with Executive Order 71, shall have final authority for determining compliance with this Order and for administering sanctions and remedies for noncompliance.

b) In determining whether a contractor or subcontractor has complied with this Order, and with the applicable provisions of Executive Order 71, the Office of the City Administrator shall consider what changes have occurred in the percentage of minority employees in the contractor's or subcontractor's total work force, on both City and non-City financed or assisted construction projects, as a result of the award of the City financed or assisted construction project.

c) The Office of the City Administrator is authorized to adopt and promulgate rules, regulations and orders necessary for the

enforcement of this order consistent with its powers granted under Executive Order 71.

§5: This order shall take effect in 60 days.

JOHN V. LINDSAY
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 21

August 19, 1970

NOTIFICATION TO THE DEPARTMENT OF INVESTIGATION OF ANY EVIDENCE OF POSSIBLE CORRUPTION OR MISCONDUCT ON THE PART OF CITY EMPLOYEES OR OFFICERS, OR INDIVIDUALS IN THE PRIVATE SECTOR DEALING WITH CITY AGENCIES

WHEREAS the public interest is best served by establishing a uniform policy to be followed by all agencies when there is any evidence of possible corruption or misconduct on the part of any city employee or officer, or any evidence of any intent on the part of individuals in the private sector who deal with city agencies to involve a city officer or employee in any such action,

NOW, THEREFORE, by the power vested in me as the Mayor of the City of New York, it is hereby ordered as follows:

Section 1. (a) The instructions set forth in the memorandum of this office dated May 12, 1969 to all agency heads outlining the procedures to be followed with respect to any allegation or indication of possible corruption or wrong doing by a city officer or employee must be strictly followed by all agencies.

(b) The Department of Investigation must be notified immediately of any allegation or indication of possible corruption or

misconduct, including any conflict of interest, involving any officer or employee of the City. This notification must be given by the head of the agency before the agency takes any action whatsoever in the matter.

(c) Each agency shall establish a procedure to receive complaints by the general public concerning the competency or integrity of any employee or officer of the agency. The agency head shall designate a person or persons directly under his supervision to receive such complaints. All members of the staff of the agency shall be advised of the persons who have been so designated.

§2. (a) Each agency head shall notify the Dept. of Investigation immediately of any activity by any employee or official of any private concern doing business with any City agency which indicates or suggests an attempt to involve a city officer or employee in a situation involving possible corruption or misconduct, including a conflict of interest. Each agency head shall instruct all personnel within his agency that they are to advise him immediately upon the receipt of any allegation or indication of corruption or questionable action by any person or company doing business with or seeking to do business with any City agency.

(b) The Department of Investigation should be consulted if any agency has a question concerning the ownership of or the nature of the financial backing of any company doing business with or attempting to do business with any city agency when the ownership of or the

nature of the financial backing of the company may relate to the question of its responsibility as a bidder.

§3. All agency heads should review Executive Order No. 59 issued January 15, 1968 concerning emergency contracts which order requires that the Mayor, the Department of Investigation and other City agencies be notified immediately of any Declaration of Emergency, together with a record of competitive bids or proposals obtained. This notification must be made prior to the actual awarding of the contract. Each agency head must insure that Executive Order No. 59 is being strictly complied with by his agency.

§4. If any appointment is to be made to a position with a salary equal to or greater than the minimum rate of M-1 or E-1 of the Managerial or Executive Pay Plans, but not limited to members of those plans, certification by the Commissioner of Investigation that the prospective employee has satisfactorily completed the Department of Investigation's personal history questionnaire must be secured prior to submission of any request for a certificate to fill a vacancy pursuant to Executive Order No. 5, January 19, 1966, or a request for a budget modification. This certification procedure shall also be followed for an individual already employed by the City whose salary, as a result of a change in job title and regardless of his previous salary, will be equal to or greater than the minimum rate of M-1 or E-1 of the Managerial or Executive Pay Plans, unless (A) the individual has been a permanent competitive Civil Service employee for a period of more than six months and has been previously

Repealed. See #30, amendment, first page

approved for appointment by the Bureau of Investigations of the City Civil Service Commission, or (B) the individual has been previously certified for employment by the Department of Investigation. Certification procedures shall also be followed for any person appointed to a position of a sensitive nature, regardless of salary, except those individuals specifically excluded under (A) or (B) of this paragraph. Certification procedures, however, need not be followed for an individual already employed by the City who, while remaining in the same job title, has his salary increased by a salary increment or by a meritorious increase to a level equal to or greater than the minimum rate of M-1 or E-1 of the Managerial or Executive Pay Plans.

Certification may be secured by submitting the name, home address, date of birth, social security number, position and salary of the prospective employee to the Commissioner of Investigation who will arrange to have the questionnaire completed by the prospective employee. The Commissioner of Investigation will then certify to the head of the administration, department or agency that the questionnaire has been satisfactorily completed and if not, the reasons therefor.

These procedures shall apply to all appointments made on and after August 20, 1970, which have not previously been submitted for certification.

§5. It is essential that every member of the City administration cooperate fully with all investigations conducted by law enforce-

ment officers. To facilitate and coordinate this cooperation, all requests for the appearance of City personnel or for the production of City records by law enforcement officials, whether by subpoena or informally, must immediately be made known to the Commissioner of Investigation.

§6. Each agency head shall take appropriate steps to assure that all officers and employees of the agency are familiar with the provisions of Charter, §1106 prohibiting "Conflicts of Interest" and Administrative Code, §1106-1.0 which provides a "Code of Ethics" for all employees and officers.

§7. The memorandum of this office dated April 12, 1968, the provisions of which have been incorporated in and amended by section four of this order, is hereby repealed.

§8. This order shall take effect immediately.

John V. Lindsay
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 22

August 24, 1970

PROHIBITING DISCRIMINATION IN EMPLOYMENT
BY CITY DEPARTMENTS AND AGENCIES

WHEREAS, it is the policy of the City of New York to assure and protect all employees of the City against discrimination based on race, creed, color, national origin, ancestry or sex, and to protect older workers from discrimination based on age, in the recruitment, assignment, promotion or other aspects of employment by City departments and agencies;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. There shall be no discrimination by any City department, agency or official representative thereof against any employee of or applicant for employment by the City of New York because of race, creed, color, national origin, ancestry, sex or age (except, in the case of sex

or age, on the basis of a bona fide occupational qualification, and except for limitations imposed by the New York City Employees Retirement System, or when there is a statutory requirement imposing age limitations) or because of any complaint, grievance or appeal brought to enforce the provisions of this order.

§ 2. The City Commission on Human Rights shall receive and investigate complaints of violations of this order and shall take such action thereon as it deems necessary and proper in accordance with the provisions of Chapter one, title B of the Administrative Code of the City of New York.

§ 3. Pursuant to the powers granted to it under §B1-5.0 of the Administrative Code, the Commission on Human Rights shall initiate an investigation of all qualifications as to sex and age which are presently required for application for appointment to a class of positions in any City department or agency. The Personnel Director of the City of New York shall cooperate and consult with the Commission on Human Rights in this investigation and

and shall make available to it all necessary information as to age and sex qualifications presently imposed. The Commission shall make recommendations to the Personnel Director for changes in age and sex qualification in cases where it finds these qualifications to be unreasonable or unnecessary. The Personnel Director shall make these recommendations available to the City Civil Service Commission for its consideration.

§ 4. When any new class of positions is created in the City service which specifically imposes an age or sex qualification, the Personnel Director shall submit such proposed sex or age qualification for such class of positions to the Commission on Human Rights for its recommendations as to such age or sex qualification. Upon receipt of a recommendation from the Commission on Human Rights, the Personnel Director shall submit such recommendations to the City Civil Service Commission for its consideration.

§ 5. Executive Order No. 41, dated June 7, 1957, prohibiting discrimination in employment by City departments or agencies against City employees because of race, creed,

color or national origin, is hereby Repealed.

§ 6. This order shall take effect immediately.

JOHN V. LINDSAY
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 23

August 24, 1970

AMENDMENT OF EXECUTIVE ORDER NO. 71
ISSUED ON APRIL 2, 1968

WHEREAS, Executive Order No. 71 of April 2, 1968 declares that it is the policy of the City of New York to provide that in the performance of City contracts equal opportunity for and in employment be given to all qualified persons without discrimination because of race, creed, color or national origin; and

WHEREAS, it is the policy of the City of New York that discrimination in employment on the basis of sex and age also be prohibited; and

WHEREAS, it is necessary and desirable to amend Executive Order No. 71 to provide that in the performance of City contracts equal opportunity for and in employment be given to all qualified persons without discrimination because of sex and age;

NOW THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. The preamble of Executive Order No. 71 is hereby amended to read as follows:

WHEREAS, it is the policy of the City of New York to provide that in the performance of City contracts equal opportunity for and in employment be given to all qualified persons without discrimination because of race, creed, color, national origin, sex or age, and to achieve such objectives through affirmative programs to be undertaken by contractors of The City of New York and their subcontractors; and

WHEREAS, it is necessary and desirable that The City of New York provide a program for the implementation and enforcement of such policy and the contractual provisions of City contracts in furtherance thereof;

§2. Paragraphs (1) and (2) of subdivision (a) of section 2 of such order are hereby amended to read as follows:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, national origin, sex or age. This provision shall not apply with respect to sex or age where either is a bona fide occupational qualification; nor shall it apply with respect to age where a bona fide retirement plan prevents employment of persons above a stated age or where there is a statutory requirement imposing age limitations. The contractor will take affirmative action to ensure that employees and applicants for employment are treated without regard to their race, creed, color, national origin, sex or age. As used herein, the term "treated" shall mean and include, without limitation, the following: recruited, whether by advertising or other means; compensated, whether in the form of rates of pay or other forms of compensation; selected for training, including apprenticeship; promoted; upgraded; demoted; downgraded; transferred; laid off; and terminated. The contractor agrees to post in conspicuous places available to employees and applicants for employ-

ment, notices to be provided by the contracting agency setting forth the language of this nondiscrimination provision.

(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will be considered for employment without regard to race, creed, color, national origin, sex or age.

§ 3. This order shall take effect immediately.

JOHN V. LINDSAY
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

September 1, 1970

EXECUTIVE ORDER NO. 24

MANUAL OF PROCEDURES: EXECUTIVE AND STAFF SERVICES

WHEREAS policies concerning the internal administration of the City government must be translated into specific procedures; and

WHEREAS good management requires that uniform and standard operating procedures be followed by all agencies with respect to certain recurring activities of an interdepartmental nature; and

WHEREAS such procedures should be recorded in a readily accessible and available form; and

WHEREAS such procedures must be updated as required and any changes must be disseminated efficiently and effectively;

NOW THEREFORE, by the power vested in me as Mayor of the City of New York, I hereby order as follows:

SECTION 1. The Manual of Procedures: Executive and Staff Services shall be the authoritative and official manual which sets forth the operating procedures to be followed by all agencies with respect to executive and staff services and functions.

§2. The Manual is to be maintained by the Office of Administration. Each staff and executive agency whose services and procedures are included in the Manual shall designate an individual who shall be responsible for apprising the Office of Administration of all changes affecting the available services and related procedures of that agency.

§3. As changes are reported, revised administrative procedures based on these changes will be prepared by the Office of Administration for the Municipal Reference and Research Center of the Municipal Services Administration. The latter shall communicate and transmit these revised procedures to all agencies to update their copies of the Manual.

§4. This Order shall take effect immediately.

John V. Lindsay
Mayor

OFFICE OF THE MAYOR

EXECUTIVE ORDER NO. 25

SEPTEMBER 18 , 1970

INTERDEPARTMENTAL COMMITTEE ON

PUBLIC UTILITIES

WHEREAS, The provision of adequate public utility services at low cost and in a manner consistent with environmental and other public interests is a matter of vital concern to the residents of the City of New York, and

WHEREAS, Most such public utility services are provided by private corporations subject to regulation by state and federal agencies, and

WHEREAS, The City presently has no agency with overall responsibility for reviewing the activities of public utility companies and formulating City policy with respect thereto,

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. There is hereby established in the Office of the Mayor an Interdepartmental Committee on Public Utilities to be composed of the Deputy Mayor - Administrator; the Administrators of Economic Development, Municipal Services and Environmental Protection; the Commissioner of Consumer Affairs; the Chairman of the City Planning Commission, and the Corporation Counsel, all ex officio, and such other members as the Mayor may appoint from time to time.

§ 2. The Interdepartmental Committee on Public Utilities shall have a Chairman who shall be designated by the Mayor, and such facilities, staff and equipment as shall

more

JOHN V. LINDSAY
MAYOR

be allocated to it from time to time by its constituent agencies.

§ 3. The Interdepartmental Committee on Public Utilities shall be responsible for:

(a) Developing comprehensive plans and programs for the improvement and maintenance of public utility services in the City of New York including electricity, fuel and communication services;

(b) Reviewing activities, proposals and decisions of public utility companies which affect the City and its residents and formulating appropriate action with respect thereto;

(c) Establishing relations with federal and state regulatory agencies and advising them of the City's interests with regard to public utility matters;

(d) Enforcing and implementing any agreements or understandings which may be reached between the City and public utility companies with regard to the activities of such companies which affect the City;

(e) Coordinating all activities of City agencies relating to public utilities; and

(f) Advising the Mayor of the above enumerated matters and on any other matters relating to the safe, efficient and satisfactory construction, operation, delivery and maintenance of public utility services and the production, transmission or conversion of energy or fuel in the City of New York.

§ 4. This order shall take effect immediately.

JOHN V. LINDSAY
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 26

OCTOBER 13, 1970

REGULATIONS ON LEAVE AND OVERTIME LIQUIDATION ON RETIREMENT OR TERMINATION OF SERVICES.

WHEREAS, there exists a need for uniform regulations governing the use of accrued leave, accrued overtime, and terminal leave allowances by City employees, including employees and officers who are covered by the Managerial Pay Plan and/or the Executive Pay Plan, upon their retirement or termination of City service; and

WHEREAS, it is desirable that a maximum limit be set on the total amount paid for such accrued annual leave, accrued overtime, and terminal leave granted in accordance with existing leave regulations; and

WHEREAS, such a limit has been established under Personnel Order No. 76/70 which establishes regulations governing leaves for employees and officials whose salaries are established under the Managerial Pay Plan and/or the Executive Pay Plan;

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of The City of New York, it is hereby ordered that the following Regulations

on Leave and Overtime Liquidation on Retirement or Termination of Services be and the same are hereby established:

SECTION 1. The total paid to employees and officials whose salaries are established under the Managerial Pay Plan and/or the Executive Pay Plan, upon termination of services or upon retirement, for accrued annual leave, accrued overtime, and terminal leave, shall be limited in accordance with the regulations established under Personnel Order No. 76/70 governing leaves for such employees and officials.

§2. The total paid for all other employees, upon termination of services or upon retirement, for accrued annual leave, accrued overtime, and terminal leave granted in accordance with the existing leave regulations governing such employees shall not exceed payment for 12 months of service.

§3. This order supersedes Executive Order No. 37, dated February 2, 1967.

§4. This order shall take effect immediately.

John V. Lindsay
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 27

OCTOBER 30, 1970

MAYOR'S COMMITTEE ON EXPLOITATION

WHEREAS, the City of New York is deeply concerned with the plight of low-income employees working in private industry and is endeavoring to end the exploitation of such employees by "racket unions" and unscrupulous employers, and

WHEREAS, the Mayor's Committee on Exploitation of Workers was created to aid in the ending of the exploitation of workers and to assist employees with their work-related problems, and

WHEREAS, conditions in the City of New York indicate that renewed and vigorous efforts must be undertaken to eliminate the exploitation of workers and to improve the working condition of employees,

NOW, THEREFORE, by virtue of the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

SECTION 1. The Mayor's Committee on Exploitation of Workers shall meet at least four times a year and shall report periodically to the Mayor with recommendations for improving labor conditions in New York City.

Such report may include, but not be limited to, evaluation of existing legislation, proposals for new legislation, evaluation of the enforcement of existing labor laws and proposals for better enforcement, and, generally, proposals and information relating to the exposing and eliminating of the exploitation of workers in New York City.

§2. To assist in carrying out the objectives in Section 1, the Administrator of the Economic Development Administration may, by virtue of the powers granted under Section 1303 (p) and (q) of chapter fifty-six of the New York City Charter, hold hearings on the recommendation of the Mayor's Committee on the Exploitation of Workers on any substandard conditions of labor in the City of New York. In relation to said hearings, the Mayor's Committee on Exploitation of Workers will assist the Economic Development Administration by:

(a) recommending guidelines for the holding of said hearings;

(b) suggesting the names of community leaders, union officials and members, non-unionized employees, and employers who may wish to participate in said hearings;

(c) identifying local neighborhoods wherein unsatisfactory labor conditions exist;

(d) recommending that the Economic Development Administrator investigate the validity of allegations that may arise in the course of said hearings or in the daily work of the staff of the Mayor's Committee on Exploitation of Workers; and

(e) recommending procedures for the recording and disseminating the results of said hearings.

§3. The Mayor's Committee on Exploitation of Workers may recommend guidelines for the handling of individual labor complaints. Said

guidelines should insure that complainants are referred to an agency that is equipped to help the complainant. Further, the Mayor's Committee on Exploitation of Workers may publicize its availability to assist individuals with labor problems. At the request of the Economic Development Administration, the Mayor's Committee on Exploitation of Workers shall catalog individual complaints made to the Committee so as to discover which employers, unions, industries, etc., are the cause of most complaints.

§4. The Mayor's Committee on Exploitation of Workers may request of other City administrations, departments and agencies such information as it deems necessary to carry out its stated purposes.

§5. This order shall take effect immediately.

JOHN V. LINDSAY
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 28

NOVEMBER 19, 1970

WHEREAS, the capital construction program of the City of New York is of vital importance to the well-being of its citizens; and,

WHEREAS, sustained and consistent effort will be required at all levels of the City government to maintain and improve upon the current high rate of capital construction output; and,

WHEREAS, §228 (c) of the New York City Charter reserves to the Mayor the power to "adopt rules and regulations in regard to the execution of capital projects which....shall be binding upon all agencies";

NOW THEREFORE, by the power vested in me as Mayor, it is hereby ordered that:

1. There shall be established within the Office of the Mayor, the Office of Director of Construction, hereafter called "Director."

2. There shall be established a Construction Board consisting of the Director of Construction, who shall serve as

Chairman, the Director of the Budget, or a delegate fully empowered to act in his behalf, and, with the cooperation of the Comptroller, the Comptroller, or a delegate fully empowered to act in his behalf. All directives, rules, and regulations issued by the Director that involve the Comptroller's duties and responsibilities mandated by law and the fiscal policies and procedures that ensue from them or the budgetary policies of the Bureau of the Budget shall be submitted to the responsible member or members of the Board for approval or decision.

3. The Director may establish standard procedures for, and issue directives binding upon, all agencies with respect to the planning, design, processing, implementation and execution of all construction projects, governing particularly:

a. the format, content, and level of detail required for functional and space programs to ensure adequate definition of project scopes and the establishment of accurate cost estimates prior to project budgeting.

b. the selection and evaluation of consultant architects, engineers, and construction managers; in addition, he shall review, in conjunction with Corporation Counsel, standard consultant contract terms and conditions applicable to contracts in the field of construction to ensure that the City acquires the highest levels of performance from the most competent consultants.

c. procedures for the review of design drawings and project specifications to ensure the most rapid processing of all documents, consistent with City construction standards and budgetary requirements. In addition, investigate the feasibilty of

limited re-use of construction plans for any single facility.

d. procedures regarding preparation of documents for bid, advertising and award of contracts, processing of change orders, acceptance of completed projects, and where appropriate, termination of projects.

e. procedures regarding the inspection of construction progress, evaluation of contractor performance, and the establishment of qualifications and standards for award of construction contracts to ensure the highest possible quality of work.

f. procedures to monitor and expedite the processing of periodic and final payments to consultants and contractors in connection with construction projects.

4. The Director may prescribe standard reporting procedures for all agencies involved in the City's construction program and operate, in cooperation with the Director of the Budget, a Management Information System covering city-financed construction projects.

5. The Director shall identify all construction projects which have experienced serious delays or which are in danger of experiencing such delays, report to the Mayor on the causes of the delays, and make recommendations and take appropriate action for problem resolution.

6. The Director shall conduct appropriate studies in price trends, construction materials, methods, and management, and bidding practices to obtain for the City maximum advantage from changing market conditions and technological advances.

7. The Director shall seek ways to increase interest in doing construction work for the City by meeting with representatives of the construction industry, including building trades,

employers, trade unions, and City construction agencies on a regular basis. He shall appoint advisory committees on the various aspects of the construction program. He shall establish means by which consultants and contractors may appeal for action to be taken by City agencies to enable them to meet their contractual obligations to the City.

8. All directives, rules, or regulations issued by the Director under authority of this executive order shall be binding upon all agencies; however, the Director of the Budget, in carrying out his responsibilities for the administration of the capital budget, shall continue to exercise review and approval of the program and scope definitions and cost limitations for all capital projects, and for such plan or design reviews as are necessary to ensure conformance with such approvals.

9. To expedite acquisition and clearance of sites, the Director will work cooperatively with the Site Selection Board, the City Planning Commission, the Judiciary, and other agencies

10. The Director shall employ such staff as may be required to carry out this order and he shall publish quarterly a progress report on the construction program, setting forth accomplishments and recommending means to overcome problems delaying the program.

John V. Lindsay

JOHN V. LINDSAY

MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

OFFICE OF THE MAYOR

EXECUTIVE ORDER NO. 29

ESTABLISHMENT OF THE OFFICE OF JAMAICA PLANNING AND DEVELOPMENT

WHEREAS, the Board of Estimate in December 1968, approved a site in Jamaica, Queens for York College, a new senior college of the City University, together with an urban renewal designation and community development plan in connection therewith; and

WHEREAS, the City Planning Commission in December , 1969 designated a Jamaica Center Development Area and approved a first stage unassisted urban renewal development plan to encourage the rebuilding of sections of downtown Jamaica, to enhance its character as a multi-function metropolitan sub-center for commercial, governmental, and institutional activities in the Borough of Queens; and

WHEREAS, the Department of City Planning, in conjunction with the Economic Development Administration and the Housing Development Administration, is preparing an amendment to the zoning resolution for creation of a special zoning district in downtown Jamaica in connection with the Jamaica Center Development Area and plan

WHEREAS, the Housing Development Administration in conjunction with other city agencies, is prepared to undertake a housing and community facilities community development program in South Jamaica as soon as suitable sites can be selected and approved;

WHEREAS, the Economic Development Administration, in conjunction with the Housing Development Administration and the Department of City Planning has undertaken a study of sites suitable for an industrial renewal program in Jamaica;

WHEREAS, the Metropolitan Transportation Authority's first phase program provides for the extension of the rapid transit system to Southeast Queens with service for Jamaica Center, York College, and South Jamaica; the removal of the elevated line in central Jamaica; and direct service between Manhattan, Jamaica, and Kennedy Airport - which routings and general plans were established and approved by the Board of Estimate in September 1968;

WHEREAS, the Office of Jamaica Planning and Development, whose director was appointed by the Mayor on February 7, 1969, has been charged with the task of expediting and coordinating planning and physical development in the Jamaica area, and with maintaining close liaison and cooperation with community groups and private interests in the planning and development of specific programs;

WHEREAS, the proper development of the Jamaica area requires a coordinated comprehensive plan and development strategy in order to prevent the random, piecemeal, and often chaotic development which takes place without such a plan or strategy;

WHEREAS, the plan and strategy will require, among other things:

-the development of new transportation and related facilities and services;

-the development of housing and community facilities and services;

-the development of new commercial and industrial activities and the relocation of existing commerce and industry in such a way as to support and strengthen the existing core of the area;

-the development of parks and other recreation facilities,

--which activities fall within the jurisdiction of the Transportation Administration, the Housing and Development Administration, the Economic Development Administration, the Health Services Administration, the Human Resources Administration, the Environmental Protection Administration, the Municipal Service Administration and the Parks, Recreation and Cultural Affairs Administration;

NOW, THEREFORE, by virtue of the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

SECTION 1. There is established inthe Executive Office of the Mayor the Office of Jamaica Planning and Development which shall be headed by a Director, who shall be appointed by and serve at the pleasure of the Mayor.

A Deputy Director, who shall likewise be appointed by and serve at the pleasure of the Mayor.

§2. The Director shall have the following powers and duties with respect to the planning and development of the area bounded by Union Turnpike, Van Wyck Expressway, North Conduit Avenue, and Frances Lewis Boulevard:

a. In consultation with the agencies concerned to have full responsibility to create an overall plan for the Jamaica area ("The Plan");

b. to coordinate and review the actions and plans of all City agencies and various private interests and community groups in connection with the plan and to report to the Mayor on the effect of such actions and plans on the development of the Jamaica area;

c. To study and make recommendations with respect to design controls and zoning within the area;

d. To review and make recommendations with respect to capital budget items and development programs;

e. To hire staff personnel and retain necessary consultants, subject to applicable laws and regulations, in connection with the performance of the foregoing.

§3. Coordination

All actions taken by any City agency or by the Director with respect to the plan or to any matters which may materially affect the development of the area or the implementation of the plan, including: the exercise of any agency's liaison responsibilities with Metropolitan Transportation Authority, the Urban Development Corporation and other State, Multi-State and Federal agencies, the submission of applications

to Federal and State governments, and the undertaking of joint studies involving the City and State, Multi-State and Federal agencies, shall be consistent with the plan and shall be undertaken only after consultation among the Director and the City agencies concerned. The Director shall consult also with the Borough President when appropriate.

§4. City agencies responsible for providing public improvements and services in the Jamaica area including the Economic Development Administration, the Housing and Development Administration, the Municipal Service Administration, the Parks, Recreation and Cultural Affairs Administration, the Health Services Administration, the Environmental Protection Administration, the Transportation Administration, the Human Resources Administration, the Fire Department and the Police Department shall cooperate with the Director of Jamaica Planning and Development in the performance of his functions and duties as set forth herein. Upon the request of the Director, every such agency is directed to designate a staff member at policy level to be its liaison with the Office of Jamaica Planning and Development and to cooperate in furnishing such available staff resources for service within the Jamaica area as may be requested by the Director;

§5. This Order shall take effect immediately.

John V. Lindsay
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

TO: ADMINISTRATORS, COMMISSIONERS AND AGENCY HEADS

FROM: JOHN V. LINDSAY
MAYOR

SUBJECT: INSTRUCTIONS FOR IMPLEMENTATION OF EXECUTIVE ORDER No. 30, NOVEMBER 30, 1970

In order to implement my Executive Order No. 30, certain changes in the procedures for the appointment of new personnel to the city service, recommended by the Office of Administration, the Department of Personnel and the Bureau of the Budget, must be made. (See order 30, following)

The revised procedures affecting operations in the Department of Personnel, the Bureau of the Budget, the Department of Investigations and all city agencies, will be in effect hereafter:

APPOINTMENT PROCEDURE - DEPARTMENT OF PERSONNEL, BUREAU OF THE BUDGET, AND THE APPOINTING AGENCY

1. Administrator or agency head requests new title.

2. Administrator or agency head negotiates informally with the Mayor's Office or Bureau of the Budget for approval of the position. (This is optional. Used primarily for agency reorganization.)

3. Agency Personnel Office has the prospective employee completes the personal background questionnaire and Terms and Conditions of Appointment form and directs the prospective employee, with all copies of the completed forms, to the Department of Investigation. (The Terms and Conditions of Appointment form will dispense with the need for the letter presently prepared by all agencies requesting commencement of background checks. See Clearance Procedure - Department of Investigation.)

4. Agency personnel office prepares request for new position and temporary title code number, original to Department of Personnel, copy to Bureau of the Budget. Prepares proposed budget modification and a separate request for DM, copy to the Bureau of the Budget - Vacancy Control Board and two copies to Mayor's Office.

5. Department of Investigation starts investigation procedure. Candidate must complete the Terms and Conditions of Appointment form. (Copy attached). From this point on the background check does not delay the hiring procedure.

6. Bureau of the Budget receives and logs request for proposed budget modification and DM certificate. Also receives copy of request for new position and temporary title code number.

7. Department of Personnel receives request for new position and temporary title code number.

8. Department of Personnel checks for appropriate title; if none exists issues temporary title code number subject to the approval of the Bureau of the Budget for establishing the position and modifying the budget.

9. Bureau of the Budget reviews request for new position, gets temporary title code number, and prepares report for decision by Budget Director.

10. Budget Director reviews and approves request. Bureau of the Budget notifies agency orally of approval of new position.

11. Bureau of the Budget Service and Statistical Unit checks request for clerical accuracy and records change.

12. Budget Director signs approval of budget modification.

13. Budget Clerk distributes copies of budget modification to the Comptroller, City Record and the requesting agency.

14. Mayor's Office stamps approval on request for DM and returns one stamped copy to the Bureau of the Budget.

15. Budget Director reviews and approves request for DM. Bureau of the Budget notifies agency orally of approval.

16. Agency personnel officer appoints applicant subject to investigation, if applicable. Secures necessary provisional blank (Form DP 69) and sends form to the Department of Personnel.

17. Bureau of the Budget prepares DM and sends to Mayor's Office for signature.

18. Deputy Mayor approves DM and returns to Bureau of the Budget

19. Budget Clerk distributes copies of approved DM to Comptroller and agency.

20. Agency payroll division makes payroll change on A-221.

21. New employee gets paid.

The procedure for appointing personnel in an existing title whether a budget modification is necessary or not will be the same as above except that the Department of Personnel does not become involved until employee appears on the payroll.

CLEARANCE PROCEDURE - DEPARTMENT OF INVESTIGATION

1. The appointing agency has the prospective employee complete two copies of the personal background questionnaire and the Terms and Conditions of Appointment form.

2. The appointing agency, on the same day, directs the prospective employee to the Department of Investigation, with all copies of the completed forms, for further processing.

3. The Department of Investigation receives all copies of the completed forms, acknowledges receipt of the Terms and Conditions of Appointment form, the personal background questionnaire and fingerprints.

4. The Department of Investigation, no later than the next business day, distributes the completed Terms and Conditions of Appointment form as follows:

   a. Department of Investigation

   b. Appointing Agency

   c. Bureau of the Budget

   d. Department of Personnel

   e. Employee

5. The appointing agency receives its copy of the Terms and Conditions of Appointment form and can then proceed with the appointment without awaiting the completion of the personal background investigation.

6. The Department of Investigation upon completion of its background investigation of the prospective employee, will make its findings known as heretofore.

John V. Lindsay

JOHN V. LINDSAY
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

Attached please find Terms and Conditions Of Appointment Form for Executive Order No. 30.

THE CITY OF NEW YORK
DEPARTMENT OF INVESTIGATION
111 JOHN STREET
NEW YORK, NEW YORK 10038

TERMS AND CONDITIONS OF APPOINTMENT

NAME _____ DATE OF BIRTH _____ SOCIAL SECURITY NO. _____

OTHER NAMES KNOWN BY (Including Maiden Name) _____ DEPARTMENT OR AGENCY _____

ADDRESS _____ POSITION OR TITLE _____

CITY _____ STATE _____ ZIP CODE _____ PHONE _____ SALARY _____ DATE OF APPOINTMENT _____

SIGNATURE OF APPOINTING OFFICER _____ TITLE _____ PHONE NO. _____

I, the above-named individual, hereby accept appointment to the above position subject to the following terms and conditions:

1. I understand that my appointment to the above position is subject to my being cleared for employment by the Department of Investigation of the City of New York.

2. I also agree that my appointment is subject to approval by the head of the administration, department or agency involved.

3. I hereby authorize the Department of Investigation to commence its clearance procedure by making any investigation of my background deemed necessary. I agree to be fingerprinted and to give the Department of Investigation permission to secure all necessary personal data from sources governmental and private. I further agree to cooperate in all phases of the clearance procedure.

4. I have read the questionnaire which will be completed and submitted to the Department of Investigation. I understand that any misrepresentation of material fact on this questionnaire or any other documents submitted in connection with my appointment may have an adverse effect upon my satisfactory completion of the clearance procedure. I hereby declare my intention to answer all questions fully and truthfully.

5. I hereby agree to hold the City of New York, its agencies and employees harmless with respect to any personal claims for damages, expenses or injuries which may arise should the above-mentioned procedure not be completed satisfactorily and my employment be terminated.

6. I understand and I agree that I may be removed from any position and the appropriate payroll if I am not cleared after such investigation.

DATE _____ SIGNATURE _____

DO NOT WRITE BELOW THIS LINE

QUESTIONNAIRE AND FINGERPRINTS RECEIVED

DEPARTMENT OF INVESTIGATION

BY: _____

SAMPLE FORM

Distribution:

1. Department of Investigation (White)
2. Hiring Agency (Blue)
3. Bureau of the Budget (Yellow)
4. Department of Personnel (Pink)
5. Employee (Green)

DEPARTMENT OF INVESTIGATION COPY

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 30

NOVEMBER 30, 1970

AMENDMENT TO EXECUTIVE ORDER NO. 21, AUGUST 19, 1970

WHEREAS, the existing procedure for making an appointment to a position with a salary equal to or greater than the minimum rate of M-1 or E-1 of the Managerial or Executive Pay Plans, but not limited to members of those plans, causes delays in appointment of new personnel to positions in the public service, and

WHEREAS, as a result of a review of the existing procedure made by the Office of Administration, the Department of Personnel and the Bureau of the Budget, such agencies have recommended certain changes in the procedure to expedite the appointment of new personnel.

NOW, THEREFORE, by the authority vested in me as Mayor of the City of New York, it is hereby ordered as follows:

SECTION 1. Section 4 of Executive Order No. 21, dated August 19, 1970 is hereby repealed and a new Section is inserted therein, in lieu thereof, to read as follows:

§4. If any appointment is to be made to a position with a salary

equal to or greater than the minimum rate of M-1 or E-1 of the Managerial or Executive Pay Plans, but not limited to members of those plans, certification by the Commissioner of Investigation must be secured that the prospective employee has been cleared following a background investigation. This clearance procedure shall also be followed for an individual already employed by the City whose salary, as a result of a change in job title and regardless of his previous salary, will be equal to or greater than the minimum rate of M-1 or E-1 of the Managerial or Executive Pay Plans, unless (A) the individual has been a permanent competitive Civil Service employee for a period of more than six months and has been previously approved for appointment by the Investigation Division of the City Department of Personnel, or (B) the individual has been previously cleared for employment by the Department of Investigation. Clearance procedures shall also be followed for any person appointed to a position of a sensitive nature, regardless of salary, except those individuals specifically excluded under (A) or (B) of this paragraph. Clearance procedures however, need not be followed for an individual already employed by the City who, while remaining in the same job title, has his salary increased by a salary increment or by a meritorious increase of a level equal to or greater than the minimum rate of M-1 or E-1 of the Managerial or Executive Pay Plans.

Authorization for hiring a prospective employee shall be secured by submitting to the Commissioner of Investigation particulars as to the name, home address, date of birth, social security number, position and salary of the prospective employee, and an acknowledgement of the employee that his continued employment is subject to clearance by the Department of Investigation. Upon the submission to the Department of Investigation of such particulars and the prospective employee's completed questionnaire and his fingerprints, the Commissioner of Investigation shall immediately

notify the head of the administration, department or agency that the aforesaid documents have been received. Upon receipt of such notification, the head of the administration, department or agency may, in his discretion, then make the appointment. If, however, the employee does not receive clearance for employment following the completion of the background investigation by the Department of Investigation, his employment shall be terminated promptly.

These procedures shall apply to all appointments made on and after the date of this order and shall include those appointments now awaiting clearance by the Department of Investigation.

John V. Lindsay

John V. Lindsay
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 31
JANUARY 18, 1971

ON JOB TRAINING PROGRAMS ON CITY FINANCED OR ASSISTED CONSTRUCTION PROJECTS (AMENDING EXECUTIVE ORDER NO. 20 OF JULY 15, 1970).

WHEREAS, Executive Order No. 71, of April 2, 1968, declares that it is the policy of the City of New York to provide that in the performance of City contracts equal opportunity for and in employment be given to all qualified persons without discrimination because of race, creed, color or national origin, and to achieve such objectives through affirmative programs to be undertaken by contractors in the City of New York and their subcontractors· and

WHEREAS, it is the policy of the City of New York that on City financed or assisted construction projects equal opportunity for and in employment be given to all qualified persons in accordance with the provisions of Executive Order 71; and

WHEREAS, it is necessary and desirable that there be on-the-job training programs on City financed or assisted construction projects for the implementation and enforcement of a policy of equal opportunity for and in employment; and

WHEREAS, the goal of on-the-job training programs shall be the development of fully qualified minority journeymen eligible for union

membership;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

SECTION 1: DEFINITIONS

As used in this Executive Order, the following terms have the following meanings:

a) "Construction project" means any erection, construction, reconstruction, rehabilitation, alteration, conversion, extension, repair, or demolition of improvements to real property.

b) "City financing or assistance" means

i) a construction contract entered into by the City; or

ii) financial aid or financial benefit, issuing from the City; or

iii) sale, lease or other disposition of property by the City.

c) "Agency" means any board, bureau, administration, department, commission, agency or other governmental office of the City, or any other body, or any official thereof, who or which is authorized to provide City financing or assistance to or for construction projects in the City.

§2: ON-JOB TRAINING ON CITY FINANCED OR ASSISTED CONSTRUCTION PROJECTS

In administering any City financing or assistance to or for a construction project, agencies shall require, where not prohibited by law, that as a condition of their approval of such financing or assistance, there be compliance with the provisions of Executive Order 71 and that there be an on-the-job training program for minority individuals to be employed on the construction project. In compliance with this condition, an applicant for financing or assistance shall agree to incorporate or cause to be incorporated in any construction contract related to such project,

except for contracts exempted in accordance with Section 4 of Executive Order 71, the provisions required by Executive Order 71 and the following provisions:

1. The contractor shall employ minority individuals for training level jobs and shall participate in an on-the-job training program for them, which is acceptable to the City of New York. The program set forth in the training agreement dated December 10, 1970 between the New York Building and Construction Industry Board of Urban Affairs Fund, executed by the Mayor and any such other signatories thereto, which is incorporated herein by references and shall be included in rules and regulations to be adopted pursuant to Executive Order #20, is a program acceptable to the City of New York. Training programs required by Executive Order #20 shall be consistent and in no way conflict with the Training Agreement referred to above.

   The contractor shall make a good faith effort to achieve the goal of one trainee to every four journeymen of each trade, where practical. The term "where practical" shall mean and include, but it is not limited to, the following situations indigenous to the nature and practice of the building and construction industry: the length of the job in terms of the amount of time required from start to completion of the work; the physical layout of the job and the feasibility of handling trainees; the unemployment ratio in any particular trade; the number of men already in training related to job opportunity; the dollar value of the contract; the type of work involved in its relation to the trade involved; availability of potential trainees; geographical location of the job site.

2. The contractor shall participate in programs for rapid advancement to full journeymen pay scale for new minority employees who by training and experience can perform the duties of a qualified journeyman, as long as such programs are not inconsistent with the agreed upon Training Program referred to herein.

§3: IMPLEMENTATION

A) This order shall be implemented under the direction of the Manpower and Career Development Agency, which shall distribute to all agencies a directive, the terms of which shall not be inconsistent with the provisions of the Training Agreement dated December 10, 1970 referred to herein, embodying the provisions of this Executive Order and which shall establish an advisory committee of appropriate agencies to review its activities required by this Order. The committee shall include, but not be limited to, the Municipal Services Administration, the Housing and Development Administration, the Board of Education of the City of New York, the Model Cities Administration, the Human Rights Commission, the Office of the City Administrator, and the New York City Housing Authority.

Among its duties, the Manpower and Career Development Agency shall recruit, and screen minority individuals for appropriate job openings in training programs pursuant to the provisions of this Order.

b) The Manpower and Career Development Agency is authorized to adopt and promulgate rules, regulations and orders necessary for the implementatio of the program set forth in this Order, which shall not be inconsistent with the provisions of the Training Agreement dated December 10, 1970 herein above referred to.

§4: COMPLIANCE

a) The Office of the City Administrator, in determining compliance with Executive Order 71, shall consider participation in the program required by this Order, as certified by MCDA, as affirmative action and evidence of compliance with Executive Order #71. Assuming all other requirements for eligibility are met, bidders certified as participating in the program required by this Order shall be deemed in compliance with any affirmative action order and shall be awarded a city assisted or financed contract without the necessity of participating in any pre-award

proceeding or conferences of the City Administrator, except as provided herein.

b) The Office of the City Administrator is authorized to adopt and promulgate rules, regulations and orders necessary for the enforcement of this Order in accordance with its powers granted under Executive Order 71; which shall not be inconsistent with the provisions of the Training Agreement dated December 10, 1970 herein above referred to.

§5: This order shall take effect immediately.

John V. Lindsay
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 32
JANUARY 21, 1971

APPOINTMENT OF A SPECIAL ASSISTANT TO THE MAYOR TO EXERCISE THE FUNCTIONS, POWERS AND DUTIES IMPOSED BY SECTION 210 OF THE CIVIL SERVICE LAW.

WHEREAS, Section 3 of the New York City Charter authorizes the Mayor, as Chief Executive Officer of the City, to create such positions within his Executive Office as he may deem necessary to fulfill his duties, and to delegate specified functions, powers and duties to any member of said Office, and

WHEREAS, Section 210 of the Civil Service Law imposes certain functions, powers and duties upon the Chief Executive Officer of the City when it appears that a violation of subdivision 2 of that section may have occurred, and

WHEREAS, it is deemed necessary to appoint a Special Assistant to the Mayor to exercise the aforementioned functions, powers and duties,

NOW, THEREFORE, by the power vested in me as Mayor, it is hereby ordered that:

SECTION 1. There is established within the Office of the Mayor the position of Special Assistant to the Mayor to investigate and make

determinations pursuant to Section 210 of the Civil Service Law;

§2. The Personnel Director of the City of New York is hereby designated to occupy such position and he shall serve without any additional compensation as such Special Assistant.

§3. The functions, powers and duties vested in the Mayor as Chief Executive Officer pursuant to Section 210 of the Civil Service Law are hereby delegated to the said Special Assistant to the Mayor.

§4. This Order shall take effect immediately.

John V. Lindsay

John V. Lindsay
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 33

FEBRUARY 9, 1971

REGULATIONS ON THE USE OF BANKING ACCOUNTS

WHEREAS, the Finance Administration is charged by law with the authority and responsibility to collect all monies due the City, including state and federal aid, and with the receipt, safekeeping, and disbursement of all monies of the City treasury; and

WHEREAS, by reason of the lawful functions so committed to it, the Finance Administration has experience and expertise in this field to coordinate the City's banking relationships and to maximize the financial return from investments of City funds; and

WHEREAS, there exists a need for centralized control of such banking relationships which involve funds handled for City use by various other City administrations and departments as well as other agencies, and for the proper and efficient cash management in those cases so as to produce the greatest yield therefrom for essential municipal purposes;

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the City of New York, it is ordered that the following Regulations on the Use of Banking Accounts are hereby established:

Section 1. The Finance Administration, after consulting with the administration, department, or agency involved, shall specify, consistently with designations of deposit banks made by the Banking Commission, the banks in which every account representing funds handled by such administration, department, or agency for City use is placed.

§2. The deposit of any account having a balance in a bank of at least $100,000, or any account in which the balance may reasonably be expected to be that amount shall be a matter for negotiation between the Finance Administration and the bank with respect to the rates to be charged for the services rendered and the compensating balance to be maintained, and the Finance Administration shall have the authority to invest the amount of such account that exceeds the compensating balance. For the purpose of this section, any combination of accounts in one or more banks, used for similar purposes, aggregating $100,000 shall be deemed to be an account of that amount.

§3. The prior approval of the Finance Administration shall be required for any services to be performed by a bank for an administration, department, or other agency not within the scope of normal processing services associated with the regular maintenance of the account.

§4. The authority of any administration, department or other agency to receive and disburse monies pursuant to authority granted to it by the Charter or by any other provision of law shall not be deemed affected by this Order.

§5. This order shall take effect February 15, 1971.

John V. Lindsay
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

March 26, 1971

EXECUTIVE ORDER NO. 34

REGULATIONS GOVERNING CASH PAYMENTS FOR ACCRUED ANNUAL LEAVE AND ACCRUED COMPENSATORY TIME ON DEATH OF AN EMPLOYEE WHILE IN THE CITY'S EMPLOY

WHEREAS, the 1970-1973 City-wide Contract between the City of New York and District Council 37, A.F.S.C.M.E. applicable to mayoral agency employees subject to the Career and Salary Plan, provided that, effective July 1, 1970, the Mayor would issue an Executive Order which would provide certain cash payments for unused accrued annual leave and unused accrued compensatory time if an employee dies while in the City's employ; and

WHEREAS, it is desirable that regulations governing cash payments for unused accrued annual leave and unused accrued compensatory time upon the death of an employee while in the City's employ be uniform for City employees subject to the Career and Salary Plan, employees covered by Personnel Order No. 76/70, entitled "ESTABLISHMENT OF 'REGULATIONS GOVERNING LEAVES FOR EMPLOYEES AND OFFICIALS WHOSE SALARIES ARE ESTABLISHED UNDER THE MANAGERIAL AND/OR THE EXECUTIVE PAY PLAN'", dated October 13, 1970 and employees covered by Personnel Order No. 78/70, entitled "ESTABLISHMENT

OF LEAVE REGULATIONS FOR FULL-TIME PER ANNUM EMPLOYEES NOT COVERED BY OTHER LEAVE PLANS OR BY LEAVE PROVISIONS IN AGREEMENTS OR CONTRACTS WITH EMPLOYEES OR EMPLOYEE ORGANIZATIONS", dated October 13, 1970:

NOW, THEREFORE, by virtue of the authority vested in me as Mayor of the City of New York, it is hereby ordered that the following Regulations Governing Cash Payments for Accrued Annual Leave and Accrued Compensatory Time on Death of an Employee while in the City's Employ be and the same are hereby established:

SECTION 1. Effective July 1, 1970, the beneficiary or estate of a city employee subject to the Career and Salary Plan who dies while in the City's employ shall receive payment in cash for the following:

a. All unused accrued annual leave to a maximum of 54 days credit.

b. All retained unused accrued compensatory time earned subsequent to March 15, 1968, and retained pursuant to this Contract verifiable by official agency records, to a maximum of two hundred (200) hours.

§2. Effective October 13, 1970, the beneficiary or estate of an employee or official of the City whose salary is established under the managerial pay plan and/or executive pay plan for whom leave regulations were established by Personnel Order No. 76/70 who dies while in the City's employ shall receive payment in cash as provided in subdivisions a. and b. of Section 1 above. This section shall not be construed to exclude such payment as provided in such subdivisions a. and b. for annual leave or compensatory time accrued or earned prior to October 13, 1970 which is verifiable by official agency records.

§3. Effective October 13, 1970 the beneficiary or estate of a full time per annum City employee for whom leave regulations were established by Personnel Order No. 78/70 who dies while in the City's employ shall receive cash payments as provided in subdivisions a. and b. of Section 1 above. This section shall not be construed to exclude such payment as provided in such subdivisions a. and b. for annual leave or compensatory time accrued or earned prior to October 13, 1970 which is verifiable by official agency records.

§4. Payments in accordance with Sections 1, 2, and 3 above shall be based on the annual regular salary rate of the employee at the time of death. The hourly rate of pay for compensatory time shall be determined by the fractional part of such salary rate as follows:

a. For employees whose basic work week is 35 hours:

$$\frac{1}{261 \times 7} \quad \text{or} \quad \frac{1}{1827}$$

b. For employees whose basic work week is 37 1/2 hours:

$$\frac{1}{261 \times 7\ 1/2} \quad \text{or} \quad \frac{1}{1957.5}$$

c. For employees whose basic work week is 40 hours:

$$\frac{1}{261 \times 8} \quad \text{or} \quad \frac{1}{2088}$$

John V. Lindsay
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 35

April 2, 1971

CAPITAL BUDGET AMENDMENT REQUESTS
BY HEADS OF AGENCIES AND REPEAL OF
EXECUTIVE ORDER NO. 38 (MAY 16, 1963)

WHEREAS, as Chief Executive Officer of the City of New York, with the responsibility for the formulation of the budgetary and fiscal programs of the City, the Mayor must review, evaluate, and analyze amendments and proposed amendments to the capital budget; and

WHEREAS, pursuant to the Charter of the City of New York, any amendment to the capital budget must be initiated by the City Planning Commission; and

WHEREAS, it is advisable to reduce the time requested for review and analysis by both the City Planning Department and the Office of the Mayor by providing necessary information to both agencies prior to the initiation and consideration of any capital budget amendment by the City Planning Commission,

NOW, THEREFORE, by the power vested in me as the Mayor of the City of New York, it is hereby ordered as follows:

Section 1. Each request by the head of any agency for an amendment to the capital budget shall be submitted to the Office of the Mayor for consideration in the first instance before it is submitted to the City Planning Commission. A copy of such request shall be transmitted to the Director of City Planning at the time it is submitted to the Office of the Mayor.

§ 2. Executive Order No. 38, dated May 16, 1963, relating to capital budget amendment requests, is hereby REPEALED.

§ . This order shall take effect on April 2, 1971.

John V. Lindsay
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 36

MONETARY PAYMENT IN LIEU OF ACCRUED ANNUAL LEAVE AND/OR COMPENSATORY TIME TO EMPLOYEES WHOSE SERVICES ARE TERMINATED

WHEREAS, because of economy, it is necessary to curtail activities by terminating employment of individuals in the classified service, and

WHEREAS, Section 80 of the Civil Service Law imposes certain procedures to be followed upon the abolition of positions including the requirement that incumbents in affected titles be suspended in inverse order of appointment as set forth therein, and

WHEREAS, the services of some of the incumbents in various classes of positions are being terminated, and

WHEREAS, such incumbents may have accrued annual leave and/or compensatory time due them, and

WHEREAS, allowing employees to remain on the payroll to liquidate such leave and/or compensatory time could adversely affect the implementation of Section 80 of the Civil Service Law, and

WHEREAS, it is in the interest of economy to provide for the monetary payment in lieu of such leave and/or compensatory time, and

WHEREAS, Section 92 of the General Municipal Law permits the Mayor of the City of New York to provide for payment of the monetary value of accumulated and unused vacation time or time allowances granted in lieu of overtime compensation standing to the credit of its officers and employees at the time of their separation from the service,

NOW, THEREFORE, by the power vested in me as Mayor, it is hereby ordered that:

SECTION 1. Employees with unused creditable vacation and/or time allowances granted in lieu of overtime compensation standing to their credit consistent with existing City-wide rules and/or regulations, whose employment is terminated because of budgetary requirements shall be entitled to be paid the monetary value of accumulated and unused vacation time and/or time allowances granted in lieu of

overtime compensation standing to their credit for such time as may be due them.

§ 2. The Director of the Budget of the City of New York is hereby designated and empowered to transfer such necessary funds that may be required in accordance with Section 124a and/or b of the City Charter for the periodic payment to such terminated employees of the monetary value of accumulated and unused vacation time or time allowed granted in lieu of overtime compensation so standing to the credit of such employees.

§ 3. The Comptroller of the City of New York is hereby requested to make periodic payments in installments of the funds due the affected former employees.

§ 4. The payments provided herein may be made in multiple installments and may extend into the next fiscal year.

§ 5. The Comptroller of the City of New York, the Director of the Budget, the City Personnel Director and all other officers or agencies of the City having any jurisdiction over the matters provided in this Order are hereby requested, pursuant to the powers vested in them, to take the steps necessary to effectuate the provisions of this Order.

§ 6. This Order shall take effect immediately.

JOHN V. LINDSAY
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 37
JUNE 9, 1971
AIR POLLUTION WARNING SYSTEM

Whereas, an air pollution emergency can develop which may result in a serious threat to the public health and safety; and

Whereas, it is desirable and necessary that certain preventive measures be adopted, so as to preclude or minimize the impact of an air pollution episode on the health and welfare of the people of The City of New York.

Now, therefore, by the power vested in me as Mayor of The City of New York, it is hereby ordered as follows;

Section (1) There is hereby established an Air Pollution Warning System which shall operate in three stages: Alert Stage 1, Alert Stage 2 and Emergency. The criteria for determining the stages shall be those prescribed in the Air Pollution Warning Manual (hereafter "Manual") to be issued by the Administrator, Environmental Protection Administration, (hereafter "the Administrator") on the effective date of this order and such provisions are hereby incorporated in this executive order.

§ (2) Whenever the Department of Air Resources of the Environmental Protection Administration, (hereafter "the Department") by appropriate physical measurement and after consultation with the National Weather Service and the Interstate Sanitation Commission shall determine that the criteria for any of the stages set forth in Section 1 shall have been reached, the Administrator shall so advise the Mayor and the Emergency Control Board.

§ (3) Upon receipt of notice that ambient conditions are such that the criteria for determining Alert Stage 1 have been met, the Administrator shall declare the existence of such stage. Upon receipt of notice that conditions are such that any of the other stages have been reached, the Mayor or the Emergency Control Board will declare the existence of such other stage.

Upon any such declaration, the following action shall be taken.

(a) At all Stages -

The preventive and abatement measures prescribed for all City departments and other governmental agencies in the Manual for the declared stage shall be taken by the appropriate organization. The Department shall assign a major portion of its enforcement staff to carry out field inspections to assure compliance with the abatement measures prescribed by the Manual.

(b) At Alert Stage - 1

(1) At the time the Administrator advises the Mayor that the criteria for the Alert Stage have been reached, the Department shall establish a 24-hour monitoring procedure to determine the level of contaminants, and shall activate its procedures system.

(2) Upon declaration of the Alert Stage 1, all utilities and other large emitters, shall change their operations to conform to the plan of action that has been approved by the Inter-Agency Committee on Public Utilities and filed with the Emergency Control Board.

(3) The Mayor's Emergency Control Board shall be advised of the existence of the Alert.

(4) The Department of Health shall immediately take such measures as are necessary to assist the potential and actual impact of the air pollution episode on the public health and shall report its findings and recommendations to the Emergency Control Board.

(5) All City departments and agencies shall cooperate with the Administrator in the enforcement of all laws and regulations affecting the contamination of the atmosphere.

(c) Alert Stage - 2

(1) The Mayor's Emergency Control Board shall be convened.

(2) There shall be implemented such preventive and abatement measures which have been stipulated in the Manual and ordered by the Mayor, or the Emergency Control Board, included, but not limited to the following:

(a) limitation and control of vehicular traffic
(b) limitation on the use of electric power
(c) limitation on maximum heating levels

(d) Emergency

(1) There shall be implemented such preventive and abatement measures which have been stipulated in the Manual and ordered by the Mayor or the Emergency Control Board including, but not limited to the following:

(a) a complete ban on vehicular traffic
(b) limitation on the use of electric power
(c) limitation on maximum heating levels
(d) a complete cessation in the operation of large industrial and other emitters

(2) The Department of Health immediately shall take such measures as it deems appropriate and shall advise the Mayor and the Emergency Control Board accordingly.

§ (4) The Manual, when issued by the Administrator, and as amended from time to time, shall in addition to prescribing the criteria for determining the respective stages of the air pollution episode, shall prescribe the specific measures to be taken by the City departments and agencies and by the private sector in order to carry out the purpose of this order. The Manual and any amendments shall be published in The City Record.

§ (5) The Administrator shall promulgate such Rules and Regulations as are necessary to implement this order.

§ (6) Executive Order No. 93 of October, 1968 is hereby repealed.

§ (7) This order shall take effect immediately.

John V. Lindsay
MAYOR

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER No. 38, July 1, 1971

CREATION OF AGENCY FOR CHILD DEVELOPMENT

WHEREAS, An Early Childhood Development Task Force was appointed on March 9, 1970, by the Mayor to develop recommendations for improving and expanding day care and early childhood programs in the City; and,

WHEREAS, the Task Force found that there were overlapping functions, duplication of effort and lack of communication among the various City agencies which license and administer child care programs; and,

WHEREAS, the Task Force has recommended that as many as possible of the early childhood programs be absorbed into one City agency; and,

WHEREAS, the most appropriate unit of City government to coordinate and administer such programs would be the Human Resources Administration;

NOW THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. Agency for Child Development

There is hereby created in the Human Resources Administration an Agency for Child Development. The Agency shall be headed by a Commissioner to be known as Commissioner of the Agency for Child Development who shall be appointed by and serve at the pleasure of the Mayor. The Mayor may also appoint two Deputy Commissioners to serve at his pleasure.

§ 2. Functions, Powers and Duties of Commissioner

The Commissioner shall have, to the extent delegated by the Administrator, the following functions, powers and duties with respect to administering child development services:

(a) With maximum feasible parent and community participation, responsibility for developing, planning, administering, operating, contracting, coordinating, supporting, monitoring and evaluating, programs providing for day care and child development services. In connection therewith, the Commissioner shall have the power to enter into contracts to perform such services, receive and administer funds from federal, state or local agencies or public and private sources and to determine, in accordance with applicable provisions of law, which public or private programs should ultimately receive such funds. The Commissioner shall administer on behalf of the City, when permitted by applicable federal, state and local law;

(i) day care and other related child-care services, now administered by the Bureau of Child Welfare, Department of Social Services, Human Resources Administration, pursuant to Title IV of the Social Security Act (42 U.S.C. § 601 et seq), section 410 of the Social Services Law, section 603 of the New York City Charter and Section 604.2.0 of the Administrative Code of the City of New York.

(ii) day care for children as authorized by sections 123 (a) (6), 162 (b) 312 (b) (1) and Part B of Title V of the Economic Opportunity Act of 1964, as amended (42 U.S.C. §§ 2740, 2769.a, 2862, 2931-33) and now administered by the Community Development Agency, Human Resources Administration.

(iii) "Project Headstart" authorized by § 222: (a) (1) of the Economic Opportunity Act of 1964, as amended (42 U.S.C. § 2809), and now administered by the Community Development Agency, Human Resources Administration.

(iv) planning, coordinating and implementing in conjunction with the Model Cities Administration established by Executive Order No. 8 dated April 15, 1970, day care and other child development services for model cities areas;

(b) Transmit to the Administrator, Human Resources Administration, budget estimates and requests for State, Federal or private funds for implementation of the Agency's functions.

(c) Advise the Administrator, Human Resources Administration, on all matters pertaining to day care and other child development services- including research, demonstration projects, services, legislation, education, training and related matters, including the status of city programs and other programs sponsored in whole or in part by the Administration or other city agencies. In connection therewith, the Commissioner shall consult with the other city agencies having jurisdiction in this area in order to promote and prepare for the consolidation of as many day care and child development programs and functions as possible into the Agency.

(d) Undertake or promote training programs for persons working in public and private agencies operating early childhood programs.

(e) Represent the Administrator, the Mayor and the City of New York in matters related to day care and child development. In connection therewith, the Commissioner shall perform other coordinative and leadership functions as the Mayor or Administrator, Human Resources Administration, may deem appropriate.

(f) To establish, with the approval of the Administrator of the Human Resources Administration a child development commission, which shall include democratically selected parent representatives of community groups, and such other advisory or policy making groups as may be required by federal or state law.

§ 3. Effective Date

This Order shall take effect July 1, 1971.

JOHN V. LINDSAY

MAYOR

Library

amended by Exec. Ord. no 51, 54

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK 7, N.Y.

July 15, 1971

MEMORANDUM TO: HEADS OF ALL AGENCIES -

FROM: John V. Lindsay, Mayor

SUBJECT: Administration of the Budget Appropriations for the Fiscal Year 1971-1972 and Prior Fiscal Years

NOTE:

- -

There is attached hereto Executive Order #40 for the administration of budget appropriations for the 1971-1972 fiscal year.

The Department of Purchase shall accept no requisitions encumbering appropriations after June 30, 1971, and for purposes of efficient operation may set such date earlier in that month. The same limitations on expenditures shall apply to all other balances of appropriations for which no contract liability is registered on the books of the Office of the Comptroller.

Agencies shall place neither orders chargeable to, nor further encumbrances on, annual requirement or other contracts issued for the fiscal year 1970-1971.

In addition, effective immediately, no further vouchers are to be processed for payment to the Office of the Comptroller chargeable to appropriations made for the fiscal year 1969-1970 or prior fiscal years unless a contract liability is registered on the books of the Office of the Comptroller.

The Expense Budget for the 1970-1971 fiscal period was financed by estimated state and federal aid. Delay in receipt of state and federal reimbursement requires major temporary borrowing by the Comptroller with the result that the City must bear a greater interest cost to finance current operations. In addition, failure to realize these estimated revenues within the fiscal period places severe financial strains on the budget.

You are therefore directed to exert all your efforts to obtain these receivables still outstanding for the fiscal period 1970-1971 as quickly as possible covering all activities eligible for such aid.

All agencies which are provided with funds in the expense and capital budgets must comply with the provisions of this memorandum.

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 39

July 15, 1971

APPOINTING A COMMISSION ON STATE-CITY RELATIONS

WHEREAS State-City relationships and the structure of state government affecting local governments are of prime importance to all New Yorkers; and

WHEREAS the productivity of all government programs are affected by city-state-federal relationships and are of special concern to all citizens at this time of severe budgetary pressures; and

WHEREAS state aid programs, state operations and state appointed agencies directly affect city finances and services; and

WHEREAS the state-city fiscal process is in need of thorough review and reform;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, I hereby order as follows:

SECTION 1. There is hereby appointed a Commission on State-City Relations to explore all aspects of state-city relations, including:

1) the equity of state aid formulas;

2) the efficiency and productivity of state operated programs;

3) review of the existing federal-state-city relationship;

4) reform of the city-state budget process;

5) opportunities for greater home rule for the city;

6) state standards of management performance and administration;

7) city representation on state boards and agencies; and

8) relationships between the city and state legislatures.

§ 2. This Commission shall be empowered to take evidence and hold whatever hearings, public and private, deemed appropriate by the Commission to ascertain the necessary facts.

§ 3. The Commission shall consist of the following persons who are hereby appointed as members thereof:

Chairman:	William J. vanden Heuvel
Members:	Irving S. K. Chin
	Mario Matthew Cuomo
	Emilio P. Gautier
	William Lawless
	Dick Netzer
	R. Peter Straus
	Jacqueline Wexler
	Franklin H. Williams

§ 4. The Commission is empowered to prescribe its own procedures and to employ such assistants as it deems necessary, within the amounts appropriated or authorized therefor.

§ 5. All departments and agencies of the City are directed to furnish the Commission with such facilities, services and cooperation as it may request from time to time.

§ 6. This order shall take effect immediately.

JOHN V. LINDSAY
MAYOR

EXECUTIVE ORDER NO. 40

JULY 15, 1971

ADMINISTRATION OF BUDGET APPROPRIATIONS

WHEREAS, the New York City Charter empowers and charges the Mayor with the responsibility of administering the Expense Budget for the 1971-1972 fiscal year, and

WHEREAS, certain itemized information and supporting schedules of appropriations, as last modified as of March 15, 1971, were contained in the Mayor's 1971-1972 Budget message, in accordance with Section 117 (b) 2 of the New York City Charter, and it is necessary to provide for certain actions taken subsequent to March 15, 1971.

NOW, THEREFORE, in order to carry out and provide for an effective administration of the 1971-72 Expense Budget, it is hereby ordered as follows:

SECTION 1. The budget appropriations of all departments and agencies shall be administered during the fiscal year 1971-1972 under the terms of this executive order.

§2. The term "Agency" as used in this executive order means any office, administration, department, division, board, bureau, commission, corporation, institutions or other unit of government, the expenses of which are paid in whole or in part from the City Treasury.

§3. Schedules of the appropriations contained in the Mayor's Message which accompanied the Executive Budget, or of such appropriations as amended by the City Council and Board of Estimate in adopting the Expense Budget for the 1971-1972 fiscal year are hereby approved.

§4. (a) All actions taken in accordance with the New York City Charter, subsequent to March 15th, 1971, approving modifications of the supporting schedules as contained in the Mayor's 1971-72 Budget Message are hereby carried over effective July 1, 1971.

(b) All adjustments of rates of positions in accordance with the provisions of special pay plans or reallocations effective but not implemented prior to June 30, 1971 are hereby included in the 1971-1972 Budget, effective July 1, 1971.

§5. All of the powers of budget modification, as granted in Section 124 (a) of the New York City Charter are hereby withdrawn from all agencies except for the following: The Boards of Education and Higher Education, the Community Colleges, the Offices of the Borough Presidents, The Comptroller, the Board of Elections, the District Attorneys, the President of the Council and the City Council; provided that the Mayor may, as a condition of making these exceptions, require these agencies to cooperate with the Vacancy Control Board in realizing savings required to meet potential budget deficits that may arise during the fiscal year.

§6. Those agencies not specifically excepted from the provisions of Section5 herein providing for the withdrawal of the power of budget modifications shall be governed by the following special terms and conditions in the administration of budget appropriations:

(a) VACANCIES

(1) The provisions of Executive Order No. 30 dated November 30, 1970 and of Executive Order No. 5 dated January 19, 1966 as modified by the memorandum on the subject of appointments dated February 2, 1967 are hereby continued in full force and effect for these agencies for the fiscal year 1971-1972.

(2) The Vacancy Control Board, consisting of the Deputy Mayor, City Administrator, the Director of the Budget and the Personnel Director appointed on January 24, 1966 is hereby continued in operation for the purpose of investigating and recommending for approval by the Mayor of requests for the filling of positions in these agencies.

(3) The Vacancy Control Board is hereby authorized to act in such a manner as to give the various agencies maximum flexibility in filling vacancies, consistent with the responsibility of operating the City government within the amounts appropriated for the fiscal year 1971-1972. However, the head of agencies must cooperate with the Vacancy Control Board to the maximum extent possible in realizing savings required to meet potential budget deficits that may arise during the fiscal year.

(4) Requests for filling of vacancies and the process-

ing of VCB certificates will be made in accordance with the instructions on the Bureau of the Budget circular dated January 9, 1971.

(5) A monthly report shall be sent to the Deputy Mayor stating the number of positions in the agency, the number of filled, the number of vacancies (both regular and leave of absence), the number pending establishment, and the position each agency expects to fill. Accompanying this report should be a list of vacancies by code and line number, title, schedule line rate, and the rate at which the position will be filled. A duplicate copy of this information must be submitted to the Bureau of the Budget.

(6) All agencies shall forward to the Deputy Mayor monthly a listing of the positions that have been filled giving the code, the line number, the title, the schedule rate and the appointment rate. A duplicate copy of this listing must be submitted to the Bureau of the Budget.

(7) The reports required by Paragraphs (4) and (5) are necessary for review of requests for filling of vacancies by the Vacancy Control Board. Consideration of filling of vacancies shall be deferred in all cases where agencies have failed to comply until such time as the agency submit such reports.

(8) Any increase in the rate provided for employees in Rule X of the competitive class shall be granted only upon approval of the Mayor.

(b) BUDGET MODIFICATION

Subject to the provisions of Civil Service Law or other applicable statutes, changes in schedules within units of appropriations may be made as follows:

(1) In accordance with the provisions of the Career and Salary Plan or any special pay plan, or to provide increments not provided in the schedules.

(2) Modifications increasing a rate of compensation not in accordance with provisions increasing salary scales may not be done by the head of an agency unless approved by the Mayor.

(3) Any modification creating any position in excess of $8,000 per annum in any schedule shall be done only upon approval of the Mayor.

7. All agencies shall be subject to the following general terms and conditions in the administration of budget appropriations.

(a) CHANGES IN APPROPRIATIONS

Any change in appropriations by transferring funds between Personal Service and other than Personal Service shall be done only upon approval of the Mayor.

(b) CLASSIFICATION OF LABORERS

The provisions of Interpretive Memorandum #6, issued by the City Director of Labor Relations and dated June 26, 1969 on Classification of Laborers are to be fully complied with in filling vacant "A," "B,J "C," "D," "E" positions of Laborer.

(c) SUBMISSION OF REPORTS

For those agencies to which the provisions of Section 6 do not apply, the head of each such agency shall submit to the Director of the Budget on or before the 10th day following the end of each quarter a complete summarized list of vacancies existing on the last day of the preceding quarter, in each and every personal service appropriation in his agency.

(d) SCHEDULE MODIFICATIONS

Any modification changing any schedule as allowed by these terms and conditions shall be on a schedule basis, and not on a cash basis, unless otherwise directed by the Mayor.

(e) SALARY ADJUSTMENT AND INCREMENTS FOR POSITIONS COVERED BY CAREER AND SALARY PLANS

Salary adjustments and increments are to be provided in accordance with the provisions of a resolution adopted by the Board of Estimate on June 23, 1955 (Cal. No. 498), as amended.

(f) SALARY ADJUSTMENTS FOR POSITIONS UNDER COLLECTIVE BARGAINING AGREEMENTS OR SPECIAL PAY PLANS.

Positions for which salary adjustments are provided in accordance with Collective Bargaining Agreements or Special Pay Plans are to be provided in accordance with the provisions of the personnel orders approved by the Mayor covering such positions.

(g) SKILLED AND UNSKILLED LABOR

(1) The supporting schedules contained in the Mayor's 1971-1972 Budget Message contain provisions for the employment of certain positions for a specific number of days. A payroll certificate shall be submitted in such form as the Comptroller may prescribe establishing the fact that employees of such positions are working the required number of days, and the compensation of employees not working such number of days shall be reduced proportionately. It is not the purpose of the condition to deduct compensation for absences due to vacation, sick leaves, holidays, weather or other permissible cause.

(2) No skilled laborer whose position is provided for in this budget at a prevailing rate and on per diem basis shall be permitted to work in excess of five days in any one week, or two hundred and fifty days in one year, except in case of seasonal work or in an emergency, and then only upon approval of the Mayor authorizing an increased number of days. The foregoing general provision shall be superseded by any special provision attached to any particular line or code in this budget.

(3) Where the number of days of employment is indicated, each day shall constitute such working hours as specified in the "Notes on Terms of Employment" in the Supporting Schedules contained in the Mayor's 1971-1972 Budget Message.

(h) SNOW AND ICE REMOVAL

Funds provided for this purpose in Code 098-98-901 "Snow and Ice Removal" shall be allocated only upon approval of the Mayor and payment to all persons engaged in Snow and Ice Removal shall

be made in accordance with the terms and conditions contained therein. All laboroers or skilled mechanics and all other employees whose duties are appropriate thereto, shall upon request of the Commissioner of Sanitation be required to work, consistent with their titles, upon or in connection with snow removal, and if their compensation is fixed upon a per annum basis, no extra compensation shall be paid them for such work for that number of days upon which their per annum compensation is based. If any such employee shall fail or refuse to work upon or in connection with snow removal, his per annum compensation shall be reduced proportionately to the number of days during which he fails so to work.

(i) VACATION

(1) The vacation and leave allowance for employees who are under the Career and Salary Plan shall be in accordance with the resolution approved by the Board of Estimate on June 15, 1956 establishing "Leave Regulations for Employees who are under the Career and Salary Plan." The vacation and leave allowances for all other employees shall be in accordance with regulations established by the Personnel Director and the Director of the Budget.

(2) Where the work of employees is seasonal in character the vacation shall be allowed during the slack season.

(j) MAINTENANCE CHARGES

(1) Incumbents receiving full or partial maintenance, are to receive full compensation and increments in accordance with the Career and Salary Plan and other special pay plans approved by the Board of Estimate. Such employees are to reimburse the City of New York in accordance with the schedules of charges heretofore approved by the Board of Estimate on February 23, 1956 (Cal. No. 217), or any amendments thereto, in the following manner:

(2) Charges shall be debited against the total compensation, the incumbent is entitled to (inclusive of increments and other differentials), and shall be paid for by the incumbent from such total compensation received.

(3) Administration for the collection of charges shall be the responsibility of the department or agency employing the incumbent, subject to audit by the Comptroller.

(k) PAYMENT OF OVERTIME FOR CITY EMPLOYEES

Payment of overtime for City Employees shall be paid in accordance with the general rules and regulations promulgated in accordance with the resolution of March 22, 1962 (Cal. No. 379) adopted by the Board of Estimate as amended by Personnel Order No. 54/68 dated June 21, 1968, and amendments to Personnel Order No. 54/68, dated November 19, 1970 and December 2, 1970.

(l) LIMITATIONS ON EXPENDITURES

No liability is to be contracted for in excess of funds available for the purpose. The head of a department or other agency shall be held strictly accountable for exceeding appropriations without specific itemized approval of the Mayor. All balances of appropriations for which no contract liability is registered on the books of the Office of the Comptroller shall expire six months after the close of the 1971-72 fiscal year and disposed of pursuant to law, except for encumbered balances in General Purchase Fund accounts, which shall expire one year after the close of the 1971-72 fiscal year. The Department of Purchase shall accept no requisitions encumbering appropriations after June 30, 1972, and for purposes of efficient operation may set such date earlier in that month. Agencies shall place neither orders chargeable to, nor further encumbrances on, annual requirement contracts issued for the fiscal year 1971-72 after June 30, 1972.

(m) SPECIFICATIONS

(1) All contracts and open market orders except those of the Board of Education, for supplies, materials, and equipment, chargeable to appropriations classified as "Other Than Personal Service," shall be based upon specifications which have been approved by the Board of Standardization in accordance with the New York City Charter. In the absence of such Standard or Tentative Standard Specifications for the particular supplies, materials or equipment required, contracts and open market orders shall be based upon specifications which are definite and certain and which permit of competition, as required by the New York City Charter or which comply with Section 12 of the regulations of the Board of Estimate adopted June 30, 1949 (Cal. No. 318-A).

(2) The head of the agency awarding the contract shall, at the time the contract is transmitted to the Comptroller for registration, certify that such contract is based upon specifications which comply with the above prosisions. All open market orders issued shall contain a certificate by the head of the agency issuing the orders that such order is based upon specifications which comply with the above provisions.

(3) No contract chargeable to this budget shall, after an award is made, be cancelled nor shall any contract be modified in a manner materially affecting the substance thereof, unless such cancellation or such modification is approved by the Mayor or his duly authorized representative. This rule, however, shall not apply to a case where the terms of the contract reserve to the head of an agency the right to void a contract for default or abandonment of the work by a contractor.

(m) APPROVAL OF CONTRACTS

(1) No contract or proposal for work to be performed chargeable to this budget, except for work to be performed for the Board of Education, the cost of which is estimated to be in excess of $20,000 but not more than $50,000 shall be advertised until such contract and specifications or proposal shall have been submitted to and approved by the Director of the Budget.

No contract or proposal for work to be performed chargeable to this budget, for

the Board of Education, the cost of which is estimated to be in excess of $50,000 but not more than $100,000 shall be advertised until such contract and specifications or proposal shall have been submitted to and approved by the Director of the Budget.

(2) Contracts and specifications or proposals for work estimated to cost in excess of $50,000, except for work to be performed by the Board of Education, shall be submitted to and approved by the Mayor before such contracts and specifications or proposals are advertised. Contracts and specifications or proposals for work to be performed for the Board of Education, estimated to cost in excess of $100,000 shall be submitted to and approved by the Mayor before such contracts and specifications or proposals are advertised. When specifications have been approved by the Mayor, addenda thereto may be approved by the Director of the Budget, provided, however, that the estimated cost is not increased or that the change is not material. The specifications for the supplies, materials, and equipment in such contracts shall comply with the requirements of Subdivision "L" herein.

The Board of Education is authorized to advertise contracts and specifications or proposals the cost of which is estimated to benot more than $50,000 without prior submission and approval by the Director of the Budget.

(3) Contracts for professional services must be submitted to the Mayor for his approval.

(4) The provisions of paragraph 3 of subdivision (n) of this section shall not apply to the Board of Education.

(5) All contracts, in accordance with Section 343a of the New York City Charter to be awarded without public letting, must be submitted to the Mayor and approved by the Board of Estimate.

(o) TELEPHONE SERVICE AND TABULATING EQUIPMENT

(1) Modifications of telephone service contracts shall not be effective without

the approval of the Mayor, except that such modifications which incur additional costs not in excess of $40 monthly plus the one-time installation charges, may be processed directly through the Director of Municipal Telephone Service without the approval of the Mayor.

(2) No call directors, automatic switchboards, leased lines except for Civil Defense services, etc., shall be contracted for unless approved by the Mayor.

(3) Telephone Services Orders issued by the New York Telephone Company will reflect the required installations, deletions and changes, but not the cost thereof. The using agency shall certify the charges reflected on the telephone bills and certify the bills for payment in accordance with the tariff chart. These certified bills are to be forwarded promptly to the Comptroller's Office for payment. If there are discrepancies holding up certification of a previous month's bill, an agency shall process subsequent monthly bills without delay where such bills can be certified. Where questionable toll charges appear on a bill, such charges shall be deducted from the fill on which they appear and the remainder of the bill processed for payment immediately.

(4) All contracts for the rental of tabulating and auxiliary tabulating equipment shall be restricted to the equipment provided for under the contract in force when this budget takes effect. Modifications or proposals involving additional equipment shall not be effective except and in the manner approved by the Mayor.

(5) The provisions of subdivision (o) shall not apply to the Board of Education.

(p) GENERAL PURCHASE FUND

Subject to the provisions of subdivision "L" herein, the appropriations provided for the various agencies for supplies, materials, equipment, and certain contractual services are hereby made to the Department of Purchase

to the extent of the amounts set forth in the amended schedules of the Mayor's Budget Message for this fiscal year and as also indicated in brackets opposite departmental appropriations for Other Than Personal Service, and the Comptroller is hereby authorized and directed to transfer from the respective appropriations the amounts stated in the said schedule to the General Purchase Fund herein established for the Department of Purchase. The balance remaining in the said appropriations, after the amounts stated in the said schedule have been transferred to the General Purchase Fund, shall be under the jurisdiction of and control of the various agencies.

Certain allowances set up in this budget which are payable from other than tax levy funds appropriated to agencies, subject to the provisions of law, for supplies, materials and equipment, shall be made upon requisitions for purchase by the Department of Purchase.

(q) AUTHORITY FOR PETTY CASH EXPENDITURES

Requests for permission to draw upon the Comptroller and the City Treasurer by requisition for such amounts as may be required to defray the cost of minor and incidental expenditures chargeable to appropriations included in the Budget for this fiscal year, may be made upon the Comptroller or vouchers filled by the agency for the amount required.

(r) FEES

Appropriations to the various agencies for Witness Fees and Expenses, Juror Fees and Expenses, and Stenographer Fees (including minutes) shall be subject to administration by the Comptroller who is authorized and directed to adjust such accounts of the various agencies when necessary to provide for expenditures; but the total of such appropriations shall not be exceeded. In addition to the foregoing, the Comptroller is authorized to distribute the budget appropriations for Judgments and Claims to Other Judgment and Claim Accounts, namely, Accounts 710 to 719, inclusive.

(s) TRAVEL EXPENSES

(1) Expenditures of the various agencies for travel expenses shall receive prior approval of the Deputy Mayor and those incurred for lodging and means shall be itemized and stated in chronological order. The expenses as incurred must be supported by receipted bills for every expense for which a receipt can be obtained.

(t) PURCHASE OF EQUIPMENT

All expenditures for the purchase of equipment through the General Purchase Fund shall be based on the schedules upon which the appropriation is predicated. The Director of the Budget shall file schedules with the Office of the Comptroller, the Department of Purchase and the agency. Agency heads upon notification to the Department of Purchase may make substitutions or additions in these schedules, except that variations or substitutions to provide for executive offices furnishings, rugs, drapes, air conditioners, motor vehicles (unless a similar vehicle is surrendered to the Division of Salvage of the Department of Purchase and such replacement is in accordance with the motor vehicle replacement standards) and items of a similar nature must be approved by the Mayor.

(u) REPORTS ON STATE, FEDERAL AND OTHER GRANTS AND AID

(1) Any agency financed in whole or in part by the City of New York making an application for a State, Federal, Foundation or other grant or aid shall submit a copy of such application to the Bureau of the Budget at the time the application is submitted to the grantor.

(2) Any agency financed in whole or in part by the City of New York making an application for a State, Federal, Foundation or other grant or aid, receipt of which involves a commitment of City funds (for example, in the form of matching commitments of cash or personal services), shall submit a copy of such application to the Bureau of the Budget for its comments as to the availability of City funds before the application is filed with the grantor.

(3) In addition, any agency having any grant awards or aid shall submit quarterly reports on such grants or aid on Form BBG-1, "Quarterly Grant and Aid Report" in accordance with the instructions relating to such form and in accordance with the Budget Directors' memorandum to all agency heads, entitled, "Grant and Aid Reporting". Such reports shall be submitted to the Bureau of the Budget not later than 30 days after the end of each quarter.

(4) Effective July 1, 1971 Form BB-11 shall be discontinued and shall be replaced by Form BBG-1 above.

(v) FORMS

It is necessary that the Director of the Budget maintain a Master Budget. Accordingly, all modifications and changes in units of appropriations shall be transmitted to the Director of the Budget on forms provided by the Bureau of the Budget (Revised form M).

(1) The Departmental Modification form submitted by a department in accordance with Section 124 (a) and Section 124 (b) of the New York City Charter shall be approved or validated, as appropriate, by the Director of the Budget or his authorized representative, and distributed as follows: two (2) copies to the Office of the Comptroller, one (1) copy returned to the Department for Payroll entry, and one (1) copy to be retained by the Bureau of the Budget and used to update the Master Budget.

(2) The Department Modification form submitted by a department in accordance with Section 124 (c) of the New York City Charter shall, after review and examination be attached to the necessary Calendar Memos and Reports for submission to the City Council and the Board of Estimate, and forwarded to the Mayor for his signature and processing. After action by the Mayor, the Board of Estimate and the City Council a certificate of the Budget Director shall be issued and distributed as follows: two (2) copies to the Office of the Comptroller, one (1) to the Bureau of the Budget for updating the Master Budget.

(3) All modifications of appropriations, for which proportionate supplementary revenue such as state and federal aid is anticipated shall reflect the changes in such supplementary revenue in addition to the changes made in the tax levy.

(4) Personal Service expenditures, etc., made pursuant to this Executive Order are to be reported monthly to the Director of the Budget on forms provided by his office.

(w) DEPARTMENT QUARTERLY PERFORMANCE REPORTS

For the development of performance standards, and for analyses of work load data and manpower utilization, all agencies shall submit performance reports, in triplicate to the Director of the Budget on forms prescribed by the Director of the Budget.

§8. The Comptroller shall not authorize the payment of any compensation to any person appointed on or after July 1, of this year which is not in conformity with the provisions of this directive unless specifically authorized by the Mayor or his duly authorized representative.

§9. This executive order shall take effect on July 1, 1971.

JOHN V. LINDSAY
MAYOR

EXECUTIVE ORDER NO. 41

JULY 22, 1971

CONTINUATION OF SALARY ADJUSTMENT PLAN

WHEREAS, the New York City Board of Estimate, on June 21, 1962 (Cal. No. 525) adopted a salary adjustment plan for the City's 1962-1963 fiscal year, providing certain salary adjustments for specified categories of City employees and other public or quasi-public employees, who could not benefit from the increased-take-home-pay plan put into effect by the City for members of City-supported retirement systems; and

WHEREAS, such salary adjustment plan has been since continued by the City for each fiscal year as to which such increased-take-home-pay plan has been continued; and

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

SECTION 1. The salary adjustment plan adopted by the Board of Estimate on June 21, 1962 (Cal. No. 525) for the 1962-1963 fiscal year is hereby continued for the 1971-1972 fiscal year, including the same terms and conditions. In addition to the City employees covered by the plan, the salary adjustment plan is continued for officers and employees of public authorities, Board of Education and Higher Education, the Community Colleges, and the Cultural Institutions, provided such agencies provide the necessary funds from their existing appropriations. This salary adjustment plan is also continued for employees in the New York Zoological Garden and BrooklynBotanic Garden whose wages are fixed in accordance with Section 220 of the Labor Law under the same terms and conditions provided by Executive Order No. 74 issued for the 1963-1964 fiscal year.

§2. This order shall take effect July 1, 1971.

JOHN V. LINDSAY
M A Y O R

By
RICHARD R. AURELIO
Deputy Mayor

EXECUTIVE ORDER NO. 41

JULY 22, 1971

CONTINUATION OF SALARY ADJUSTMENT PLAN

WHEREAS, the New York City Board of Estimate, on June 21, 1962 (Cal. No. 525) adopted a salary adjustment plan for the City's 1962-1963 fiscal year, providing certain salary adjustments for specified categories of City employees and other public or quasi-public employees, who could not benefit from the increased-take-home-pay plan put into effect by the City for members of City-supported retirement systems; and

WHEREAS, such salary adjustment plan has been since continued by the City for each fiscal year as to which such increased-take-home-pay plan has been continued; and

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

SECTION 1. The salary adjustment plan adopted by the Board of Estimate on June 21, 1962 (Cal. No. 525) for the 1962-1963 fiscal year is hereby continued for the 1971-1972 fiscal year, including the same terms and conditions. In addition to the City employees covered by the plan, the salary adjustment plan is continued for officers and employees of public authorities, Board of Education and Higher Education, the Community Colleges, and the Cultural Institutions, provided such agencies provide the necessary funds from their existing appropriations. This salary adjustment plan is also continued for employees in the New York Zoological Garden and BrooklynnBotanic Garden whose wages are fixed in accordance with Section 220 of the Labor Law under the same terms and conditions provided by Executive Order No. 74 issued for the 1963-1964 fiscal year.

§2. This order shall take effect July 1, 1971.

JOHN V. LINDSAY
M A Y O R

By Richard R. Aurelio
RICHARD R. AURELIO
Deputy Mayor

EXECUTIVE ORDER NO. 42

July 22, 1971

Continuation of increased-take-home-pay plan during 1971-1972 fiscal year, for members, officers and employees of the New York City Housing Authority

WHEREAS, since the City fiscal year 1960-1961, the New York City Housing Authority with the approval of the City, has provided, for successive periods of one fiscal year pursuant to statutes enacted by the State Legislature at the request of the City, an increased take-home-pay plan applicable to members, officers and employees of the New York City Housing Authority who are members of the New York City Employees' Retirement System; and

WHEREAS, such plan makes possible a decrease in the pension contributions of Authority personnel without a diminution or loss of pension rights, with the result that the take-home pay of Authority personnel is increased; and

WHEREAS, by reason of the economic benefits conferred by such plan on Authority personnel, their morale, efficiency and productiveness are improved, with resulting substantial benefits to the functioning of the Authority and the City Government and enhancement of the welfare of the people of the City; and

WHEREAS, the New York City Housing Authority, by resolution adopted on June 30, 1971 has elected, subject to the approval of the Mayor, to continue such increased-take-home-pay plan during the City's 1971-1972 fiscal year; and

WHEREAS, I have determined that it is in the best interests of the City, the Authority and the members, officers and employees of the Authority that such plan shall be so continued;

NOW THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. The annexed resolution of the New York City Housing Authority, adopted by such Authority on June 30, 1971 is hereby approved.

§2. This order shall take effect July 1, 1971.

JOHN V. LINDSAY
M A Y O R

By Richard R. Aurelio
RICHARD R. AURELIO
Deputy Mayor

EXECUTIVE ORDER NO. 43

July 22, 1971

Continuation of increased-take-home-pay plan during 1971-1972 fiscal year, for certain City-paid officers and employees who are members of City-supported retirement systems.

WHEREAS, since the City fiscal year 1960-1961, the City has provided, for successive periods of one fiscal year pursuant to statutes enacted by the State Legislature at the request of the City, an increased-take-home-pay plan applicable to City-paid officers and employees who are members of City-supported retirement systems; and

WHEREAS, under such plan the City makes possible a decrease in pension contributions of such personnel without diminution or loss of pension rights, with the result that the take-home-pay of such personnel is increased; and

WHEREAS, by reason of the economic benefits conferred by such plan on such personnel, their morale, efficiency and productiveness are improved, with resulting substantial benefits to the functioning of the City government and the welfare of the people of the City; and

WHEREAS, I have determined that it is in the best interests of the City and the above-mentioned officers and employees that such plan shall be continued during the 1971-1972 fiscal year;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

OTHER-THAN-AUTHORITY-OR-PUBLIC-BENEFIT-CORPORATION MEMBERS OF THE NEW YORK CITY EMPLOYEES' RETIREMENT SYSTEM.

Section 1. For the purposes of this Section 1 and Sections 2, 3 and 4 of this executive order, the provisions of subdivision j of section B3-36.1 of the Administrative Code shall apply, subject to the terms and conditions specified in this executive order, in the same manner,

to the same extent and with the same force and effect as if:

(a) Wherever the word "sixty-two" appears in such subdivision j, the word "seventy-one" were substituted therefor;

(b) Wherever the word "sixty-three" appears in such subdivision j, the word "seventy-two" were substituted therefor;

(c) wherever "board of estimate" is referred to in such subdivision j, the word "mayor" were substituted therefor; and

(d) wherever such subdivision refers to adoption of a resolution by the board of estimate, such subdivision instead referred to adoption of an executive order by the mayor.

§ 2. Effective during the period of time from and including the payroll period the first day of which is nearest to July 1, 1971 and to and including the payroll period immediately preceding that, the first day of which is nearest to June 30, 1972 (which total period of time is hereinafter referred to as the "1971-1972 increased-take-home-pay period"), the governing provisions of Paragraph 14 of such subdivision j and the provisions of subdivisions g, h and i of such section B3-36.1 shall be applicable to and for the benefit of all other-than-authority-or-public-benefit-corporation members of the New York City Employees' Retirement System; provided, however, that the reduced rate of contribution to be used in computing the reduction of contributions shall be four per cent, except as otherwise provided in section three of this executive order; and provided further that the provisions of this Section 2 shall not apply to members of the Uniformed Correction Force who have elected optional retirement pursuant to § B3-36.3 of the Administrative Code (as added by Chapter 954 of the Laws of 1964).

§ 3. The reduced rate-of-contribution factor for all sanitation members for the 1971-1972 increased-take-home-pay period shall be five per cent.

§ 4. Since Section 7 of this Executive Order provides for members of the Police Pension Fund, Article 2, an increased-take-home-pay-plan for the 1971-1972 increased-take-home-pay-period pursuant to Paragraph 7 of Subdivision a of Section B18-22.1 of the Administrative Code, as added by Chapter 615 of the Laws of 1971, members of the Uniformed Correction Force who have elected optional retirement pursuant to such § B3-36.3 of the Administrative Code shall be entitled, with respect to the 1971-1972 increased-take-home-pay period, to the benefits of an increased-take-home-pay plan identical with that provided for the members of the Police Pension Fund, Article 2 for such period.

MEMBERS OF THE NEW YORK CITY TEACHERS' RETIREMENT SYSTEM WHO ARE (1) TRANSFERRED CONTRIBUTORS OR (2) CONTRIBUTORS OTHER THAN CONTRIBUTORS WHO ARE EMPLOYEES OF THE BOARD OF EDUCATION OR BOARD OF HIGHER EDUCATION.

§ 5. Pursuant to subparagraph (i) of paragraph one of subdivision i of Section B20-41.1 of the Administrative Code, and paragraph two of such subdivision i, beginning with the payroll period the first day of which is nearest to July 1, 1971, and ending with the payroll period immediately prior to that, the first day of which is nearest to June 30, 1972, the provisions of paragraph four of subdivision i of such Section B20-41.1 and the provisions of subdivisions e and f of such section shall be applicable to and for the benefit of (1) all contributors who are transferred contributors and (2) all contributors other than contributors who are employees of the Board of Education of the City of New York or Board of Higher Education of such City.

MEMBERS OF THE POLICE PENSION FUND,
ARTICLE 1.

§ 6. Pursuant to the provisions of Administrative Code Section B18-3.2, Subdivision f, as added by L. 1971, ch. 615, beginning with the payroll period, the first day of which is nearest to June 30, 1971, and ending with the payroll period immediately prior to that, the first day of which is nearest to June 30, 1972, the deductions from the pay, salary or compensation of each member of the Police Pension Fund, Article 1, made pursuant to the provisions of Article 1 of Title B of Chapter 18 of the Administrative Code, shall be reduced by five per cent of such pay, salary or compensation.

MEMBERS OF THE POLICE PENSION FUND,
ARTICLE 2.

§ 7. (a) Pursuant to the provisions of Paragraph 7 of Subdivision a of Administrative Code Section B18-22.1, as added by L. 1971, ch. 615, beginning with the payroll period, the first day of which is nearest to June 30, 1971, and ending with the payroll period immediately prior to that, the first day of which is nearest to June 30, 1972, the contribution of each member of the Police Pension Fund, Article 2, made pursuant to subdivision b or e of Section B18-22.0 of the Administrative Code, exclusive of any increase thereof pursuant to subdivision c or d of such Section B18-22.0 or any reduction thereof pursuant to subdivision one of section 138-b of the Retirement and Social Security Law, shall be reduced by five per cent of the compensation of such member.

(b) Such reduction shall be subject to waiver and withdrawal of waiver in the manner and in accordance with the terms and conditions specified in such Section B18-22.1.

MEMBERS OF THE FIRE DEPARTMENT PENSION
FUND, ARTICLE 1.

§ 8. Pursuant to the provisions of Subdivision f of Section B19-4.2 of the Administrative Code, as added by L. 1971, ch. 615, beginning with the payroll period, the first day of which is nearest to June 30, 1971, and ending with the payroll period immediately prior to that the first day of which is nearest to June 30, 1972, the deduction from the pay, salary or compensation of each member of the Fire Department Pension Fund,

Article 1, made pursuant to the provisions of Article 1 of Title B of Chapter 19 of the Administrative Code, shall be reduced by five per centum of such pay, salary or compensation.

MEMBERS OF THE FIRE DEPARTMENT PENSION FUND, ARTICLE 1-B

§ 9. Pursuant to the provisions of Paragraph 7 of Subdivision a of Section B19-7.651 of the Administrative Code, as added by L. 1971, ch. 615, beginning with the payroll period, the first day of which is nearest to June 30, 1971, and ending with the payroll period immediately prior to that the first day of which is nearest to June 30, 1972, the contribution of each member of the Fire Department Pension Fund, Article 1-B made pursuant to Section B19-7.65 of the Administrative Code shall be reduced by five per centum of the compensation of such member.

MEMBERS OF THE RELIEF AND PENSION FUND OF THE DEPARTMENT OF STREET CLEANING.

§ 10. The deduction from the pay, salary or compensation of any member of the Relief and Pension Fund of the Department of Street Cleaning, made pursuant to the provisions of Section G51-3.0, par. 2 of the Administrative Code, shall be reduced to zero percentum during the one-year period commencing July 1, 1971

MEMBERS OF THE HEALTH DEPARTMENT PENSION FUND.

§ 11. The deduction from the pay, salary or compensation of each member of the Health Department Pension Fund made pursuant to Section G51-53.0 of the Administrative Code need not be made and no contribution in lieu thereof need be made by any such member during the one-year period commencing July 1, 1971.

NO IMPLICATION OF FURTHER CONTINUATION OF BENEFITS.

§ 12. The provisions of this executive order shall not imply any obligation, commitment or promise that benefits herein granted or provided for shall be continued beyond the termination date thereof, as herein prescribed.

EFFECTIVE DATE.

§ 13. This order shall take effect on July 1, 1971.

JOHN V. LINDSAY

M A Y O R

By Richard R. Aurelio

RICHARD R. AURELIO
Deputy Mayor

EXECUTIVE ORDER NO. 44

July 22, 1971

Continuation of increased-take-home-pay plan during 1971-1972 fiscal year, for officers and employees of the Triborough Bridge and Tunnel Authority who are members of the New York City Employees' Retirement System.

WHEREAS, since the City fiscal year 1960-1961, the Triborough Bridge and Tunnel Authority, with the approval of the City, has provided, for successive periods of one fiscal year pursuant to statutes enacted by the State Legislature at the request of the City, an increased-take-home-pay-plan applicable to officers and employees of such Authority who are members of the New York City Employees' Retirement System; and

WHEREAS, such plan makes possible a decrease in the pension contributions of such Authority personnel without diminution or loss of pension rights with the result that the take-home-pay of such Authority personnel is increased; and

WHEREAS, by reason of the economic benefits conferred by such plan on Authority personnel, their morale, efficiency and productiveness are improved, with resulting substantial benefits to the functioning of the Authority and the City government and enhancement of the welfare of the people of the City; and

WHEREAS, the Triborough Bridge and Tunnel Authority, by resolution adopted on June 25, 1971, has elected, subject to the approval of the Mayor to continue such increased-take-home-pay-plan during the City's 1971-1972 fiscal year; and

WHEREAS, I have determined that it is in the best interests of the City, the Authority and the officers and employees of the Authority that such plan shall be so continued;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

1. The annexed resolution of the Triborough Bridge and Tunnel Authority adopted by such Authority on June 25, 1971, is hereby approved.

2. This order shall take effect July 1, 1971.

JOHN V. LINDSAY

M A Y O R

By Richard R. Aurelio

RICHARD R. AURELIO
Deputy Mayor

EXECUTIVE ORDER NO. 45

July 1, 1971

Continuation of increased-take-home-pay-plan during 1971-1972 fiscal year, for members of the Board of Education Retirement System

WHEREAS, since the City fiscal year 1960-1961, the New York City Board of Education, with the approval of the City, has provided, for successive periods of one fiscal year pursuant to statutes enacted by the State Legislature at the request of the City, an increased-take-home-pay-plan applicable to members of the Board of Education Retirement System; and

WHEREAS, such plan makes possible a decrease in the pension contributions of such members without diminution or loss of pension rights, with the result that the take-home-pay of such members is increased; and

WHEREAS, by reason of the economic benefits conferred by such plan on such members, their morale, efficiency and productiveness are improved, with resulting substantial benefits to the administration of the affairs of the Board of Education and the City government and enhancement of the welfare of the people of the City; and

WHEREAS, the City, at the 1971 Session of the State Legislature, sponsored the enactment of Laws of 1971, Ch. 615 which authorizes the New York City Board of Education, with the approval of the Mayor, to continue such increased-take-home-pay-plan during the City's 1971-1972 fiscal year; and

WHEREAS, the New York City Board of Education, by resolution adopted on June 30, 1971 has elected, subject to the approval of the Mayor, to continue such increased-take-home-pay plan during the City's 1971-1972 fiscal year; and

WHEREAS, I have determined that it is in the best interests of the City, the Board of Education and the members of the Board of Education Retirement System that such plan be so continued;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. The annexed resolution of the Board of Education, adopted on June 20, 1971, amending the provisions governing the Board of Education Retirement System to the extent necessary to put into effect a pensions-providing-for-increased-take-home-pay plan for the fiscal year 1971-1972 analogous to that authorized by Laws 1962, Ch. 789, is hereby approved.

This order shall take effect July 1, 1971.

JOHN V. LINDSAY

M A Y O R

By Richard R. Aurelio

RICHARD R. AURELIO
Deputy Mayor

EXECUTIVE ORDER NO. 46

July 22, 1971

Continuation of increased-take-home-pay-plan during 1971-1972 fiscal year, for officers and employees of the New York City Transit Authority

WHEREAS, since the City fiscal year 1960-1961, the New York City Transit Authority, with the approval of the City has provided, for successive periods of one fiscal year pursuant to statutes enacted by the State Legislature at the request of the City, an increased-take-home-pay plan applicable to officers and employees of the New York City Transit Authority who are members of the New York City Employees' Retirement System; and

WHEREAS, such plan makes possible a decreased in the pension contributions of Authority personnel without diminution or loss of pension rights, with the result that the take-home-pay of Authority personnel is increased; and

WHEREAS, by reason of the economic benefits conferred by such plan on Authority personnel, their morale, efficiency and productiveness are improved, with resulting substantial benefits to the functioning of the Authority and the City government and enhancement of the welfare of the people of the City; and

WHEREAS, the New York City Transit Authority, by resolution adopted June 25, 1971 has elected subject to the approval of the Mayor, to continue such increased-takehome-pay during the City's 1971-1972 fiscal year; and

WHEREAS, I have determined that it is in the best interests of the City, the Authority and the officers and employees of the Authority that such plan shall be so continued;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. The annexed resolution of the New York City Transit Authority, adopted by such Authority on June 25, 1971 is hereby approved.

§2. This order shall take effect July 1, 1971.

JOHN V. LINDSAY
M A Y O R

By Richard R. Aurelio

RICHARD R. AURELIO
Deputy Mayor

EXECUTIVE ORDER NO. 47

July 22, 1971

Increased-take-home-pay plan during 1971-1972 fiscal year, for officers and employees of the New York City Off-Track Betting Corporation

WHEREAS, since the City fiscal year 1960-1961, the City has provided, for successive periods of one fiscal year pursuant to statutes enacted by the State Legislature at the request of the City, an increased take-home-pay plan applicable to officers and employees of City agencies who are members of the New York City Employees' Retirement System; and

WHEREAS, such plan makes possible a decrease in the pension contributions of City personnel without diminution or loss of pension rights, with the result that the take-home-pay of City personnel is increased; and

WHEREAS, by reason of the economic benefits conferred by such plan on City personnel, their morale, efficiency and productiveness are improved, with resulting substantial benefits to the functioning of the City government and enhancement of the welfare of the people of the City; and

WHEREAS, the New York City Off-Track Betting Corporation, by resolution adopted on July 8, 1971, has elected, subject to the approval of the Mayor, to provide such an increased-take-home-pay plan during the City's 1971-1972 fiscal year for the officers and employees of such Corporation who are members of the New York City Employees' Retirement System, and to confirm the increased-take-home-pay plan provided for such officers and employees during such part of their membership in such Retirement System as falls within the 1970-1971 fiscal year; and

WHEREAS, I have determined that it is in the best interests of the City, the Corporation and the officers and employees of the Corporation that such plans shall be so effectuated;

NOW THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

Section 1. The annexed resolution of the New York City Off-Track Betting Corporation, adopted by such Corporation on July 8, 1971 is hereby approved.

§2. This order shall take effect July 9, 1971.

JOHN V. LINDSAY
MAYOR

Richard R. Aurelio

BY: RICHARD R. AURELIO
Deputy Mayor

Amended by Exec. Ord. no. 51, 54

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 48

August 30, 1971

ESTABLISHMENT OF COMPREHENSIVE

HEALTH PLANNING AGENCY

FOR THE CITY OF NEW YORK

WHEREAS, Section 314(b) of the Public Health Service Act (42 U. S. C. A. § 246(b), as amended by Public Laws 89-749, 90-174 and 91-296) (hereinafter referred to as the "Comprehensive Health Planning Act" or the "Act") calls for promoting and assuring the highest level of health attainable for every person in an environment which contributes positively to healthful individual and family living; and

WHEREAS, the Act, to carry out such purpose, calls for comprehensive planning of personal and environmental health services, manpower, facilities, and research at every level of public and private endeavor and provides for Federal financial assistance for such purpose, specifically providing for area-wide planning agencies for regions, metropolitan areas and local areas; and

WHEREAS, the Mayor's Organizational Task Force for Comprehensive Health Planning for The City of New York (hereinafter called the "Task Force"), appointed pursuant to Executive Order No. 111 dated October 24, 1969, has studied and made recommendations with respect to the establishment of a Comprehensive Health Planning Agency for The City of New York; and

WHEREAS, the New York City Charter in recognition of the need for comprehensive health planning provides that the Health Services Administrator shall have the power and duty to prepare intermediate and long range programs designed to meet the needs of the City with regard to health services, and to establish priorities among them;

NOW, therefore, by virtue of the power vested in the undersigned, as Mayor of The City of New York, and as Administrator of the Health Services Administration, it is hereby ordered as follows:

1. Establishment of Agency. There is established in the Health Services Administration "The Comprehensive Health Planning Agency for The City of New York" (hereinafter called the "Agency"). The Board of Directors of the Agency (hereinafter called the "Board") shall consist of not less than 71 nor more than 88 members to be appointed in accordance with section 3 below.

2. Purposes. The general purpose of the Agency shall be to engage in comprehensive health planning for The City of New York. Without limiting the generality of the foregoing, the Agency is empowered and directed to:

(i) Establish standards and guidelines for consumer, provider and government participation in all types of health planning at both the City-wide and community levels, including periodic review of compliance with such standards by public, voluntary and proprietary health and health-related agencies within the City, and review of existing health planning programs.

(ii) Determine and review short-range and long-range goals in the delivery of health care services, including the determination, in cooperation with the District Boards referred to in section 6 below, of unmet health needs and priorities as to the allocation of health resources.

(iii) Administer, supervise and coordinate the activities of the District Boards.

(iv) Work jointly with the Health and Hospital Planning Council of Southern New York in reviewing the need for hospital facilities and programs in the City, including periodic evaluation by the Agency of the needs for facilities and programs in terms of community priorities, with special emphasis on community participation, levels of service and elements of service, land use and geographic location of facilities and neighborhood health centers.

(v) Cooperate and work directly in all aspects of health planning with the New York Metropolitan Regional Medical Program, the Department of Mental Health and Retardation Services, the Board of Health, the Office of the Chief Medical Examiner, the New York City Health and Hospitals Corporation, the Planning Commission, the Environmental Protection Administration, the Housing and Development Administration, the Human Resources Administration and all other public agencies with responsibilities in the health area with the City.

(vi) Provide assistance in health planning to other agencies and coordinate, develop and monitor City-wide health planning and delivery systems to eliminate gaps and duplication, including review and monitoring of existing delivery systems, development of an inventory of existing health data and establishment of a health information system.

(vii) Review the geographic districting patterns which exist in the present health system and make recommendations with respect to the system of regionalization for the City.

(viii) Inventory and review of existing health and health-related financing methods and make recommendations with respect to financing methods.

(ix) Promulgate plans approved by the Board and develop guidelines with the assistance of appropriate public and private agencies.

(x) Review all Federal, state, municipal and proprietary goals, plans, priorities, programs and expenditures for health, in so far as they affect the City area, and make recommendations as to the same and, to the extent delegated by the Health Services Administration with approval of the Mayor, be responsible for the allocation of Federal funds in the health field available in the City, reviewing and monitoring the expenditure of such funds, reviewing all public and private funding in the health field in the City and, where deemed appropriate, making recommendations as to the withholding of funding where programs do not conform to promulgated plans.

(xi) Review qualifications, educational standards and licensing standards for health personnel, in cooperation with employers, universities, unions, professional associations and similar interested groups, and make recommendations with respect to the utilization of health personnel, the coordination of existing manpower programs and the' filling of unmet personnel needs.

(xii) Develop an education program concerning the need for health planning, the components of adequate health and environmental protection programs, methods of interagency and institutional coordination and communication, consumer, provider and government participation in planning and implementing programs, and the prevention and elimination of health and environmental health hazards.

(xiii) Initiate studies, investigations and evaluations of pertinent health problems, effectiveness of health programs and the quality of medical care.

(xiv) Make information available and accessible to the general public with respect to health planning and health resources.

3. (a) Composition and Appointment of the Board. For the purposes of this section3, the members of the Board shall be divided into Regular Members (appointed as provided in paragraphs (c) and (d) below), Representative Members (appointed as provided in paragraph (i) below) and Ex-officio Members, who shall be the public officials named in paragraphs (g) and (h) below. At all times a majority (which need not be limited to 51%) of the members shall be consumers of health services. The initial Board shall consist of 71

members, 36 of which shall be consumers of health services and 35 of which shall be providers of health services. Except in the case of Ex-officio Members, members of the Board will be selected from nominations submitted by consumer and provider agencies (including the Planning Districts and District Boards which shall submit nominations pursuant to clause (i) of paragraph (e) below), received by the Nominations Committee (or, in the case of the initial Board, by the Initial Nominations Committee), approved by the Board (or, in the case of the initial Board, by the Task Force), and appointed by the Mayor.

(b) Terms of Regular Members; Limitation on Service. Each member of the Board (other than members of the initial Board and Ex-officio Members) shall be appointed for a term of three years and shall serve for such term, unless he resigns or ceases to be a member purusant to clause (i) of paragraph (e) or paragraph (k) below, and until his successor shall be appointed and qualified, except that a member appointed to complete an unexpired term shall serve for the remainder of such term. With the exception of Ex-officio Members and Representative Members, members (including members of the initial Board) shall not be appointed for or serve more than two consecutive terms, provided that members appointed to complete unexpired terms may be appointed for and serve two consecutive terms after the expiration of such unexpired term. Members who have served two consecutive terms shall be eligible for reappointment to the Board one year after the end of the second such term. The members of the initial Board (other than Ex-officio Members) shall be appointed for terms to be allocated on the following basis:

(i) eleven consumers and ten providers shall be appointed for terms of four years;

(ii) eleven consumers and ten providers shall be appointed for terms of three years; and

(iii) eleven consumers and nine providers shall be appointed for terms of two years.

Four, three and two-year terms shall be allocated among individual representatives of consumers of health services or providers of health services, as the case may be, by lot drawn by the Chairman of the Board.

(c) Nominations Committee; Filling of Vacancies for Regular Members. With the exception of the Initial Nominations Committee, which shall be constituted and chosen as hereinafter provided, a Nominations Committee of the Board shall be chosen by the Board, and shall consist of seven members, four of whom shall be consumers, two of whom shall be providers, and the seventh shall be the Chairman of the Board. Such Nominations Committee is hereinafter called the "Nominations Committee". At least 30 days prior to the expiration of the term of any Regular Member or promptly after the existence of a vacancy on the Board by reason of the removal for cause or resignation of any Regular Members, of the termination of service of any Regular Member for any

other reason, the Nominations Committee shall nominate three persons to fill the vacancy in question and shall submit such nominations to the Board in writing for approval and submission to the Mayor, indicating the order of preference of the Nominations Committee with respect to such persons. Upon its approval of such nominations, the Board shall submit such nominations for appointment to the Mayor, together with the written order of preference submitted by the Nominations Committee.

(d) Initial Nominations Committee. Promptly after the date hereof, the Task Force shall choose, from among its members, an Initial Nominations Committee, which shall consist of seven members, four of whom shall be consumers, two of whom shall be providers, and the seventh shall be the Chairman of the Task Force. Such Committee is herein called the "Initial Nominations Committee". The Initial Nominations Committee shall choose nominees for the initial Regular Members of the Board, which nominees may be members of the Task Force. To the extent that members of the Task Force are not nominated for positions on the Board, the Initial Nominations Committee shall nominate three persons for each position, submitting all such nominations to the Task Force in writing, indicating the order of preference of the Initial Nominations Committee in the case of positions for which three nominees are chosen. Upon its approval of such nominations, the Task Force shall submit such nominations for appointment to the Mayor, together with the order of preference where preference was expressed by the Initial Nominations Committee.

(e) Composition of the Board; Consumer Members and Planning District Members. The Board shall at all times (except during the period when a vacancy is being filled) include the following representation among its Regular Members:

(i) In the case of the initial Board, thirteen Members shall be consumers who are representatives of the Planning Districts provided for in section 6 below, with each such Member being affiliated with a different Planning District. The Initial Nominations Committee and the Task Force shall nominate and the Mayor shall appoint Members of the initial Board under this clause (i) as follows: As soon as practicable after the effective date of this Executive Order, the Initial Nominations Committee shall seek from consumers of health services in the Planning Districts established pursuant to section 6 below nominations of consumers who are residents of their respective districts for the memberships referred to in this caluse (i). From among such nominations, Regular Members shall be nominated by the Initial Nominations Committee and the Task Force and submitted to the Mayor pursuant to the procedures set forth in paragraph (d) above. As District Boards are established pursuant to section 6 below, each such District Board shall have one representative on the Board. Such planning district Members shall be chosen as follows: Promptly after the establishment of each District Board pursuant to section 6 below, such District Board shall nominate three of its members (at least one of which shall be a consumer and at least one of which shall be aprovider) for membership on the Board and submit such nominations in writing to the Nominations Committee for appointment to the Board pursuant to paragraph (c) above; provided, however, that each planning district Member shall be appointed

from among the nominees of the District Board and planning district Memberships shall be allocated among consumers and providers so that at all times a majority of the Members of the Board shall be consumers. Any planning district Member of the initial Board chosen pursuant to the first sentence of this clause (i) shall resign upon the appointment to the Board of a Member representing such initial Member's Planning District from among the nominees of the District Board of such Planning Uistrict.

(ii) Eleven consumer members shall be representatives of City-wide consumer groups.

(iii) One consumer member shall be a representative of regional planning organizations which include The City of New York in their planning area.

(iv) One consumer member shall be a representative of consumer-oriented health prepayment organizations.

(v) One consumer member shall be a representative of commerce and industry.

(vi) Two consumer members shall be representatives of labor.

(vii) One consumer member shall be a representative of older residents of The City of New York.

(f) Composition of the Board; Provider Members. The Board shall at all times (except during the period when a vacancy is being filled) inclde the following representation among its Regular Members:

(i) One provider member shall be a representative of medical schools located within The City of New York.

(ii) One provider member shall be a representative of home health agencies.

(iii) Two provider members shall be representatives of health prepayment organizations.

(iv) In addition to the provider members representing the New York State Medical Society First District Branch Coordinating Council referred to in paragraph (i) below, at least two other provider members shall represent other medical societies or organizations of physicians.

(v) Two provider members shall be representatives of dental societies.

(vi) One provider member shall be a representative of nursing organizations.

(vii) One provider member shall be a clinical practitioner in the field of mental health.

(viii) Five provider members shll be representatives of health professional and para-professional groups which are not represented on the Board pursuant to the provisions of this paragraph (f) and paragraph (i) below.

(g) Composition of the Board; Consumer-Ex-officio Members. The following consumers shall at all times be Ex-officio Members by virtue of their respective positions set forth below:

(i) the Deputy Mayor--City Administrator of The City of New York;

(ii) the Chairman of the City Planning Commission of the City of New York; and

(iii) a representative of the City Council of The City of New York, who shall be a member of the Council and chosen to serve by the Council at the pleasure of the Council.

(h) Composition of the Board; Provider-Ex-officio Members. The following shall at all times be Ex-officio Members by virtue of their respective positions set forth below:

(i) The Health Services Administrator of The City of New York;

(ii) the Commissioner of Health of The City of New York;

(iii) the President of the Health and Hospitals Corporation of The City of New York;

(iv) the Commissioner of Mental Health and Mental Retardation Services of The City of New York;

(v) the Environmental Protection Administrator of The City of New York; and

(vi) the Human Resources Administrator of The City of New York.

(i) Composition of the Board; Representative Members. The Board shall at all times (except during the period when a vacancy is being filled) include the following representative Members:

(i) Two consumer members shall be members of the Council Against Poverty. Such Council shall submit nominees for such memberships.

(ii) Four provider members shall be representatives of voluntary hospitals in The City of New York. The Greater New York Hospital Association shall submit nominees for such memberships.

(iii) One provider member shall be a representative of private hospitals in The City of New York. The Association of Private Hospitals shall submit a nominee for such membership.

(iv) One provider member shall be a representative of voluntary nursing homes in The City of New York. The New York City Division of the New York State Association of Homes for the Aging shall submit a nominee for such membership.

(v) One provider member shall be a representative of private nursing homes in The City of New York. The Metropolitan Nursing Home Association shall submit a nominee for such membership.

(vi) One provider member shall be a representative of the Health and Hospital Planning Council of Southern New York. Such Council shall submit a nominee for such membership.

(vii) Five provider members shall be physicians and representatives of the New York State Medical Society First District Branch Coordinating Council. Such Council shall submit nominees for such membership.

(viii) One provider member shall be a representative of the Regional Medical Program. Such Program shall submit a nominee for such membership.

Nominations for the above memberships (and vacancies therein) shall be submitted to the Nominations Committee (or, in the case of the initial Board, to the Initial Nominations Committee) by the respective organizations which the above described Representative Members shall represent. Upon approval of any such nomination so submitted by the Nominations Committee (or, in the case of the initial Board, by the Initial Nominations Committee), such nomination shall be submitted to the Board (or, in the case of the initial Board, to the Task Force) for approval, and upon such approval such nominations shall be submitted to the Mayor for appointment. RepresentativesMembers shall be appointed for fixed terms in the same manner as Regular Members, but the limitations on the number of terms set forth in paragraph (b) above shall not apply to them.

(j) Multiple Qualifications of Members; Compliance with this Executive Order and Federal and State Guidelines. In applying thestandards for appointment set forth in this section, a Member of the Board may be deemed to represent more than one interest, except that no consumer member may be deemed to represent any provider interest, and vice-versa. In making nominations and appointments of members pursuant to the foregoing provisions, the Initial Nominations Committee, the Nominations Committee, the Task Force, the Board and the Mayor, as the case may be, shall nominate and appoint only members possessing the required qualifications set forth above and such other qualifications as shall be necessary to ensure compliance of the composition of the Board with guidelines at the time in effect adopted by the Public Health Service of the United States or the New York State Health Planning Commission, or

both. Each Borough of The City of New York shall be represented by at least one member. The Initial Nominations Committee, the Nominations Committee, the Task Force, the Board, and the Mayor, as the case may be, shall endeavor to include among either the Members of the Board or its committees, or both, representatives of those agencies of New York State that provide direct health services in The City of New York (including the State Department of Mental Hygiene).

(k) Cessation of Membership

(i) An Ex-officio Member shall cease to be a member (unless thereupon appointed as a Regular Member or a Representative Member) when he ceases to occupy the position by the virtue of which he is an Ex-officio Member. A Representative Member shall cease to be a member (unless thereupon appointed as a Regular Member) when he ceases to be a member of the organization which he represents.

(ii) A consumer member shall cease to be a Member if he shall have established residence outside The City of New York.

(iii) A planning district member pursuant to Section 3(e)(i) above shall cease to be a member when eh ceases to be a member of the District Board which he represents.

(iv) The Board may recommend to the Mayor that a Regular Member or a Representative Member who is a provider be removed from the Board if he shall relocate outside the New York City Metropolitan area.

(v) The Board may recommend to the Mayor that any Regular Member or Representative Member be removed from the Board if he violates the rules from time to time adopted by the Board.

4. Organization of the Board

(a) Alternates. Officials of The City of New York serving as Members may designate a permanent alternate to represent them at meetings of the Board and committees thereof. Such alternates may attend all meetings of the Board and of committees of which their respective principals are members, but may not vote when their principals are present.

(b) Voting. All members of the Board shall be entitled to vote in connection with all deliberations of the Board.

(c) Quorum. One-half plus one of the members at the time in office (excluding vacancies for this purpose) shall constitute a quorum for all meetings of the Board; provided, however, that at least one-half plus one of the members present are consumer Members.

(d) Meetings. The Board shall meet at least four times in each calendar year, commencing with 1972.

(e) Vice Chairman. In addition to the Chairman referred to in section 5 below, the Board may elect a consumer member as First Vice Chairman and a provider member as Second Vice Chairman, to serve at the pleasure of the Board and to preside at meetings thereof in the absence of the Chairman or, in the case of the Second Vice Chairman, the Chairman and the First Vice Chairman.

(f) Executive Committee. The Board shall have an Executive Committee consisting of the Chairman, the First Vice-Chairman, the Second Vice Chairman, three consumer members (other than Ex-officio Members), two provider members (other than Ex-officio Members), one consumer Ex-officio Member and one provider Ex-officio Member. Chairmen of other committees appointed by the Board may attend Executive Committee meetings but may not vote thereat. The Chairman of the Board shall be the Chairman of the Executive Committee. A quorum of the Executive Committee shall consist of seven members thereof; provided, however, that at least one-half plus one of the members of the Committee present at any meeting must be consumer Members of the Board. The Executive Committee shall have general authority to act on behalf of the Board but shall not have power to adopt, alter or amend policies with respect to priorities, goals, recommendations, reports or reviews of grant applications or facilities projects, which power shall belong exclusively to the Board.

(g) Nominations Committee. The Board shall elect the Nominations Committee referred to in section 3 above.

(h) Other Committees. The Board may create such other committees as it shall deem appropriate, subject to the limitation that a majority of the members of each committee must represent consumer interests. Persons who are not members of the Board may be appointed to all committees other than the Executive Committee and the Nominations Committee.

(i) All actions of the Board referred to in this Executive Order shall be taken by a majority of a quorum of the Board constituted as provided in paragraph (c) above at scheduled meetings thereof, unless it is specifically provided that a committee of the Board may take such action.

(j) Subject to the foregoing provisions of this section and section 5 below, the Board shall adopt such by-laws, and rules as it shall deem necessary or appropriate for the conduct of its business and the governance of its activities.

5. Chairman; Director; Staff Members.

(a) The Administrator of Health Services shall be, ex-officio the Chairman of the Board of the Agency. The Chairman shall preside at all meetings of the Board and shall appoint members of Committees and committee chairman of the Board (other than members and the chairmen of the Executive Committee and the Nominations Committee), subject to ratification of the Board or, if the Board so decides, the Executive Committee of the Board.

(b) The Director of the Agency shall be appointed by the Administrator of Health Services, with the approval of the Mayor, on nomination of the Board. The Director, who shall have responsibility for carrying out the instructions of the Board and shall act as the day-to-day supervisor of the Agency, shall be a full-time employee of the Agency and must have either (i) a graduate degree in the field of hospital or medical care administration, public health, planning, public administration or community organization or (ii) a minimum of three years full-time experience in the field of health care administration or health care planning. The Director shall also act as Secretary of the Board.

(c) Deputy Directors of the Agency shall be appointed by the Director. Each Deputy Director shall have such duties as are assigned to him from time to time by the Director.

(d) One of the Deputy Directors shall be designated by the Director to cooperate with the Office of the Deputy Mayor--City Administrator in developing relationships with the Environmental Protection Administration, the Human Resources Administration and other City departments and agencies.

(e) Subject to the availability of appropriations, the Director shall be in charge of appointing all members of the staff of the Board.

(f) The Chairman shall be responsible for making available and coordinating support facilities and staff from other parts of the Health Services Administration.

6. Planning Districts; District Boards.

(a) The Board shall establish no less than 25 local Comprehensive Health Planning Districts (herein called the "Planning Districts") within The City of New York. The boundaries of the Planning Districts shall be based on the boundaries of one or more of the community planning districts established by the New York City Planning Commission. In establishing the boundaries of the Planning Districts, the Board shall where possible limit the maximum population of each Planning District to 400,000 (except where a single community planning district has a population in excess of 400,000) and an average of not exceeding 300,000 each for all Planning Districts. The size and number of the Planning Districts may be changed from time to time by the Board.

(b) Local comprehensive health planning boards (herein called the "District Boards") shall be established in each of the Planning Districts. Each of the District Boards shall perform the following functions and such other functions as the Board of the Agency sahll from time to time delegate or assign:

(i) establish communication with the Planning District community and act as a bridge between the community and the Agency;

(ii) channel pertinent information as to local health needs within the Planning District to the Agency;

(iii) assist the Agency in formulating City-wide health priorities, in monitoring, reviewing and evaluating programs and in facilieis planning; and

(iv) participate in the selection of a member of the Board from among the members of such District Board pursuant to section 3 (e) (i) above.

(c) The size of each District Board shall be established by the Board of the Agency. No such District Board shall consist of more than 71 members. Each such District Board shall provide for a majority of consumer members (which need not be limited to 51%) and for representation of provider groups and field representatives of municipal health and health-related agencies. Members of each District Board must reside or work in the Planning District covered thereby.

(d) Local consumer and provider groups shall propose members of the District Boards. After consideration of such proposals by the Nominations Committee (or the Initial Nominations Committee) of the Board of the Agency, the Board shall appoint the members of the District Board, except that representatives of municipal health and health-related agencies shall be designated by the chief executive officers of such agencies, subject to approval by the Board and (after the initial appointment thereto) the District Board. The term of office of members of each District Board shall be three years, except that the initial terms shall be staggered as in the case of Regular Members of the Board in the manner described in Section 3(b).

(e) The chairman of each District Board shall be a consumer member and the vice-chairman shall be a provider member. They shall each be elected for two-year terms by a majority of the District Board. Such officers may be reelected for succeeding terms.

(f) Subject to the availability of municipal appropriations and Federal funds, each Planning District shall be assigned a full-time community health planner, and a secretary. Such employees shall be employees of the Agency.

(g) The by-laws, statutes and rules governing the operations of each of the District Boards shall be subject to approval by the Board.

(7) Effective Date. This Executive Order shall become effective on October 1, 1971.

John V. Lindsay
Mayor

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

Amended by #60 - 5/25/72

EXECUTIVE ORDER NO. 49

OCTOBER 1, 1971

CONDUCT OF CENSUS CONCERNING THE COMPOSITION OF THE WORK FORCE OF CITY AGENCIES

WHEREAS, it is the stated policy of the City of New York to assure and protect all employees of the City against discrimination based on race, color, national origin, handicap or sex in the recruitment, assignment, promotion, or other aspects of employment by City agencies; and

WHEREAS, it is necessary for the City of New York to gather data on a regular basis concerning the race, color, national origin and sex of its employees in order to facilitate the identification and resolution of problems in recruitment, assignment, promotion, and other aspects of employment of members of minority groups to insure equal opportunities for employment in the civil service for all persons; and

WHEREAS, it is necessary for the City of New York to determine on a regular basis the number of its employees who are handicapped, along with the nature and degree of their disability, in order to facilitate the identification and resolution of problems in recruitment, assignment, promotion, and other aspects of employment of handicapped persons to insure

equal opportunities for employment in the civil service;

NOW, THEREFORE, by the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

SECTION 1. The City Commission on Human Rights shall conduct a census annually of employees of the city in order to determine and tabulate by jurisdictional classification, job title and salary level the racial or ethnic identification and sex of all New York City employees.

§2. a. The City Commission on Human Rights shall conduct a census annually of employees of the city in order to determine and tabulate by jurisdictional classification, job title and salary level the number of handicapped employees of the city. Such census shall indicate to whatever extent possible the nature and extent of each disability.

b. For the purposes of this order the term "handicapped" means a person who is disabled because of a medically identifiable physical, psychiatric or mental defect resulting from accident, illness or congenital condition and whose disability in any way could affect his employability.

§ 3. The City Commission on Human Rights shall devise and distribute appropriate forms and instructions to enable the head of each city agency to conduct the censuses of all employees of that agency. Such forms and instructions shall be devised in a manner that will keep the identity of individual employees confidential and will insure scientific accuracy and uniformity to whatever extent possible.

§4. In accordance with sections one, two and three of this order, each year the chairman of the City Commission on Human Rights shall send to the head of each city agency the forms and instructions necessary for

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the polling of that agency. The head of each city agency shall, upon receipt of these forms and instructions, conduct the censuses of the employees of that agency and report the results of those censuses to the chairman of the City Commission on Human Rights as soon as it is practicable, but in any case no later than thirty days from the date on which the forms and instructions are received by the agency.

§5. Upon receipt of the results of the censuses of all city agencies, the chairman of the City Commission on Human Rights shall correlate those results and submit them to the Mayor and the Director of Personnel along with whatever recommendations the chairman may feel are necessary to resolve or ameliorate the problems in recruitment, assignment, promotion, and other aspects of employment of members of minority groups, women and handicapped persons in the civil service which are indicated by the results of the censuses.

§6. No city employee shall be required to reveal any personal information for the purposes of these censuses concerning his racial or ethnic identification, sex or handicap against his wishes, Refusal to divulge such information shall not result in any adverse consequences concerning continued employment, or promotional or any other job-related opportunities, nor shall it result in any penalty or disciplinary action for the employee involved.

§7. Any board, authority, commission, public benefit corporation or other public agency or office which is not part of the city government but which utilizes either the testing or appointment procedures of the Department of Personnel, or the payroll services of the Finance Administrat and whose field of operations and jurisdiction lies mainly within the City of New York may comply with the provisions of this order by filing a notice

of its willingness to do so with the chairman of the City Commission on Human Rights. Upon receipt of such notice, the chairman of the City Commission on Human Rights shall proceed according to the provisions of sections one through five of this order with respect to the board, authority, commission, public benefit corporation or other public agency or office which files such notice. As the widest possible response to these censuses is necessary in order that the stated purposes of this order be realized, the City Commission on Human Rights shall make every possible effort to obtain compliance with the provisions of this order by every board, authority, commission, public benefit corporation or public agency or office to which this section applies.

~~X~~. 9. This order shall take effect immediately.

¶8; See - order #60, 3/25/72

John V. Lindsay
MAYOR

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER NO. 50

OCTOBER 1, 1971

ESTABLISHMENT OF THE APPAREL INDUSTRY COUNCIL AND THE OFFICE OF APPAREL INDUSTRY PLANNING AND DEVELOPMENT

WHEREAS, jobs in the apparel industry, for more than a century a mainstay of New York City's economy, have dropped by 40 per cent since 1947

WHEREAS, leaders of the apparel industry, unions and the trucking industry have expressed concern about inadequate space, traffic congestion, theft and rising rents and have expressed interest in a joint planning effort with the City,

WHEREAS, the Department of City Planning is conducting a research action study of the apparel industry,

WHEREAS, the Economic Development Administration has established a citywide program of industrial renewal,

WHEREAS, the Police Department has studied traffic problems in relation to apparel manufacturing, has established a special anti-hijacking surveillance unit and is continuing its efforts to improve security in Manhattan's garment center,

WHEREAS, the Sanitation Department is studying ways to improve refuse collection and street cleaning in Manhattan's garment center,

WHEREAS, the Transportation Administration has conducted research, design and engineering studies on traffic conditions, truck terminals and arcaded sidewalks and has established special parking regulations in Manhattan's garment center,

WHEREAS, the Public Development Corporation is conducting an industrial development program partly financed by the City,

WHEREAS, industry spokesmen have urgently expressed a need for improving conditions in the heart of the garment center, in Lower Manhattan and in other parts of the Borough,

WHEREAS, small apparel operations are scattered in other parts of the City, including areas in the Bronx, Brooklyn and Queens,

WHEREAS, the proper planning and development of all elements of the apparel industry, both in Manhattan and in the outlying Boroughs, require a comprehensive plan and strategy for implementation,

WHEREAS, the comprehensive plan and strategy for the apparel industry must relate to planning for industrial renewal, mass transit, highways and housing,

WHEREAS, it is in the interest of the City to use private initiative and private funds in a constructive partnership with the City government,

WHEREAS, the authority to make major land use decisions and to coordinate the efforts of the various agencies involved are properly lodged in the Office of the Mayor,

NOW, THEREFORE, by virtue of the power vested in meaas the Mayor of the City of New York, it is hereby ordered as follows:

SECTION I - Apparel Industry Council

There is established a joint advisory body, the Apparel Industry Council, which shall be headed by a chairman who shall be appointed by and serve at the pleasure of the Mayor. Members of the Council shall be:

(a) Representatives of the various elements of the apparel industry who shall be nominated by their constitutents and who shall be appointed to the Council by the Mayor.

(b) The chief officials of the following City agencies: Department of City Planning, Economic Development Administration, Environmental Protection Administration, Police Department, Consumer Affairs Department, Transportation Administration and the Bureau of the Budget and others which, from time to time, may be designated by the Mayor.

§ II - Office of Apparel Industry Planning and Development

There is established in the Executive Office of the Mayor the Office of Apparel Industry Planning and Development which shall be headed by a Director of Apparel Industry Planning and Development who shall be appointed by and serve at the pleasure of the Mayor. The Office shall serve as staff for the Council.

§ III - Powers and Duties of the Director

The Director shall have the following powers and duties with respect to planning and development related to the various elements of the apparel industry:

(a) To have full responsibility to create and establish procedures to implement a comprehensive citywide plan for the apparel industry.

(b) To coordinate and review the actions and plans of all City agencies which affect the apparel industry directly or indirectly and report to the Mayor on the effect of such plans.

(c) To implement, in cooperation with the private interests concerned and with the community groups concerned, the City's goals for the apparel industry.

(d) To serve as liaison between the Mayor, the industry, City agencies, the Office of Lower Manhattan Developmen The Office of Midtown Planning and Development, the Por of New York Authority, the Urban Development Corporatio The Metropolitan Transportation Authority and other State and Federal agencies, as their actions relate to the apparel industry.

(e) To study and undertake research into the economic, financial and physical conditions and requirements of the industry and make recommendations with respect to design, controls, zoning, industrial renewal, manpower training, economic and technical assistance and other City, State and Federal programs related to the apparel industry.

(f) To retain necessary consultants, subject to all applicable regulations, in connection with the performance of the foregoing, and to do so, when appropriate, in conjunction with other City agencies and the various elements of the apparel industry.

(g) To hire staff personnel subject to all applicable regulations, in connection with the performance of the

foregoing.

§ IV - Cooperating Agencies

City agencies responsible for providing public improvements and services to the apparel industry, including the Housing and Development Administration, Transportation Administration, Department of City Planning, Police Department, Economic Development Administration, Environmental Protection Administration, Municipal Service Administration and Transportatic Administration, shall coopeate with the Director of Apparel Industry Planning and Development in connection with the performance of the foregoing.

Upon request of the Director, every Mayoral agency is directed to designate a staff member at policy level to be its liaison for the apparel industry program and to cooperate in furnishing such available staff resources for service related to the program as may be requested by the Director.

§ V - Prior Order Partially Repealed

This Executive Order hereby repeals the section relating to the garment district which appears in Executive Order No. 97-A, dated April 1, 1969.

§ VI - Effective Date

This order shall take effect immediately.

John V. Lindsay
MAYOR

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER NO. 51

OCTOBER 15, 1971

AMENDMENT OF EXECUTIVE ORDER NO. 40 DATED JULY 15, 1971 IN RELATION TO BUDGET MODIFICATION

WHEREAS, the New York City Charter empowers and charges the Mayor with the responsibility of administering the expense budget for the 1971-1972 fiscal year, and

WHEREAS, Executive Order No. 40 dated July 15, 1971 provides the terms under which the budget appropriations of all departments and agencies shall be administered during the fiscal year 1971-1972, and

WHEREAS, Section 5 of such executive order provides that all powers of budget modification as granted in Section 124, subd. a of the Charter be withdrawn from all agencies except for the Boards of Education and Higher Education, the Community Colleges, the Offices of the Borough Presidents, the Comptroller, the Board of Elections, the District Attorneys, the President of the City Council and the City Council, and

WHEREAS, it now becomes necessary to amend such section to permit the Police Department, the Health Services Administration, the Human Resources Administration, the Department of Social Services and the Youth Services Agency to exercise such powers of budget modification.

NOW, THEREFORE, by the power vested in me by the City of New York, it is hereby ordered as follows:

SECTION 1. Section 5 of Executive Order Number 40, dated July 15, 1971 is hereby amended to read as follows:

§5. All of the powers of budget modification, as granted in Section 124(a) of the New York City Charter are hereby withdrawn from all agencies except for the following: The Boards of Education and Higher Education, the Community Colleges, the Offices of the Borough Presidents, the Comptroller, the Board of Election, the District Attorneys, the President of the Council and the City Council, the Police Department,

5) opportunities for greater home rule for the city;

6) state standards of management performance and administration;

7) city representation on state boards and agencies; and

8) relationships between the city and state legislatures.

§ 2. This Commission shall be empowered to take evidence and hold whatever hearings, public and private, deemed appropriate by the Commission to ascertain the necessary facts.

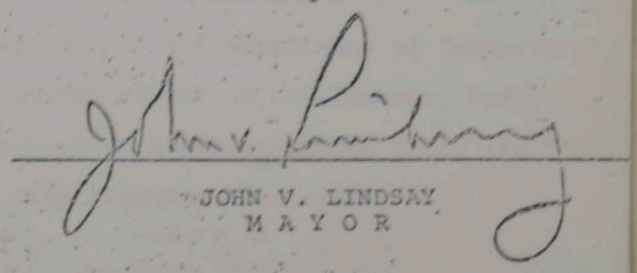
§ 3. The Commission shall consist of the following persons who are hereby appointed as members thereof:

Chairman: William J. vanden Heuvel
Members: Irving S. K. Chin
Mario Matthew Cuomo
Emilio P. Gautier
William Lawless
Dick Netzer
R. Peter Straus
Jacqueline Wexler
Franklin H. Williams

§ 4. The Commission is empowered to prescribe its own procedures and to employ such assistants as it deems necessary, within the amounts appropriated or authorized therefor.

§ 5. All departments and agencies of the City are directed to furnish the Commission with such facilities, services and cooperation as it may request from time to time.

§ 6. This order shall take effect immediately.



JOHN V. LINDSAY
MAYOR

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER NO. 52

NOVEMBER 3, 1971

Amended by #53, following

TO ESTABLISH THE OFFICE OF DOWNTOWN BROOKLYN DEVELOPMENT

WHEREAS, there was established in Downtown Brooklyn a Development Group with responsibility for implementation of a program of commercial, residential and institutional redevelopment in Downtown Brooklyn on August 20, 1970;

WHEREAS, the Development Group was established with responsible representatives of four City agencies: Economic Development Administration, Department of City Planning, Housing and Development Administration, and Transportation Administration; each agency retained, undiminished and unaltered, the powers and responsibilities it ordinarily possesses;

WHEREAS, the Development Group was established in conjunction with the organization of a Steering Committee for policy direction on matters of Downtown Brooklyn Development, which consists of the Chairman of the City Planning Commission, the Commissioner of the Department of Commerce and Industry, EDA, the Commissioner of the Department of Development, HDA, and the Administration of the Transportation Administration, under the Chairmanship of the Chairman of the City Planning Commission;

WHEREAS, the demands on the Downtown Brooklyn Development Group of time and staff have increased substantially with the success to date of the redevelopment program and will increase further with the continued development of plans and strategy for development in downtown Brooklyn, which will require, among other things;

The development of improved transportation and related facilities;

The development of housing and community facilities and services;

The development of new commercial activities and the relocation of existing commerce and industry in such a way as to support and strengthen the existing core of the area;

The accommodation of required expansion of educational institutions located in Downtown Brooklyn.

WHEREAS, the proper development of Downtown Brooklyn requires coordination of all public development, including the studies and actions of various city and state agencies, and the urban renewal projects in the area: Atlantic Terminal Urban Renewal Area and the Brooklyn Center Urban Renewal Project,

NOW, THEREFORE, by virtue of the power vested in me as Mayor of the City of New York, it is hereby ordered as follows:

SECTION 1. There is established a Steering Committee for Downtown Brooklyn Development which shall constitute a policy decision making body with respect to the implementation of the aforementioned program of commercial, residential, institutional, and industrial redevelopment of Downtown Brooklyn.

(a) The Steering Committee shall consist of the Chairman of the City Planning Commission, the Administrator of the Economic Development Administration, the Administrator of the Transportation Administration, and the Commissioner of Development of the Housing and Development Administration The Chairman shall be the Chairman of the City Planning Commission.

(b) The Steering Committee shall review the work and recommendations of the Downtown Brooklyn Development Group and their Office of Downtown Brooklyn Development.

(c) Decisions of the Committee relating to development policy decisions for Downtown Brooklyn must include the affirmative votes of all the members. In the event of a dissenting vote or abstention, the matter should be referred to the Mayor, or his authorized delegate, for his decision

(d) The Steering Committee shall appoint a Chairman of the Development Group who shall be Administrative Director of the Office of Downtown Brooklyn Development.

§2. There is established in the Executive Office of the Mayor the Office of Downtown Brooklyn Development which shall be headed by the Chairman of the Development Group, who shall be appointed by the Steering Committee for Downtown Brooklyn Development.

Each agency represented on the Steering Committee for Downtown Brooklyn Development shall appoint a representative and staff to the Development Group who shall work in the Office of Downtown Brooklyn Development. This representative shall have dual responsibility to the agency of the appointment and to the Office of Downtown Brooklyn Development.

§3. The administration and implementation of the two urban renewal areas within the planning and development strategy area of the Office of Downtown Brooklyn Development shall remain with the agencies charged with those responsibilities and duties under the City Charter and all

other applicable statues and regulations.

§4. The Development Group shall co-ordinate the planning and development strategies of the area bounded by Dean Street, Classon Avenue, Flushing Street, Navy Street, East River, Fulton Street and to Court Street, including the Atlantic Terminal Urban Renewal Project and the Brooklyn Center Urban Renewal Project.

(a) In consultation with the agencies concerned to have full responsibility to create an overall plan for the Downtown Brooklyn Development area ("the Plan").

(b) To coordinate and review the actions and plans of all City agencies and various private interests and community groups in connection with the plan and to report to the Steering Committee for Downtown Brooklyn Development on the effect of such actions and plans on the development area of Downtown Brooklyn.

(c) To study and make recommendations with respect to design controls and zoning within the area.

(d) To review and make recommendations with respect to capital budget items and development programs.

(e) To hire staff personnel and retain necessary consultants, subject to applicable laws and regulations, in connection with the performance of the foregoing.

§5. Coordination - All actions taken by any City agency with respect to the redevelopment of Downtown Brooklyn or the Plan or to any matters which may materially affect the development of the area or the implementation of the plan, including: the exercise of any agency's liaison responsibilities with Metropolitan Transportation Authority, the Urban Development Corporation and other State, Multi-State and Federal agencies, the submission of applications to Federal and State agreements, and the undertaking of joint studies involving the City and State, Multi-State and Federal agencies, shall

be consistent with the plan and shall be undertaken only after consultation among the Development Group, the Steering Committee and other agencies concerned. All actions by City agencies such as leases, site selection, building acquisition or demolition, shall be reviewed by the Development Group prior to final decision or action or policy.

§6. Agencies not represented on the Development Group who are responsible for providing public improvements in Downtown Brooklyn area including the Municipal Services Administration, the Parks, Recreational Cultural Affairs Administration, the Health Services Administration, the Human Resources Administration, the Fire Department and the Police Department shall cooperate with the Chairman and members of the Development Group and assist their functions with the Office of Downtown Brooklyn Development as set forth herein.

The Development Group now consists of representatives of E. D. A., H. D. A., the Department of City Planning and T. A. D. In due course, as particular development problems arise, representatives of other concerned agencies may be added to the Development Group.

§ 7. This order shall take effect immediately.

John V. Lindsay
MAYOR

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER NO. 53

NOVEMBER 22, 1971

AMENDMENT OF EXECUTIVE ORDER NO. 53

By virtue of the power vested in me as Mayor of the City of New York, it is hereby ordered that Section 1, paragraph (d) is hereby amended to read as follows:

" The Mayor, after consultation with the Steering Committee, shall appoint a Chairman of the Development Group who shall be Administrative Director of the Office of Downtown Brooklyn Development."

This order shall take effect immediately.

John V. Lindsay
MAYOR

Distribution per rules

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER NO. 54

DECEMBER 9, 1971

AMENDMENT OF EXECUTIVE ORDER NO. 40 DATED JULY 15, 1971
IN RELATION TO ADMINISTRATION OF BUDGET APPROPRIATIONS

WHEREAS, the New York City Charter empowers and charges the Mayor with the responsibility of administering the expense budget for the 1971-1972 fiscal year, and

WHEREAS, Executive Order No. 40 dated July 15, 1971 provides the terms under which the budget appropriations of all departments and agencies shall be administered during the fiscal year 1971-1972, and

WHEREAS, Section 7 of such executive order states the general terms and conditions that agencies shall be subject to in the administration of budget appropriations and

WHEREAS, it now becomes necessary to amend such section to permit the various agencies to exercise such budget administration,

NOW, THEREFORE, by the power vested in me by the City of New York, it is hereby ordered as follows:

Section 1. Section 7 (o) (1) of Executive Order No. 40, dated July 15, 1971 is hereby amended to read as follows:

§7 (o) Telephone Service and Tabulating Equipment -
(1) Modifications of telephone service contracts shall not be effective without the approval of the Mayor, except that such modifications which incur additional costs not in excess of $40 monthly plus the one-time installation charges, may be processed directly without the approval of the Mayor.

This order shall take effect immediately.

JOHN V. LINDSAY
MAYOR

CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

EXECUTIVE ORDER NO. 54

DECEMBER 9, 1971

AMENDMENT OF EXECUTIVE ORDER NO. 40 DATED JULY 15, 1971
IN RELATION TO ADMINISTRATION OF BUDGET APPROPRIATIONS

WHEREAS, the New York City Charter empowers and charges the Mayor with the responsibility of administering the expense budget for the 1971-1972 fiscal year, and

WHEREAS, Executive Order No. 40 dated July 15, 1971 provides the terms under which the budget appropriations of all departments and agencies shall be administered during the fiscal year 1971-1972, and

WHEREAS, Section 7 of such executive order states the general terms and conditions that agencies shall be subject to in the administration of budget appropriations and

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This order shall take effect immediately.

JOHN V. LINDSAY
MAYOR