

THE COUNCIL

Minutes of the Proceedings for the

STATED MEETING

of

Thursday, June 8, 2023, 12:11 p.m.

The Majority Leader (Council Member Powers)

presiding as the Acting President Pro Tempore

Council Members

Adrienne E. Adams, *The Speaker*

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

Absent: Council Member Salamanca.

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

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

There were 50 Council Members marked present at this Stated Meeting held in the Council Chambers at City Hall, New York, N.Y. (including Council Members Barron, Cabán, Hanif, Holden, Joseph, Moya, Ossé, Sanchez, and Velázquez who participated remotely).

INVOCATION

There was no Invocation delivered at this Stated Meeting.

ADOPTION OF MINUTES

Council Member Ariola moved that the Minutes of the Stated Meeting of May 11, 2023 be adopted as printed.

MESSAGES & PAPERS FROM THE MAYOR

Preconsidered M-158

Communication from the Mayor – “AN ACT to amend the New York city charter, the education law, the general municipal law, the labor law, the public authorities law, and the New York city health and hospitals corporation act, in relation to providing for employment opportunities for economically disadvantaged candidates and economically disadvantaged region candidates and apprenticeship utilization on public transactions; and providing for the repeal of such provisions upon expiration thereof” (S.7387-B/A.7677).

(For text of the related report, please see the Report of the Committee on State and Federal Legislation for M-158 printed in the Reports of the Standing Committees section of these Minutes).

Referred to the Committee on State and Federal Legislation.

Preconsidered M-159

Communication from the Mayor – “AN ACT to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 884 of the laws of 1975 and chapter 882 of the laws of 1977, relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York” (S.7386/A.7667).

(For text of the related report, please see the Report of the Committee on State and Federal Legislation for M-159 printed in the Reports of the Standing Committees section of these Minutes).

Referred to the Committee on State and Federal Legislation.

Preconsidered M-160

Communication from the Mayor – “AN ACT to amend the New York city charter, the education law, the public housing law and the New York city health and hospitals corporation act, in relation to construction and mentoring programs; and providing for the repeal of certain provisions upon the expiration thereof” (S.7526/A.7673-A).

(For text of the related report, please see the Report of the Committee on State and Federal Legislation for M-160 printed in the Reports of the Standing Committees section of these Minutes).

Referred to the Committee on State and Federal Legislation.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-161

Communication from the Richmond County Democratic Committee - Submitting Certificate of Recommendation for Deborah L. Rose, for appointment as Richmond County Democratic Commissioner of Elections pursuant to Section 3-204 of the New York State Election Law.

May 24th, 2023

City Clerk and Clerk of the City Council of New York City
141 Worth Street
Municipal Building
New York, New York 10013

To Whom it May Concern:

Enclosed please find a Certificate of Recommendation for the appointment of Deborah L. Rose, to fill the vacancy as Richmond County Democratic Commissioner of Elections.

Ms. Rose is an extremely qualified candidate for the position of Commissioner of Elections. Ms. Rose was the first African American person ever elected to public office from Staten Island. She served as a member of the New York City Council for over a decade and served as the Deputy Majority Leader as well as chair of each of the Youth Services, Waterfronts, and Civil Rights Committees. The Democratic Committee of Richmond County Committee voted overwhelmingly for her to fill this vacancy.

As you are aware, Commissioner Patricia Anne Taylor Carsel recently resigned after years of service, which prompted this recommendation to fill the vacancy.

This appointment is very important to me on both a personal and professional level. I want to thank you in advance for your time and consideration in this regard.

Sincerely Yours,

Laura Sword
County Chairwoman

Received, Ordered, Printed and Filed.

LAND USE CALL-UPS

M-162

By Council Member Paladino:

Pursuant to Sections 11.20b and 11.20c of the Council Rules and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure application C 210323 MMQ (43rd Avenue Demapping) shall be subject to Council review.

Coupled on Call-up vote.

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

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **46**.

Present, Not Voting: Feliz, Richardson Jordan, Riley, and Rivera.

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

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Criminal Justice

Report for Int. No. 831-A

Report of the Committee on Criminal Justice in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to establishing a citywide resource navigator for transgender, gender nonconforming, non-binary and intersex individuals as well as for cisgender women.

The Committee on Criminal Justice, to which the annexed proposed amended local law was referred on November 22, 2022 (Minutes, page 2834), respectfully

REPORTS:

I. INTRODUCTION

On June 8, 2023, the Committee on Criminal Justice, chaired by Council Member Carlina Rivera, voted on Proposed Introduction Number 831-A ("Prop. Int. No. 831-A") in relation to establishing a citywide resource navigator for transgender, gender nonconforming, non-binary and intersex individuals as well as for cisgender women. The measure passed unanimously by a vote of 8-0. On January 25, 2023, the Committee heard a prior version of Prop. Int. No. 831-A. During that hearing, the Committee heard testimony from the Department of Correction (DOC) and other interested parties.

II. BACKGROUND

In New York City, DOC provides for the care, custody, and control of persons accused of crimes or convicted and sentenced to one year or less of jail time.¹ As of June 5, 2023, there are 6,046 people incarcerated in New York City jails.² During the third quarter of FY2023, 58.3 percent of detainees identified as Black, 30.6 percent as Hispanic, 5.7 percent as white, 3.6 percent as Other, and 1.8 percent as Asian.³ Approximately six percent of detainees identified as women, and less than one percent identified as transgender, gender nonconforming, non-binary, or intersex ("TGNCNBI").⁴

Incarcerated women and TGNCNBI individuals are uniquely vulnerable. They are especially likely to suffer from prior abuse and trauma, which can precipitate other mental health problems and, in some cases, increase risk for substance abuse.⁵ Of women jailed on April 1, 2022, more than four out of five (82 percent) were receiving treatment for mental illness, compared to 49 percent of men.⁶ For women jailed over a year awaiting trial, that number rises to 96 percent.⁷ At jail intake in 2021, 25 percent of women and TGNCNBI people reported

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

² People in Jail in New York City: Daily Snapshot, <https://greaterjusticenyc.vera.org/nycjail/>

³ "Population Demographics Report – FY2023 Q3, https://www.nyc.gov/assets/doc/downloads/pdf/Population_Demographics_FY23_Q3.pdf

⁴ *Id.*

⁵ Independent Commission on New York City Criminal Justice and Incarceration Reform, "Path to Under 100: Strategies to Safely Lower the Number of Women and Gender-Expansive People in New York City Jails," June 2022, <https://static1.squarespace.com/static/5b6de4731aef1de914f43628/t/62baf028090f84025d7cb8b/1656421123854/Lippman+Commission+Safe+Reduction+Women+and+Gender+Expansive+-+Accessible.pdf>

⁶ *Id.*

⁷ *Id.*

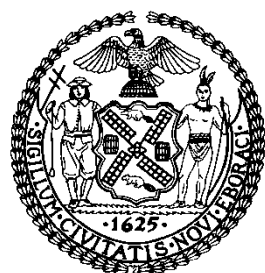
they were homeless before being jailed or had nowhere to go upon release.⁸ Seventy percent are caregivers, and incarceration has profoundly negative consequences for their children and families.⁹

III. Prop. Int. No. 831-A

New York City is legally required to close Rikers by August 2027. This effort requires lowering the total number of individuals in custody, including the number of women and TGNCNBI people held each day. Coordinated reentry planning greatly impacts detained individuals' reintegration into society and can reduce recidivism rates. Prop. Int. No. 831-A would create a centralized resource navigator program to assist women and TGNCNBI individuals in DOC custody, as well as other relevant actors, in locating available and appropriate reentry services. The bill would take effect 180 days after enactment.

Since introduction, this bill has been amended to more accurately define transgender, gender nonconforming, non-binary, and intersex individuals and to extend the effective date from 90 to 180 days.

(The following is the text of the Fiscal Impact Statement for Int. No. 831-A:)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA EDWARDS, CHIEF FINANCIAL OFFICER
AND DEPUTY CHIEF OF STAFF TO THE SPEAKER
RICHARD LEE, DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INT. 831-A

COMMITTEE: Criminal Justice

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to establishing a citywide resource navigator for transgender, gender nonconforming, non-binary and intersex individuals as well as for cisgender women.

Sponsors: Council Members Rivera, Cabán, Hanif, Stevens, Restler, Hudson, De La Rosa, Abreu, Sanchez, Louis, Brewer and Avilés.

SUMMARY OF LEGISLATION: This bill would create a resource navigator program with the aim to create a centralized program to assist women and gender expansive people in department of corrections custody, as well as other relevant actors, in locating available and appropriate reentry services.

EFFECTIVE DATE: This local law takes effect in 180 days.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2025

⁸ Correctional Health Services, "IPV Data: CHS Patients who Identify as Female, Transgender, or Nonbinary, Data analyzed for calendar year 2021," <https://hhinternet.blob.core.windows.net/uploads/2022/04/CHS-IPV-data-for-CY21.pdf>

⁹ Independent Commission on New York City Criminal Justice and Incarceration Reform, "Path to Under 100: Strategies to Safely Lower the Number of Women and Gender-Expansive People in New York City Jails," June 2022, <https://static1.squarespace.com/static/5b6de4731aef1de914f43628/t/62bafb028090f84025d7cb8b/1656421123854/Lippman+Commission+Safe+Reduction+Women+and+Gender+Expansive+-+Accessible.pdf>

FISCAL IMPACT STATEMENT:

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

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

Impact on Expenditures: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation as the agency responsible for carrying out its requirements would be able to use existing resources to fulfill the requirements of this legislation.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Casey Lajszky, Financial Analyst

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

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 831 on November 22, 2022 and was referred to the Committee on Criminal Justice (Committee). A joint hearing was held by the Committee and the Committee on Women and Gender Equity on January 25, 2023, and the legislation was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. 831-A, will be considered by the Committee on Criminal Justice on June 7, 2023. Upon a successful vote by the Committee, Proposed Int. 831-A will be submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: JUNE 2, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 831-A:)

Int. No. 831-A

By Council Members Rivera, Cabán, Hanif, Stevens, Restler, Hudson, De La Rosa, Abreu, Sanchez, Louis, Brewer and Avilés.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a citywide resource navigator for transgender, gender nonconforming, non-binary and intersex individuals as well as for cisgender women

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-311 to read as follows:

§ 9-311 Resource navigator program. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Gender nonconforming. The term “gender nonconforming” means a person whose gender expression differs from gender stereotypes, norms, and expectations in a given culture or historical period.

Intersex. The term “intersex” refers to a person whose sex characteristics, including, but not limited to chromosomes, hormones, gonads, and genitalia, do not conform with a binary construction of sex as either male or female. This term may not be the same as a person’s gender identity and is not the same as a person’s sexual orientation.

Non-binary. The term “non-binary” refers to a person whose gender identity is not exclusively male or female.

Transgender. The term “transgender” refers to a person whose gender identity does not conform to the sex assigned at birth.

b. The office shall establish a resource navigator program that shall:

1. Maintain and, as appropriate, update a public database of alternatives to incarceration, transitional housing programs, reentry programs, and reentry services, that serve transgender, gender nonconforming, non-binary and intersex individuals as well as cisgender women who are in, or were released from, the custody of the department of correction; such database shall include up-to date information on services offered by these programs, eligibility, and availability;

2. Provide referrals to such programs and services and, as appropriate, conduct follow-up;

3. Provide outreach and education about such programs and services to transgender, gender nonconforming, non-binary and intersex individuals as well as for cisgender women who are in the custody of the department of correction, and, to the extent practicable, district attorneys, criminal defense attorneys who represent indigent persons pursuant to article 18-B of the county law, the office of court administration, the department of correction, and any other relevant agencies; and

4. Make recommendations to the mayor and the council to improve diversion and reentry resources for transgender, gender nonconforming, non-binary and intersex individuals as well as for cisgender women in custody.

c. The office shall include formerly incarcerated persons in the administration of the resource navigator program, to the extent practicable.

§ 2. Section 9-307 of the administrative code of the city of New York, as added by local law number 220 for the year 2019, is redesignated section 9-308.

§ 3. This local law takes effect in 180 days.

CARLINA RIVERA, Chairperson; SHAUN ABREU, SHAHANA K. HANIF, MERCEDES NARCISSE, LINCOLN RESTLER, LYNN C. SCHULMAN, ALTHEA V. STEVENS, DAVID M. CARR; 8-0-0; Committee on Criminal Justice, June 8, 2023.

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

Report of the Committee on Finance

Report for Int. No. 958-A

Report of the Committee on Finance in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to authorizing a change in the name of the Flatbush Avenue business improvement district, an increase in the amount to be expended annually in such district, an extension of the boundaries of such district, a change in the method of assessment upon which the district charge in such district is based, and an increase in the maximum total amount to be expended for improvements in such district, and providing for the dissolution of the Church Avenue business improvement district.

The Committee on Finance, to which the annexed proposed amended local law was referred on March 16, 2023 (Minutes, page 845), respectfully

REPORTS:

I. INTRODUCTION

On June 8, 2023 the New York City Council Committee on Finance, chaired by Council Member Justin Brannan, will hold a hearing to vote on Proposed Int. No. 958-A, sponsored by Council Members Brannan and Louis, in relation to creating the Church Avenue-Flatbush Avenue Business Improvement District, and a Preconsidered resolution, sponsored by Council Member Brannan, in relation to establishing the discount percentage for early payment of real estate taxes. Proposed Int. No. 958-A was first heard on April 27, 2023.

II. LEGISLATION

Proposed Int. No. 958-A

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

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

Under the process established by law, the City Council has adopted Resolution No. 531, which set a public hearing date of Thursday, April 27, 2023 for the legislation that would authorize a change in the name of the Flatbush Avenue Business Improvement District, an increase in the amount to be expended annually in such district, an extension of the boundaries of such district, a change in the method of assessment upon which the district charge in such district is based, and an increase in the maximum total amount to be expended for improvements in such district, and providing for the dissolution of the Church Avenue business improvement district (the Amended Plan).

Prior to the Council’s actions, the Community Boards for the districts subject to the Amended Plan – Community Boards 9 and 14 of Brooklyn – voted to approve the Amended Plan on January 24 and January 14, 2023, respectively. The City Planning Commission (“CPC”) reviewed the Amended Plan and held a public hearing on January 18, 2023. The CPC approved a resolution on February 15, 2023 (Calendar No. 4), which certified the CPC’s unqualified approval of the Amended Plan.

Resolution No. 531 also directed compliance with all notice provisions contained in the law. Therefore, the Department of Small Business Services (SBS) was directed to publish the Resolution or its summary in the City

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

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

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

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

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

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

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

FLATBUSH AVENUE BID DETAILS

The Flatbush Avenue BID formed in 1988 and includes properties generally along Flatbush Avenue in Brooklyn between Parkside Avenue and Cortelyou Road. The area is a vibrant mixed-use area with high foot traffic and proximity to transit, specifically the B and Q train lines. The Church Avenue BID was formed in 1984 and covers generally Church Avenue in Brooklyn between Flatbush Avenue and Coney Island Avenue.

Consolidation Proposal

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

First, the Amended Plan would expand the Flatbush Avenue BID boundary to encompass all properties currently in the Church Avenue BID. This would significantly increase the size of the Flatbush Avenue BID westward to encompass approximately thirteen blocks of Church Avenue between Flatbush Avenue and Coney

Island Avenue. The expanded BID would cover approximately 310 properties and 477 businesses. No properties currently unassessed by a BID will be included in the expanded area.

Second, the Amended Plan will rename the Flatbush Avenue BID to the Church Avenue-Flatbush Avenue Business Improvement District, to reflect the unification of the two prior BIDs.

Third, the Amended Plan would alter the formula used to calculate property owner contributions to the BID. Specifically, commercial, mixed-use, or vacant properties would be assessed based on their linear footage facing Flatbush Avenue or Church Avenue and on their commercial square footage. Properties owned by government and not-for-profits devoted in whole to public or not-for-profit use would be exempt from assessment. All properties devoted in whole to residential uses would be assessed at \$1.00 per year. The median annual contribution for a commercial or mixed-use tax lot would be approximately \$1,100 per year. The estimated first-year budget under the Amended Plan would be \$589,000, a combination of the existing budgets for the Flatbush Avenue BID and Church Avenue BID. The district management association shall direct performance of services required for the enjoyment, protection, and general welfare of the public, the promotion and enhancement of the district, and to meet any needs identified by district members. This will include street and sidewalk cleaning, graffiti removal, and public safety services above and beyond what is already offered by the City. The BID may also coordinate and advocate on behalf of the BID's residents and businesses to deliver marketing, public events, and other economic development activities.

The BID's proposed first year budget is estimated as follows:

SERVICES	AMOUNT
Sanitation	\$210,448
Security	\$67,466
Marketing & Promotion	\$107,550
Holiday Lighting	\$50,400
Economic Development	\$43,895
Administration and Advocacy	\$109,241
TOTAL FY24 BUDGET	\$589,000

Mechanics of BID Dissolution

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

On March 28, 2023, Speaker Adams sent a letter on behalf of the Council, both by email and by certified mail, to the district management association of the Church Avenue BID, soliciting recommendations regarding their proposed dissolution for the consideration of the Council. On April 5, 2023, the district management association of the Church Avenue BID responded, affirming their desire to proceed with the dissolution as proposed.

On April 11, 2023, representatives of the Department of Small Business Services submitted a notice for publication in the City Record on April 14, 2023, detailing the Amended Plan, and inviting comments both in writing or in person at the Council's hearing on the proposed local law.

The local Council Member for both BIDs, Council Member Joseph, expressed her support of the dissolution and expansion by letter of support on file with staff to the Committee on Finance.

The objection period to consider the amended district plan and the enacting legislation closed thirty days after the public hearing held on April 27, 2023. According to the City Clerk, no property owners filed a valid

objection to authorize the Flatbush Avenue BID to extend its boundaries, change its name, increase the amount it expends annually, and change the method of assessment up on which the district charge is based as set forth in the BID's amended district plan. Since the number of objections required have not been filed with the City Clerk, at today's hearing, if the Committee and the full Council find in the affirmative on the four questions outlined on page 5, then the amended district plan can be adopted.

Preconsidered Resolution No. 661

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

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

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

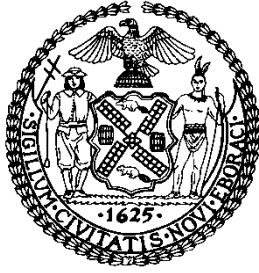
If the Council does not set a discount rate, the default discount rate, which is set by §1519-a(7)(d) of the New York City Charter will apply. The default discount rate is a formula equaling the annualized interest rate on six-month United States treasury bills, as reported by the Board of Governors for the Federal Reserve System plus seventy-five basis points, the sum of which is divided by four for the last business day of April preceding the ensuing fiscal year. This year, the Banking Commission has estimated that this default rate would be 1.45% if the Council does not set a discount rate.

The Banking Commission forwarded to the Council, by letter dated May 12, 2023, its recommendation that the discount percentage for early payment of real estate taxes for Fiscal Year 2024 be set at one-half of one percent (0.5%) per annum.

As required by Local Law 30 of 2015, the Banking Commission included with its recommendations a report detailing the factors considered when determining the recommendation. For the Fiscal Year 2024 recommendation, the Banking Commission considered the City's cash balances, the estimated savings from fewer issuances of property tax statements, current interest rates, and discount rates offered by other municipalities and found no economic reason to change the Fiscal 2024 discount rate from the current Fiscal 2023 discount rate of 0.5%

Pursuant to Charter §1519-a(7)(c), the Council adopts the Banking Commission's recommendation and establishes that the discount percentage for early payment of real estate taxes shall be set at one-half of one percent (0.5%) per annum for Fiscal Year 2024.

(The following is the text of the Fiscal Impact Statement for Int. No. 958-A:)



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

TANISHA EDWARDS, ESQ., CHIEF FINANCIAL OFFICER
AND DEPUTY CHIEF OF STAFF TO THE SPEAKER
RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

INT. NO. 958-A

COMMITTEE: Finance

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to authorizing a change in the name of the Flatbush Avenue business improvement district, an increase in the amount to be expended annually in such district, an extension of the boundaries of such district, a change in the method of assessment upon which the district charge in such district is based, and an increase in the maximum total amount to be expended for improvements in such district, and providing for the dissolution of the Church Avenue business improvement district.

SPONSORS: Council Members Brannan and Louis (by request of the Mayor).

SUMMARY OF LEGISLATION: This bill would dissolve the Church Avenue Business Improvement District (BID), expand the service area boundaries of the Flatbush Avenue BID to incorporate the service area now served by the Church Avenue BID, and rename the Flatbush Avenue BID to the “Church Avenue/Flatbush Avenue Business Improvement District”. This bill would set the authorized annual expenditure amount of the new unified BID at \$589,000 and amend the existing Flatbush Avenue BID assessment method accordingly.

EFFECTIVE DATE: This bill takes effect immediately, retroactive to and deemed to have been in full force and effect as of July 1, 2023; provided that sections three and four take effect upon compliance with section 25-408 of chapter 4 of title 25 of the administrative code of the city of New York and are retroactive to and deemed to have been in full force and effect as of July 1, 2023.

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

FISCAL IMPACT STATEMENT:

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

IMPACT ON REVENUES AND EXPENDITURES: This local law would result in no fiscal impact upon the City's revenues or expenditures. Under the Administrative Code, proceeds authorized to be assessed by the District are collected by the City on behalf of the District. None of these proceeds are those of the City and they may not be used for any purpose other than those set forth in the BID's District Plan. The BID will be funded through a self-assessment by property owners within the district.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Michael Twomey, Committee Counsel

ESTIMATE REVIEWED BY: Kathleen Ahn, Finance Counsel

LEGISLATIVE HISTORY: This legislation was introduced to the Council as Intro. No. 958 on March 16, 2023 and referred to the Committee on Finance (Committee). The legislation was subsequently amended, considered by the Committee on April 27, 2023 and laid over to allow for the statutory 30-day objection period. Intro. No. 958-A will be considered again by the Committee on June 8, 2023. Upon successful vote by the Committee, Intro. No. 958-A will be submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 6, 2023.

(For text of Preconsidered Res. No. 661, please see the Report of the Committee on Finance for Res. No. 661 printed in these Minutes; for text of Int. No. 958-A, please see below)

Accordingly, this Committee recommends the adoption of Int. No. 958-A and Preconsidered Res. No. 661.

Int. No. 958-A

By Council Members Brannan and Louis (by request of the Mayor).

A Local Law to amend the administrative code of the city of New York, in relation to authorizing a change in the name of the Flatbush Avenue business improvement district, an increase in the amount to be expended annually in such district, an extension of the boundaries of such district, a change in the method of assessment upon which the district charge in such district is based, and an increase in the maximum total amount to be expended for improvements in such district, and providing for the dissolution of the Church Avenue business improvement district

Be it enacted by the Council as follows:

§ 1. Section 25-435 of the administrative code of the city of New York, as added by local law number 63 for the year 1993, subdivision a of such section as amended by local law number 235 for the year 2017, is amended to read as follows:

§ 25-435 [Flatbush] *Church Avenue/Flatbush* Avenue business improvement district.

a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the amount to be expended annually in the [Flatbush] *Church Avenue/Flatbush* Avenue business improvement district beginning on July 1, [2017] 2023, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such increased expenditure, there is hereby authorized in such district an annual expenditure of [three hundred eighty-six thousand dollars (\$386,000)] *five hundred eighty-nine thousand dollars (\$589,000)*.

b. The amount of such expenditure to be levied upon each property in the district shall be determined in accordance with the method of assessment set forth in the [Flatbush] *Church Avenue/Flatbush* Avenue business improvement district plan.

§ 2. Section 25-435.1 of the administrative code of the city of New York, as added by local law number 69 for the year 2021, is amended to read as follows:

§ 25-435.1 [Flatbush] *Church Avenue/Flatbush Avenue business improvement district; amendments to the district plan.* a. The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize additional services for the [Flatbush] *Church Avenue/Flatbush Avenue business improvement district* and to authorize a change in the method of assessment upon which the district charge in the [Flatbush] *Church Avenue/Flatbush Avenue business improvement district* is based, and the council having determined further that the tax and debt limitations prescribed in section 25-412 of chapter four of this title will not be exceeded by such change, there are hereby authorized in the [Flatbush] *Church Avenue/Flatbush Avenue business improvement district* such changes as set forth in the amended district plan required to be filed with the city clerk pursuant to subdivision b of this section.

b. Immediately upon adoption of this local law, the council shall file with the city clerk the amended district plan setting forth the authorization of additional services and containing the change in the method of assessment authorized by subdivision a of this section.

§ 3. Chapter 5 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-435.2 to read as follows:

§ 25-435.2 *Church Avenue/Flatbush Avenue business improvement district; extension of district.* a. *The city council having determined, pursuant to section 25-407 of chapter four of this title: that notice of hearing for all hearings required to be held was published and mailed as required by law and was otherwise sufficient; that, except as otherwise provided in section 25-403 of chapter four of this title, all the real property within the boundaries of the district will benefit from the extension of the district; that all the real property benefited is included within the limits of the district; and that the extension of the district is in the public interest; and the council having determined further that the requisite number of owners have not objected as provided in section 25-406 of chapter four of this title, the Church Avenue/Flatbush Avenue business improvement district in the borough of Brooklyn is hereby extended. Such district is extended in accordance with the amended district plan of 2023 required to be filed with the city clerk pursuant to subdivision b of this section.*

b. *Immediately upon adoption of this local law by the council, the council shall file with the city clerk the amended district plan of 2023 upon which the Church Avenue/Flatbush Avenue business improvement district, and the extension thereof, is based.*

c. *The amended district plan of 2023 shall not be further amended except in accordance with chapter four of this title.*

§ 4. Chapter 5 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-435.3 to read as follows:

§ 25-435.3 *Church Avenue/Flatbush Avenue business improvement district; amendment of the district plan.* a. *The city council having determined, pursuant to subdivision b of section 25-410 of chapter four of this title, that it is in the public interest to authorize a change in the method of assessment upon which the district charge in the Church Avenue/Flatbush Avenue business improvement district is based, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such change, there is hereby authorized in such district such change as is set forth in the amended district plan of 2023 required to be filed with the city clerk pursuant to subdivision b of this section.*

b. *The city council having determined, pursuant to subdivision c of section 25-410 of chapter four of this title, that it is in the public interest to authorize an increase in the maximum total amount to be expended for improvements in the district, and the council having determined further that the tax and debt limits prescribed in section 25-412 of chapter four of this title will not be exceeded by such change, there is hereby authorized in the Church Avenue/Flatbush Avenue business improvement district such change as is set forth in the amended district plan of 2023 required to be filed with the city clerk pursuant to subdivision c of this section.*

c. *Immediately upon adoption of this local law, the council shall file with the city clerk the amended district plan of 2023 containing the change in the method of assessment authorized by subdivision a of this section and the increase in the maximum total amount to be expended for improvements authorized by subdivision b of this section.*

§ 5. Chapter 5 of title 25 of the administrative code of the city of New York is amended by adding a new section 25-451.2 as follows:

§ 25-451.2 *Dissolution of Church Avenue business improvement district.* *The recommendations of the Church Avenue district management association concerning the proposed dissolution of the Church Avenue business improvement district having been requested and considered by the city council in accordance with*

subdivision (a) of section 25-415 of chapter four of this title, therefore, pursuant to the authority granted by such subdivision, the Church Avenue business improvement district is hereby dissolved as of the end of calendar day June 30, 2023, provided that as of such date there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the Church Avenue business improvement district.

§ 6. This local law takes effect immediately and is retroactive to and deemed to have been in full force and effect as of July 1, 2023; provided that sections three and four of this local law take effect upon compliance with section 25-408 of chapter 4 of title 25 of the administrative code of the city of New York and are retroactive to and deemed to have been in full force and effect as of July 1, 2023.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for Res. No. 661

Report of the Committee on Finance in favor of approving a Resolution to establish that the discount percentage for early payment of real estate taxes be set at one-half of one percent per annum for Fiscal Year 2024.

The Committee on Finance, to which the annexed preconsidered resolution was referred on June 8, 2023, respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Finance for Int. No. 958-A printed in these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 661:)

Preconsidered Res. No. 661

Resolution to establish that the discount percentage for early payment of real estate taxes be set at one-half of one percent per annum for Fiscal Year 2024.

By Council Members Brannan and Farías.

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

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

Whereas, The Banking Commission forwarded its recommendation to the Council, by letter dated May 12, 2023, that the discount percentage for early payment of real estate taxes for Fiscal Year 2024 be set at one-half of one percent per annum; now, therefore, be it

Resolved, That the Council of the City of New York establishes that the discount percentage for early payment of real estate taxes be set at one-half of one percent per annum for Fiscal Year 2024.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 212

Report of the Committee on Finance in favor of a Resolution approving Duncan Genns, Block 3446, Lot 1, Brooklyn, Community District No. 4, Council District No. 37.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

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

THE COUNCIL OF THE CITY OF NEW YORK

June 8, 2023

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

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

RE: Finance Committee Agenda of June 8, 2023 – Resolution approving a tax exemption for seven Land Use items (Council Districts 37, 9, 7, 15, 17, 16, 8, 13)

Item #1: Duncan Genns amendment

This amends a previously approved Article XI project in Council District 37. The amendment would correct a definition in relation to the exemption level, correcting the contract rents to reflect rents as of April 1, 2023 and avoid increases added to the Contract Rent Differential Tax.

Item #2: Heighliner amendment

This would amend an existing Article XI exemption for one building in Council District 9. By the Member's request, the exemption will be amended to extend the term of the exemption from 35 to 40 years.

Item #3: Paradise Management

The Paradise portfolio consists of 35 buildings grouped in 16 clusters containing 1,300 rent-stabilized residential units including 16 superintendent units, 378 market-rate units, and 12 commercial units, located in Manhattan and the Bronx in CM Abreu's, Ayala's, Richardson Jordan's, Feliz', Stevens', and Salamanca Jr.'s districts. Paradise Management is seeking partial 40-year Article XI exemptions for 12 of the clusters, which would impose new HPD regulatory agreements in each. Stabilized rents range from 40% to 110% AMI, depending on the cluster. All subject clusters would have to set aside 10% of units for homeless individuals, enroll in HPD's Aging-in-Place initiative, and start working on identified critical and short-term needs with the buildings.

Summary:**Cluster 1**

- Borough – Manhattan
- Block 2104, Lots 14, 16, and 18
- Council District – 9
- Council Member – Richardson Jordan
- Council Member approval –Yes
- Number of buildings – 3
- Number of units – 92 residential
- Type of exemption – Article XI, partial, 40 year
- Population – rental
- Sponsors – Paradise Management
- Purpose – preservation
- Cost to the city – \$8.14 million (present value)
- Housing Code Violations
 - Class A – 12
 - Class B – 28
 - Class C – 26
- Anticipated AMI Targets: 16 units at 50%, 9 units at 60%, 49 units at 70%, 18 units at 80%

Cluster 2

- Borough – Manhattan
- Block 2002, Lots 19, 21, 22, 24, and 26
- Council District – 7
- Council Member – Abreu
- Council Member approval –Yes
- Number of buildings – 5
- Number of units – 104 residential

- Type of exemption – Article XI, partial, 40 year
- Population – rental
- Sponsors – Paradise Management
- Purpose – preservation
- Cost to the city – \$8.55 million (present value)
- Housing Code Violations
 - Class A – 2
 - Class B – 13
 - Class C – 6
- Anticipated AMI Targets: 27 units at 40%, 21 units at 50%, 27 units at 70%, 29 units at 85%

Cluster 3

- Borough – Bronx
- Block 3054, Lot 6; Block 3287, Lot 43
- Council District – 15
- Council Member – Feliz
- Council Member approval – Yes
- Number of buildings – 2
- Number of units – 85 residential
- Type of exemption – Article XI, partial, 40 year
- Population – rental
- Sponsors – Paradise Management
- Purpose – preservation
- Cost to the city – \$5.56 million (present value)
- Housing Code Violations
 - Class A – 2
 - Class B – 13
 - Class C – 6

Anticipated AMI Targets: 12 units at 50%, 26 units at 60%, 28 units at 70%, 19 units at 80%

Cluster 5

- Borough – Bronx
- Block 3134, Lots 14 and 20
- Council District – 15
- Council Member – Feliz
- Council Member approval – Yes
- Number of buildings – 2
- Number of units – 99 residential
- Type of exemption – Article XI, partial, 40 year
- Population – rental
- Sponsors – Paradise Management
- Purpose – preservation
- Cost to the city – \$7.82 million (present value)
- Housing Code Violations
 - Class A – 14
 - Class B – 29
 - Class C – 27

Anticipated AMI Targets: 14 units at 65%, 74 units at 75%, 11 units at 85%

Cluster 7

- Borough – Bronx
- Block 2947, Lot 40; Block 3129, Lots 1 and 4
- Council District – 15
- Council Member – Feliz
- Council Member approval –Yes
- Number of buildings – 3
- Number of units – 96 residential
- Type of exemption – Article XI, partial, 40 year
- Population – rental
- Sponsors – Paradise Management
- Purpose – preservation
- Cost to the city – \$7.71 million (present value)
- Housing Code Violations
 - Class A – 8
 - Class B – 36
 - Class C – 41

Anticipated AMI Targets: 28 units at 65%, 62 units at 75%, 6 units at 85%

Cluster 8

- Borough – Bronx
- Block 3118, Lots 36, 39, and 56
- Council District – 17
- Council Member – Salamanca, Jr.
- Council Member approval –Yes
- Number of buildings – 4
- Number of units – 85 residential
- Type of exemption – Article XI, partial, 40 year
- Population – rental
- Sponsors – Paradise Management
- Purpose – preservation
- Cost to the city – \$6.79 million (present value)
- Housing Code Violations
 - Class A – 13
 - Class B – 24
 - Class C – 42

Anticipated AMI Targets: 11 units at 65%, 59 units at 75%, 15 units at 90%

Cluster 9

- Borough – Bronx
- Block 2506, Lot 121; Block 2514, Lot 50
- Council District – 16
- Council Member – Stevens
- Council Member approval –Yes
- Number of buildings – 2
- Number of units – 104 residential
- Type of exemption – Article XI, partial, 40 year
- Population – rental
- Sponsors – Paradise Management

- Purpose – preservation
- Cost to the city – \$7.81 million (present value)
- Housing Code Violations
 - Class A – 28
 - Class B – 41
 - Class C – 51

Anticipated AMI Targets: 9 units at 50%, 26 units at 70%, 62 units at 80%, 7 units at 100%

Cluster 10

- Borough – Bronx
- Block 2800, Lot 68; Block 2506, Lot 33
- Council District – 15 and 16
- Council Member – Feliz and Stevens
- Council Member approval – Yes
- Number of buildings – 2
- Number of units – 96 residential
- Type of exemption – Article XI, partial, 40 year
- Population – rental
- Sponsors – Paradise Management
- Purpose – preservation
- Cost to the city – \$7.29 million (present value)
- Housing Code Violations
 - Class A – 7
 - Class B – 22
 - Class C – 24

Anticipated AMI Targets: 9 units at 65%, 22 units at 75%, 63 units at 90%, 2 units at 110%

Cluster 11

- Borough – Bronx
- Block 2529, Lot 63
- Council District – 16
- Council Member – Stevens
- Council Member approval – Yes
- Number of buildings – 1
- Number of units – 77 residential
- Type of exemption – Article XI, partial, 40 year
- Population – rental
- Sponsors – Paradise Management
- Purpose – preservation
- Cost to the city – \$4.97 million (present value)
- Housing Code Violations
 - Class A – 11
 - Class B – 10
 - Class C – 21

Anticipated AMI Targets: 23 units at 50%, 24 units at 60%, 30 units at 80%

Cluster 12

- Borough – Bronx
- Block 2504, Lot 105

- Council District – 8
- Council Member – Ayala
- Council Member approval –Yes
- Number of buildings – 1
- Number of units – 64 residential
- Type of exemption – Article XI, partial, 40 year
- Population – rental
- Sponsors – Paradise Management
- Purpose – preservation
- Cost to the city – \$4.25 million (present value)
- Housing Code Violations
 - Class A – 13
 - Class B – 51
 - Class C – 64

Anticipated AMI Targets: 12 units at 55%, 20 units at 65%, 26 units at 75%, 6 units at 85%

Cluster 13

- Borough – Bronx
- Block 2784, Lot 10
- Council District – 16
- Council Member – Stevens
- Council Member approval –Yes
- Number of buildings – 1
- Number of units – 79 residential
- Type of exemption – Article XI, partial, 40 year
- Population – rental
- Sponsors – Paradise Management
- Purpose – preservation
- Cost to the city – \$6.58 million (present value)
- Housing Code Violations
 - Class A – 17
 - Class B – 34
 - Class C – 24

Anticipated AMI Targets: 6 units at 50%, 13 units at 60%, 24 units at 70%, 29 units at 80%, 7 units at 100%

Cluster 16

- Borough – Bronx
- Block 2603, Lot 1002
- Council District – 8
- Council Member – Ayala
- Council Member approval –Yes
- Number of buildings – 1
- Number of units – 64 residential
- Type of exemption – Article XI, partial, 40 year
- Population – rental
- Sponsors – Paradise Management
- Purpose – preservation
- Cost to the city – \$5.52 million (present value)
- Housing Code Violations
 - Class A – 5

- Class B – 5
- Class C – 9

Anticipated AMI Targets: 13 units at 50%, 28 units at 60%, 11 units at 70%, 12 units at 100%

Item #4: 290 East 149th Street

290 East 149th Street will be a mixed-use development in The Hub area of the South Bronx. The project will total approximately 124,000 sf and contain 163 affordable dwelling units, of which 48 will be Affordable Independent Residences for Seniors (AIRS) units. The building will also have approximately 16,000 sf of commercial space and 600 sf of community facility space on the ground floor, and below-grade parking. The parking will consist of commercial and residential parking (24 parking spaces will be restricted to the building's resident). The community facility space will be part of the exemption area. The building will rise to nine stories along 148th Street and 10 stories along 149th Street. There will be units set aside for formerly homeless households, and the rest of the units will have income bands at 30%, 50%, 70%, and 90% of AMI.

Summary:

- Borough – Bronx
- Block 2330, Lot 16
- Council District – 17
- Council Member – Salamanca, Jr.
- Council Member approval – Yes
- Number of buildings – 1
- Number of units – 162 residential
- Type of exemption – Article XI, full, 40 year
- Population – Rental
- Sponsors – Vertical Community Development
- Purpose – New construction
- Cost to the city – \$10.48 million (present value)
- Housing Code Violations
 - Class A – n/a
 - Class B – n/a
 - Class C – n/a
- Anticipated AMI Targets: 25 units for formerly homeless households, 8 units at 30%, 32 units at 50%, 49 units at 70%, 48 units at 90%

Item #5 – 1500-1502 Hone Avenue

1500-1502 Hone Ave. HPO.FY23 (the "Project") consists of a five-story walk-up building with a total of 49 residential units inclusive of one super unit, located in the Westchester Square neighborhood in the Bronx. Of the 49 units in the building, there are 5 studio units, 41 one-bedroom units (inclusive of one unit reserved for the superintendent), and 3 two-bedroom units. Additionally, the Project has one commercial unit consisting of 866 square feet that is rented out to a tax office.

There will be a new HPD regulatory agreement restricting rents and income tiers and requiring a 10% homeless set-aside (5 units) as well as HPD's Aging-in-Place initiative. Current rents charged an average of \$1,154 which is 49% of 2022 AMI. The market rents in the area average 74% of 2022 AMI, according to Rent-O-Meter. HPD will be providing a partial 40-year Article XI tax exemption, with an annual Gross Rent Tax of 5.0%. This has been sized based on the HPO Term Sheet for projects with average rents below 60% of AMI to ensure long-term cash flow and allow these buildings to maintain capital repairs.

Summary

- Borough – Bronx
- Block 4068, Lot 1
- Council District – 13
- Council Member – Velasquez
- Council Member approval –Yes
- Number of buildings – 1
- Number of units – 48 residential
- Type of exemption – Article XI, partial, 40 year
- Population – Rental
- Sponsors – Langsam Property Services
- Purpose – preservation
- Cost to the city – \$2.12 million (present value)
- Housing Code Violations
 - Class A – 0
 - Class B – 0
 - Class C – 0
- Anticipated AMI Targets: 24 units at 60%, 24 units at 70%

Item #6 – Bronx Park East

The Bronx Park East Apartments (“Project”) consists of 10 buildings with a total of 700 residential units located in the Allerton neighborhood of The Bronx. The buildings contain 185 studios, 332 one-bedrooms, 181 two-bedrooms (two of which are reserved for on-site superintendents), and two (2) three-bedrooms. The properties were built in 1927 and 1929 and all the units are rent-stabilized. Current collected rents across the properties average 53 % of the AMI while legal rents average 56 % of the AMI. The current weighted average market rent is 75% of the AMI, according to Rentometer comps.

The Article XI exemption was sized based on a needs-based analysis, where HPD sized a Gross Rent Tax that would allow the project to maintain adequate cash flow to cover a 1.25 Debt Service Coverage Ratio. This HPO project is requesting a full 40-year Article XI tax exemption to be applied to the properties. As part of this closing, a new HPD Regulatory Agreement will set rent and income restrictions as well as require a 10% homeless referral set aside (70 units) for vacancies. The owner is also committing to Aging-in-Place upgrades for tenants.

Summary

- Borough – Bronx
- Block 4506, Lots 1 and 40
- Council District – 15
- Council Member – Feliz
- Council Member approval –Yes
- Number of buildings – 10
- Number of units – 698 residential
- Type of exemption – Article XI, full, 40 year
- Population – Rental
- Sponsors – Black Spruce Management
- Purpose – preservation
- Cost to the city – \$43.95 million (present value)
- Housing Code Violations
 - Class A – 178

- Class B – 414
- Class C – 144
- Anticipated AMI Targets: 2 units at 45%, 252 units at 55%, 193 units at 65%

Item #7 – Hamilton Heights Cluster

Hamilton Heights Cluster is a six-building portfolio with 86 residential units and nine commercial units located in the Hamilton Heights/Sugar Hill neighborhood of Harlem. The buildings were originally constructed between 1910 and 1920, last renovated in 2001. Two of the buildings (504 West 142nd Street and 542 West 140th Street) are low-rise brownstones containing eight studio apartments each; 504 West 142nd Street has one commercial space on the ground floor. The remaining four buildings are all five- to seven-stories with ground floor commercial spaces. The residential units are divided between 16 studio units (one of which is reserved for the superintendent), 1 one-bedroom unit, 2 two-bedroom units, and 67 three-bedroom units. The current rents across the project average 24% of AMI.

The properties are currently owned by Hamilton Heights Cluster Associates, L.P. As part of the PLP transaction, Hamilton Heights Cluster HDFC will take title to the properties. Hamilton Heights II LLC will be the beneficial owner. West Harlem Group Assistance, Inc. (“WHGA”) is the sole member of the HDFC. The beneficial owner entity is comprised of entities controlled by Urban Green Equities LLC and WHGA as this project is a joint venture between these two organizations.

The goals of the project are to close on a full 40-year Article XI property tax exemption that will take effect upon the execution of the HPD Regulatory Agreement. In conjunction with the Article XI, HPD will issue a new City Capital loan in participation with a senior loan provided by a private lending institution to finance rehabilitation work - façade repair, boiler replacements, window replacements, and elevator maintenance for the buildings with elevators. Three of the six buildings will receive rooftop solar installations. The project will have full electrification via the HPD-NYSERDA Retrofit Electrification Pilot Program.

As part of this closing, the owner will sign a 40-year HPD Regulatory Agreement that will set rent and income restrictions as well as require a 20% homeless referral set aside for vacancies (17 units). The owner has also been awarded 32 project-based vouchers to address rent burdens in low-income households. The income tiers and net present value of the Article XI benefit assume the project is receiving the additional income generated from these vouchers.

Summary:

- Borough – Manhattan
- Block 2071, Lot 56; Block 2073, Lot 43; Block 2074, Lots 25 and 30; Block 2077, Lots 12 and 13
- Council District – 7
- Council Member – Abreu
- Council Member approval – Yes
- Number of buildings – 6
- Number of units – 86 residential
- Type of exemption – Article XI, full, 40 year
- Population – Rental
- Sponsors – Urban Green Equities LLC / West Harlem Group Assistance, Inc.
- Purpose – preservation
- Cost to the city – \$7.34 million (present value)
- Housing Code Violations
 - Class A – 100
 - Class B – 279
 - Class C – 139
- Anticipated AMI Targets: 28 units at 45% AMI, 32 units at 50% AMI; 20 units at 70% AMI; 5 units at 100% AMI

(For text of the coupled resolution for L.U. No. 212, please see immediately below; for text of the remaining coupled resolutions, please see, respectively, the Reports of the Committee on Finance for L.U. Nos. 213 through 229 printed further below in these Minutes)

Accordingly, this Committee recommends the adoption of L.U. Nos. 212 through 229.

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

Preconsidered Res. No. 672

Resolution approving an exemption from real property taxes for property located at (Block 3446, Lot 1) Brooklyn, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 212).

By Council Member Brannan.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated May 26, 2023 that the Council amend a previously approved tax exemption for real property located at (Block 3446, Lot 1), Brooklyn (“Exemption Area”) pursuant to Section 577 of the Private Housing Finance Law;

WHEREAS, the HPD’s request for amendments is related to a previously approved Council Resolution adopted on May 11, 2023 (Resolution No. 628) (the “Prior Resolution”), granting the Exemption Area a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law;

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

RESOLVED:

The Council approves the amendments to the Prior Resolution requested by HPD for the Exemption Area pursuant to Section 577 of the Private Housing Finance Law as follows:

Provision b of paragraph 1 of the Prior Resolution is deleted in its entirety and replaced with the following:

1.b. “Contract Rent Differential” shall mean the amount by which the total contract rents applicable to the Exemption Area for such tax year (as adjusted and established pursuant to Section 8 of the United States Housing Act of 1937, as amended) exceed the total contract rents which are authorized as of April 1, 2023.

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

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 213

Report of the Committee on Finance in favor of a Resolution approving West 148th Street Heighliner Portfolio.HPO.FY23, Block 2034, Lot 29, Manhattan, Community District No. 10, Council District No. 9.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 212 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 673

Resolution approving an exemption from real property taxes for property located at (Block 2034, Lot 29) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 213).

By Council Member Brannan.

WHEREAS, the New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated June 6, 2023 that the Council amend a previously approved tax exemption for real property located at (Block 2034, Lot 29) Manhattan (“Exemption Area”) pursuant to Section 577 of the Private Housing Finance Law;

WHEREAS, the HPD’s request for amendments is related to a previously approved Council Resolution adopted on April 27, 2023 (Resolution No. 599) (the “Prior Resolution”), granting the Exemption Area a real property tax exemption pursuant to Section 577 of the Private Housing Finance Law;

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

RESOLVED:

The Council approves the amendments to the Prior Resolution requested by HPD for the Exemption Area pursuant to Section 577 of the Private Housing Finance Law as follows:

Provision d of paragraph 1 of the Prior Resolution is deleted in its entirety and replaced with the following:

- 1.d. Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.

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

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 214

Report of the Committee on Finance in favor of a Resolution approving Paradise Management Cluster 1.HPO.FY23, Block 2014, Lots 14, 16, and 18, Manhattan, Community District No. 10, Council District No. 9.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 212 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 674

Resolution approving an exemption from real property taxes for property located at (Block 2014, Lots 14, 16, and 18), Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 214).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated May 16, 2023 that the Council take the following action regarding a housing project located at (Block 2014, Lots 14, 16, and 18), Manhattan (“Exemption Area”):

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

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

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

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean 137-145 West 145 Street LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 2014, Lots 14, 16, and 18 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to thirty-two hundredths of one percent (0.32%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean HP 137-145 West 145 Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.

- k. “Owner” shall mean, collectively, the HDFC and the Company.
 - l. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
- 2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 - 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.
 - 4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
 - 5. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 215

Report of the Committee on Finance in favor of a Resolution approving Paradise Management Cluster 2.HPO.FY23, Block 2002, Lots 19, 21, 22, 24, and 26, Manhattan, Community District No. 9, Council District No. 7.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 212 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 675

Resolution approving an exemption from real property taxes for property located at (Block 2002, Lots 19, 21, 22, 24, and 26), Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 215).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated May 16, 2023 that the Council take the following action regarding a housing project located at (Block 2002, Lots 19, 21, 22, 24, and 26), Manhattan (“Exemption Area”):

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

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

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

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean 609-619 West 135 Street LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 2002, Lots 19, 21, 22, 24, and 26 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to thirteen hundredths of one percent (0.13%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean HP 609-619 West 135 Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “Owner” shall mean, collectively, the HDFC and the Company.
 - l. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.

2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.
4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
 - c. Nothing herein shall entitle the HDPC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 216

Report of the Committee on Finance in favor of a Resolution approving Paradise Management Cluster 3.HPO.FY23, Block 3054, Lot 6, Block 3287, Lot 43, Bronx, Community District Nos. 6 and 7, Council District No. 15.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 212 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 676

Resolution approving an exemption from real property taxes for property located at (Block 3054, Lot 6; Block 3287, Lot 43), Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 216).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated May 19, 2023 that the Council take the following action regarding a housing project located at (Block 3054, Lot 6; Block 3287, Lot 43), Bronx (“Exemption Area”):

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

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

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

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean 2356 Lorillard LLC and 2710 Bainbridge LLC or any other entities that acquire all or a portion of the beneficial interests in the Exemption Area with the prior written consent of HPD.

- b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 3054, Lot 6 and Block 3287, Lot 43 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to twelve hundredths of one percent (0.12%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean HP 2356 Lorillard & 2710 Bainbridge Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “Owner” shall mean, collectively, the HDFC and the Company.
 - l. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the

amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.

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

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 217

Report of the Committee on Finance in favor of a Resolution approving Paradise Management Cluster 5.HPO.FY23, Block 3134, Lots 14 and 20, Bronx, Community District No. 6, Council District No. 15.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 212 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 677

Resolution approving an exemption from real property taxes for property located at (Block 3134, Lots 14 and 20), Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 217).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated May 19, 2023 that the Council take the following action regarding a housing project located at (Block 3134, Lots 14 and 20), Bronx (“Exemption Area”):

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

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

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

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean 984 Bronx Park South LLC and 990 Bronx Park South LLC or any other entities that acquire all or a portion of the beneficial interests in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDPC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.

- c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 3134, Lots 14 and 20 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to ninety-four hundredths of one percent (0.94%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean HP 984-990 BPS Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “Owner” shall mean, collectively, the HDFC and the Company.
 - l. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.

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

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 218

Report of the Committee on Finance in favor of a Resolution approving Paradise Management Cluster 7.HPO.FY23, Block 2947, Lot 40, Block 3129, Lots 1 and 4, Bronx, Community District No. 6, Council District No. 15.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 212 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 678

Resolution approving an exemption from real property taxes for property located at (Block 2947, Lot 40; Block 3129, Lots 1 and 4), Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 218).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated May 19, 2023 that the Council take the following action regarding a housing project located at (Block 2947, Lot 40; Block 3129, Lots 1 and 4), Bronx (“Exemption Area”):

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

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

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

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean 2132 Daly LLC, 2140 Daly LLC, and 1895 Belmont LLC or any other entities that acquire all or a portion of the beneficial interests in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDPC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2947, Lot 40 and Block 3129, Lots 1 and 4 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory

Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.

- f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to twenty-four hundredths of one percent (0.24%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean HP 2132-2140 Daly & 1895 Belmont Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “Owner” shall mean, collectively, the HDFC and the Company.
 - l. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.
 4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is

conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.

- b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 219

Report of the Committee on Finance in favor of a Resolution approving Paradise Management Cluster 8.HPO.FY23, Block 3118, Lots 36, 39, and 56, Bronx, Community District No. 6, Council District No. 17.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 212 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 679

Resolution approving an exemption from real property taxes for property located at (Block 3118, Lots 36, 39, and 56) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 219).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated May 16, 2023 that the Council take the following action regarding a housing project located at (Block 3118, Lots 36, 39, and 56) Bronx (“Exemption Area”):

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

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

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

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean Crotona Mohegan LLC, 2078 Crotona LLC, and 2079 Mohegan LLC or any other entities that acquire all or a portion of the beneficial interests in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDPC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 3118, Lots 36, 39, and 56, on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.

- g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to fifty-three hundredths of one percent (0.53%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean HP 2074-2078 Crotona & 2075-2079 Mohegan Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “Owner” shall mean, collectively, the HDFC and the Company.
 - l. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.
4. Notwithstanding any provision hereof to the contrary:
- a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.

- b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 220

Report of the Committee on Finance in favor of a Resolution approving Paradise Management Cluster 9.HPO.FY23, Block 2506, Lot 121, Block 2514, Lot 50, Bronx, Community District No. 4, Council District No. 16.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 212 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 680

Resolution approving an exemption from real property taxes for property located at (Block 2506, Lot 121; Block 2514, Lot 50), Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 220).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated May 16, 2023 that the Council take the following action regarding a housing project located at (Block 2506, Lot 121; Block 2514, Lot 50), Bronx (“Exemption Area”):

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

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

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

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean 80 West 170 Realty LLC and 1146 Ogden Realty LLC or any other entities that acquire all or a portion of the beneficial interests in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDPC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2506, Lot 121 and Block 2514, Lot 50 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.

- g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to forty-two hundredths of one percent (0.42%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean HP 80 West 170 & 1146 Ogden Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “Owner” shall mean, collectively, the HDFC and the Company.
 - l. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.
 4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.

- b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 221

Report of the Committee on Finance in favor of a Resolution approving Paradise Management Cluster 10.HPO.FY23, Block 2506, Lot 33, Block 2800, Lot 68, Bronx, Community Districts No. 4 and 5, Council Districts No. 15 and 16.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 212 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 681

Resolution approving an exemption from real property taxes for property located at (Block 2506, Lot 33; Block 2800, Lot 68), Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 221).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated May 19, 2023 that the Council take the following action regarding a housing project located at (Block 2506, Lot 33; Block 2800, Lot 68), Bronx (“Exemption Area”):

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

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

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

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean 250 East 176 Realty LLC and 1234 Shakespeare Realty LLC or any other entities that acquire all or a portion of the beneficial interests in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDPC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2506, Lot 33 and Block 2800, Lot 68 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to forty-seven hundredths of one percent (0.47%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent

Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.

- i. “HDFC” shall mean HP 250 East 176 & 1234 Shakespeare Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “J-51 Benefits” shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
 - l. “Owner” shall mean, collectively, the HDFC and the Company.
 - m. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.
 4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.

5. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, (a) nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities, and (b) the J-51 Benefits shall remain in effect, but the Exemption shall be reduced by the amount of such J-51 Benefits.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 222

Report of the Committee on Finance in favor of a Resolution approving Paradise Management Cluster 11.HPO.FY23, Block 2529, Lot 63, Bronx, Community District No. 4, Council District No. 16.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 212 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 682

Resolution approving an exemption from real property taxes for property located at (Block 2529, Lot 63), Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 222).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated June 5, 2023 that the Council take the following action regarding a housing project located at (Block 2529, Lot 63), Bronx (“Exemption Area”):

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

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

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

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean The Merriam Tower LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2529, Lot 63 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to twenty-six hundredths of one percent (0.26%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean HP 1261 Merriam Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.

- j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
- k. “Owner” shall mean, collectively, the HDFC and the Company.
- 1. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
- 2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
- 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.
- 4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
- 5. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 223

Report of the Committee on Finance in favor of a Resolution approving Paradise Management Cluster 12.HPO.FY23, Block 2504, Lot 105, Bronx, Community District No. 4, Council District No. 8.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 212 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 683

Resolution approving an exemption from real property taxes for property located at (Block 2504, Lot 105), Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 223).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated June 5, 2023 that the Council take the following action regarding a housing project located at (Block 2504, Lot 105), Bronx (“Exemption Area”):

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

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

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

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean Yankee 167 Realty Estates LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2504, Lot 105 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to thirty-three hundredths of one percent (0.33%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean HP 1055 Jerome Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “Owner” shall mean, collectively, the HDFC and the Company.
 - l. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.

2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.
4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 224

Report of the Committee on Finance in favor of a Resolution approving Paradise Management Cluster 13.HPO.FY23, Block 2784, Lot 10, Bronx, Community District No. 4, Council District No. 16.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 212 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 684

Resolution approving an exemption from real property taxes for property located at (Block 2784, Lot 10), Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 224).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated June 5, 2023 that the Council take the following action regarding a housing project located at (Block 2784, Lot 10), Bronx (“Exemption Area”):

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

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

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

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean Able Management Estates LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.

- c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2784, Lot 10 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to twenty-six hundredths of one percent (0.26%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean HP 306 East 171 Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “Owner” shall mean, collectively, the HDFC and the Company.
 - l. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.

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

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 225

Report of the Committee on Finance in favor of a Resolution approving Paradise Management Cluster 16.HPO.FY23, Block 2603, Lot 1002, Bronx, Community District No. 2, Council District No. 8.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 212 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 685

Resolution approving an exemption from real property taxes for property located at (Block 2603, Lot 1002), Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 225).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated June 5, 2023 that the Council take the following action regarding a housing project located at (Block 2603, Lot 1002), Bronx (“Exemption Area”):

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

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

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

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean Corner View Residence LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDPC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2603, Lot 1002 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.

- f. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - g. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - h. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to one-hundredth of one percent (0.01%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - i. “HDFC” shall mean HP 540 Southern Boulevard Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - j. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - k. “Owner” shall mean, collectively, the HDFC and the Company.
 - l. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use) shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.
 4. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which

notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.

- b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to a building on the Exemption Area that exists on the Effective Date.
 - c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
5. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 226

Report of the Committee on Finance in favor of a Resolution approving 290 East 149th Street, Block 2330, Lot 16, Bronx, Community District No. 1, Council District No. 17.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 212 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 686

Resolution approving an exemption from real property taxes for property located at (Block 2330, Lot 16) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 226).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 10, 2023 that the Council take the following action regarding a housing project located at (Block 2330, Lot 16) Bronx (“Exemption Area”):

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

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

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

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Community Facility Space” shall mean those portions of the Exemption Area which the Regulatory Agreement requires to be devoted solely to community facility uses.
 - b. “Company” shall mean E149BX LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - c. “Effective Date” shall mean the later of the date that either (i) HPD and the Owner, or (ii) HPD, HDC and the Owner, enter into the Regulatory Agreement.
 - d. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - e. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 2330, Lot 16 on the Tax Map of the City of New York.
 - f. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - g. “HDC” shall mean the New York City Housing Development Corporation.
 - h. “HDFC” shall mean HP 292 East 149th Street Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.

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

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 227

Report of the Committee on Finance in favor of a Resolution approving 1500-1502 Hone Ave.HPO.FY23, Block 4068, Lot 1, Bronx, Community District No. 11, Council District No. 13.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 212 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 687

Resolution approving an exemption from real property taxes for property located at (Block 4068, Lot 1) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 227).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated June 6, 2023 that the Council take the following action regarding a housing project located at (Block 4068, Lot 1) Bronx (“Exemption Area”):

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

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

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

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

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

- a. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - b. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - c. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 4068, Lot 1 on the Tax Map of the City of New York.
 - d. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - e. “Gross Rent” shall mean the gross potential rents from all residential, commercial, and community facility units on the Exemption Area without regard to whether such units are occupied or vacant, including, but not limited to, Section 8, rent supplements, rental assistance, or any other subsidy.
 - f. “Gross Rent Deadline” shall mean three hundred and sixty-five (365) days from the date of the HPD letter requesting the information that HPD needs to calculate the Gross Rent Tax for the applicable tax year.
 - g. “Gross Rent Tax” shall mean, with respect to any tax year, an amount equal to five percent (5.0%) of the Gross Rent in such tax year; provided, however, that if the Owner fails to provide the Gross Rent on or before the Gross Rent Deadline, Gross Rent Tax shall mean an amount equal to real property taxes that would otherwise be due in such tax year in the absence of any form of exemption from or abatement of real property taxation.
 - h. “HDFC” shall mean 1500 Hone Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - i. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - j. “Owner” shall mean, collectively, the HDFC and the Partnership.
 - k. “Partnership” shall mean 1500 Realty Associates or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - l. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
- 2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 - 3. Commencing upon the Effective Date, and during each year thereafter until the Expiration Date, the Owner shall make real property tax payments in the sum of the Gross Rent Tax. Notwithstanding the

foregoing, the total annual real property tax payment by the Owner shall not at any time exceed the amount of real property taxes that would otherwise be due in the absence of any form of exemption from or abatement of real property taxation provided by an existing or future local, state, or federal law, rule, or regulation.

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

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 228

Report of the Committee on Finance in favor of a Resolution approving Bronx Park East Apartments, Block 4506, Lots 1 and 40, Bronx, Community District No. 11, Council District No. 15.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 212 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 688

Resolution approving an exemption from real property taxes for property located at (Block 4506, Lots 1 and 40) Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 228).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated May 30, 2023 that the Council take the following action regarding a housing project located at (Block 4506, Lots 1 and 40) Bronx (“Exemption Area”):

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

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

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

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

- a. “Company” shall mean BPE Baker LLC, BPE II LLC, BPE Realty Owner LLC or any other entities that acquire all or a portion the beneficial interests in the Exemption Area with the prior written consent of HPD.
- b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDPC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.

- c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of the Bronx, City and State of New York, identified as Block 4506, Lots 1 and 40 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “HDFC” shall mean HP Bronx Park East Housing Development Fund Company, Inc. or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - g. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - h. “J-51 Benefits” shall mean any tax benefits pursuant to Section 489 of the Real Property Tax Law which are in effect on the Effective Date.
 - i. “Owner” shall mean, collectively, the HDFC and the Company.
 - j. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.
2. All of the value of the property in the Exemption Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial, or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the Effective Date and terminating upon the Expiration Date.
 3. Notwithstanding any provision hereof to the contrary:
 - a. The Exemption shall terminate if HPD determines at any time that (i) the Exemption Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Exemption Area is not being operated in accordance with the requirements of the Regulatory Agreement, (iii) the Exemption Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, (iv) any interest in the Exemption Area is conveyed or transferred to a new owner without the prior written approval of HPD, or (v) the construction or demolition of any private or multiple dwelling on the Exemption Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to Owner and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified therein, the Exemption shall prospectively terminate.
 - b. The Exemption shall apply to all land in the Exemption Area, but shall only apply to buildings on the Exemption Area that exist on the Effective Date.

- c. Nothing herein shall entitle the HDFC, the Owner, or any other person or entity to a refund of any real property taxes which accrued and were paid with respect to the Exemption Area prior to the Effective Date.
- 4. In consideration of the Exemption, the owner of the Exemption Area shall, for so long as the Exemption shall remain in effect, waive the benefits of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state, or federal law, rule, or regulation. Notwithstanding the foregoing, (a) nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities, and (b) the J-51 Benefits shall remain in effect, but the Exemption shall be reduced by the amount of such J-51 Benefits.

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

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

Report for L.U. No. 229

Report of the Committee on Finance in favor of a Resolution approving Hamilton Heights Cluster, Block 2071, Lot 56, Block 2073, Lot 43, Block 2074, Lots 25 and 30, Block 2077, Lots 12 and 13, Manhattan, Community District No. 9, Council District No. 7.

The Committee on Finance, to which the annexed preconsidered Land Use item was referred on June 8, 2023 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

(For text of the Finance Memo, please see the Report of the Committee on Finance for L.U. No. 212 printed above in these Minutes)

Accordingly, this Committee recommends its adoption.

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

Preconsidered Res. No. 689

Resolution approving an exemption from real property taxes for property located at (Block 2071, Lot 56; Block 2073, Lot 43; Block 2074, Lots 25 and 30; Block 2077, Lots 12 and 13) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 229).

By Council Member Brannan.

WHEREAS, The New York City Department of Housing Preservation and Development (“HPD”) submitted to the Council its request dated April 25, 2023 that the Council take the following action regarding a housing project located at (Block 2071, Lot 56; Block 2073, Lot 43; Block 2074, Lots 25 and 30; Block 2077, Lots 12 and 13) Manhattan (“Exemption Area”):

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

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

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

RESOLVED:

The Council hereby grants an exemption from real property taxes as follows:

1. For the purposes hereof, the following terms shall have the following meanings:
 - a. “Company” shall mean Hamilton Heights II LLC or any other entity that acquires the beneficial interest in the Exemption Area with the prior written consent of HPD.
 - b. “Effective Date” shall mean the later of (i) the date of conveyance of the Exemption Area to the HDFC, or (ii) the date that HPD and the Owner enter into the Regulatory Agreement.
 - c. “Exemption” shall mean the exemption from real property taxation provided hereunder.
 - d. “Exemption Area” shall mean the real property located in the Borough of Manhattan, City and State of New York, identified as Block 2071, Lot 56, Block 2073, Lot 43, Block 2074, Lots 25 and 30, and Block 2077, Lots 12 and 13 on the Tax Map of the City of New York.
 - e. “Expiration Date” shall mean the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the Regulatory Agreement, or (iii) the date upon which the Exemption Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company.
 - f. “HDFC” shall mean Hamilton Heights Cluster Housing Development Fund Corporation or a housing development fund company that acquires the Exemption Area with the prior written consent of HPD.
 - g. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York.
 - h. “Owner” shall mean, collectively, the HDFC and the Company.
 - i. “Regulatory Agreement” shall mean the regulatory agreement between HPD and the Owner establishing certain controls upon the operation of the Exemption Area during the term of the Exemption.

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

JUSTIN L. BRANNAN, *Chairperson*: DIANA I. AYALA, FRANCISCO P. MOYA, KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, CHARLES BARRON, GALE A. BREWER, AMANDA FARÍAS, KAMILLAH HANKS, CRYSTAL HUDSON, CHI A. OSSÉ, PIERINA ANA SANCHEZ, ALTHEA V. STEVENS, MARJORIE VELÁZQUEZ, NANTASHA M. WILLIAMS, DAVID M. CARR; 17-0-0; *Absent*: Julie Won; Committee on Finance, June 8, 2023.

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

Report of the Committee on Health

Report for Int. No. 96-A

Report of the Committee on Health in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to providing vision testing and eyeglasses to low-income individuals.

The Committee on Health, to which the annexed proposed amended local law was referred on March 24, 2022 (Minutes, page 433), respectfully

REPORTS:

I. INTRODUCTION

On June 8, 2023, the Committee on Health, chaired by Council Member Lynn Schulman, voted on Introduction Number 96-A (Int. No. 96-A), sponsored by Council Member Justin Brannan, in relation to providing vision testing and eyeglasses to low-income individuals; Introduction Number 325-A (Int. No. 325-A), sponsored by Council Member Justin Brannan, in relation to the provision of information about emergency rooms and pediatric trauma centers; Introduction Number 814-A (Int. No. 814-A), sponsored by Council Member Shekar Krishnan, in relation to requiring a report indicating the quantities and locations of automated external defibrillators placed in public places; Introduction Number 975-A (Int. No. 975-A), sponsored by Council Member Lynn Schulman, in relation to information on free cardiopulmonary resuscitation courses available to the public; and Introduction Number 996-A (Int. No. 996-A), sponsored by Council Member Mercedes Narcisse, in relation to access to blood pressure machines. Int. No. 96-A passed with 9 votes in the affirmative, with no nays or abstentions. Int. No. 325-A passed with 9 votes in the affirmative, with no nays or abstentions. Int. No. 814-A passed with 9 votes in the affirmative, with no nays or abstentions. Int. No. 975-A passed with 9 votes in the affirmative, with no nays or abstentions. Int. No. 996-A passed with 9 votes in the affirmative, with no nays or abstentions. On March 30, 2023, the Committee on Health heard Introductions Numbers 96, 325, 814, 975, and 996 and received testimony from the New York City Department of Health and Mental Hygiene (DOHMH), advocates, and other interested stakeholders and members of the public.

II. BACKGROUND

a. Benefits of In-Community and Community-Based Care

Community health can be defined as the collective well-being of members within a community, neighborhood, or region. In addition to living in the same area, community members often share health characteristics, ethnicities, and socioeconomic conditions.¹ For example, some low-income communities might experience high rates of obesity or diabetes due to limited availability of nutritious foods in local grocery stores, while other neighborhoods might experience higher rates of asthma or respiratory illnesses due to environmental conditions.² Public health professionals work to identify how socioeconomic status factors, such as income level, nutrition, education, crime, and transportation resources, impact people.³ Public health experts may also determine how the community's medical and educational resources contribute to residents' lifestyles, and they

¹Tulane University, School of Public Health and Tropical Medicine, *Why Community Health Is Important for Public Health*, (May 21, 2020). <https://publichealth.tulane.edu/blog/why-community-health-is-important-for-public-health/#:~:text=Community%20health%20programs%20improve%20access,seek%20out%20lower%20medical%20costs>

² *Id.*

³ *Id.*

may develop community-specific recommendations for improvements to that community's health care infrastructure.⁴

The World Health Organization defines community health care “as environmental, social, and economic resources to sustain emotional and physical wellbeing among people in ways that advance their aspirations and satisfy their needs in their unique environment.”⁵ Successful community health care practices are exemplified through the availability of social supports, and health promoting services and amenities.⁶ These practices allow people to retain, change, and maintain their health.⁷ With greater access to community health care, the responsibility of health self-management can become less of a burden for the patient and the health care system.⁸

About half of Americans suffer from chronic health conditions, such as heart disease, cancer, diabetes, stroke, and arthritis.⁹ In New York State, more than 40% of adults have a chronic disease.¹⁰ In 2015, 1.1 million people in New York State had at least one chronic disease, while 4.3 million people had two or more chronic diseases.¹¹ These diseases could cost the State \$107 billion in medical costs over a 15-year time period.¹² Many individuals do not get proper care due to socioeconomic factors beyond their control, including the lack of in-community resources and health care providers.¹³

More than 80% of counties across the U.S. lack proper access to the services needed to maintain health.¹⁴ Most of New York State has also been identified as community health care-deficient, and can be categorized as a health care desert.¹⁵ At least 40 community-based hospitals have closed statewide since 2003.¹⁶ Large health care systems now control more than 70% of acute hospital beds in New York State.¹⁷ Within New York City, there is deep inequity in the distribution of health care facilities. While Manhattan has 1,200 general practitioners per 100,000 residents, Queens only has 365 practitioners per 100,000 residents, and the Bronx has only 225 per 100,000.¹⁸ These average numbers in the outer boroughs are skewed upwards by higher concentrations of general practitioners in a few neighborhoods in each such borough, meaning that the distribution is uneven within boroughs.

According to New York State Department of Health data, there are over 1,300 health care facilities in NYC.¹⁹ However, many of these are specialized centers, and only about 450 facilities offer some form of primary care, with 52% of these primary care providers in Manhattan and Brooklyn.²⁰ Meanwhile, many parts of Queens and the Bronx are underserved by primary care facilities.²¹ While certain disparities are expected given population differences among areas, the absence of facilities in neighborhoods lacking proper access to

⁴ *Id.*

⁵ Self-Management Blog by COMPAR-EU, *How Can Community Health Care Contribute to Self-Managing Health?* (Jul. 21, 2020), <https://self-management.eu/community-health-and-sm/>.

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ BRFSS Brief, *Participation in Chronic Disease Self-Management Education New York State Adults, 2016-2018*, https://www.health.ny.gov/statistics/brfss/reports/docs/2021-13_brfss_participation_chronic_disease_self-management_education.pdf.

¹¹ *Id.*

¹² Cost estimate for 2016-2030. Partnership to Fight Chronic Disease, *What Is The Impact of Chronic Disease on New York?*, https://www.fightchronicdisease.org/sites/default/files/download/PFCD_NY_FactSheet_FINAL1.pdf.

¹³ *Supra* note 1.

¹⁴ Amanda Nguyen, PhD and Sara Kim, MS, *Mapping Healthcare Deserts: 80% of the Country Lacks Adequate Access to Healthcare* (goodrx.com, Sep. 9, 2021), <https://www.goodrx.com/healthcare-access/research/healthcare-deserts-80-percent-of-country-lacks-adequate-healthcare-access>.

¹⁵ *Id.*

¹⁶ Nick Reisman, *Bill Would Address “Deserts” in Health Care Coverage*, Spectrum NY1 (Mar. 4, 2021, 12:49 PM), <https://www.ny1.com/nyc/all-boroughs/ny-state-of-politics/2021/03/04/bill-would-address--deserts--in-health-care-coverage>.

¹⁷ *Id.*

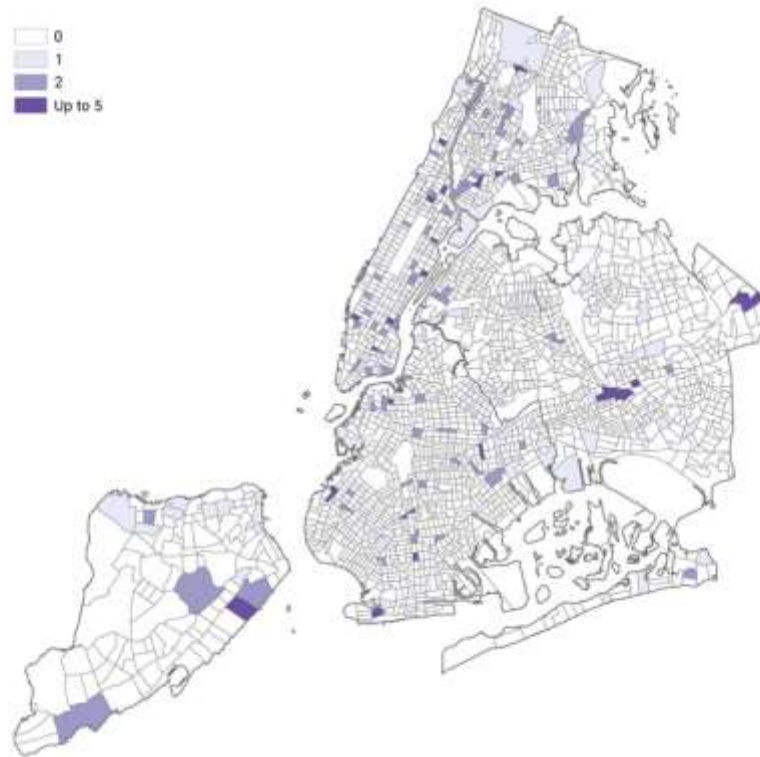
¹⁸ Bertrand Teirlinck, *Access to Health Care in NYC: Borough Inequality + the Pandemic Effect*, NYC EDC, <https://edc.nyc/insights/access-to-health-care-in-nyc-borough-inequality-pandemic-effect>.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

affordable transit is a persistent²² issue in NYC.²³ This map shows the distribution of primary care providers in NYC:



With the swaths of NYC that do not have a primary care provider, programs exist that bring health care access to communities to reach people who might otherwise not have regular contact with the health care system. Federally qualified health centers (FQHCs) are a critical resource for low-income and uninsured New Yorkers. FQHCs are community-based organizations that provide comprehensive primary care and preventive care, including health, oral, and mental health/substance abuse services to persons of all ages, regardless of their ability to pay or health insurance status.²⁴ Over 300 of these centers operate in the New York City area,²⁵ with many offering linguistically- and culturally-competent care.²⁶

Urgent care centers can also be found in many neighborhoods, with over 100 located throughout the city.²⁷ Urgent care centers are among the fastest growing health care options in the United States and are intended as a convenient alternative to a primary care provider to treat non-life threatening illnesses and injuries.²⁸ Urgent care centers are not a substitute for emergency, life-threatening care.²⁹ These centers are usually either part of a hospital facility, free-standing and owned by a physician or group of medical professionals, or chain-owned.³⁰ Most urgent care centers are staffed by licensed physicians, registered nurses, and physician's assistants, and

²² 2020, 438 Primary/Family Care Facilities in New York City. Source: NYS State Healthcare Data, NYCEDC, MGIS 02/2020.

²³ *Id.*

²⁴ CAP4Kids, *Federally Qualified Health Centers*, <https://cap4kids.org/newyorkcity/federally-qualified-health-centers/> (updated Sep. 1, 2020).

²⁵ CareListings.com, *Federally Qualified Health Centers: New York, NY*, <https://carelistings.com/federally-qualified-health-centers/new-york-ny>.

²⁶ See, e.g., Community Healthcare Network, *About Us*, <https://www.chnyc.org/about-us/>.

²⁷ United Hospital Fund, *Convenient Care: Retail Clinics and Urgent Care Centers in New York State* (Feb. 2015), <https://nyhealthfoundation.org/wp-content/uploads/2017/11/united-hospital-fund-convenient-care-report.pdf>.

²⁸ New York State Office of the Attorney General Letitia James, *Urgent Care Centers: How to Access Non-Emergency Health Care*, https://ag.ny.gov/sites/default/files/urgent_care_centers.pdf.

²⁹ *Id.*

³⁰ *Id.*

most, but not all, have a physician onsite during all hours of operation.³¹ These centers participate in or accept many forms of insurance, but usually charge all patients for a basic visit, with additional fees for lab testing, bloodwork, X-rays, or other services.³² Depending on a person's insurance plan and whether the center is in-network, insurance may cover a portion of these costs.³³

Mobile care units also bring care to underserved neighborhoods, such as those operated by NYC Health + Hospitals and Project Renewal.³⁴ Project Renewal mobile units visit sites across NYC to provide material necessities, deliver free primary care and vaccinations, conduct HIV testing, and treat for common chronic diseases like diabetes and asthma.³⁵ The Community Healthcare Network also operates a fleet of mobile health vans that travel throughout Manhattan and Queens and make weekly visits to schools and community organizations throughout Manhattan, Queens, the Bronx, and Brooklyn.³⁶

With surveys finding that the healthiest neighborhoods in NYC are also some of the most expensive neighborhoods³⁷ and that the city's lowest-income neighborhoods are also among the least healthy areas of the city³⁸, efforts to increase in-community access to health care in lower-income neighborhoods play a critical role in reducing health disparities along socioeconomic and racial and ethnic lines, whether by increasing the prevalence of culturally- and linguistically-competent primary care providers or community health centers, or through mobile healthcare units bringing care into historically neglected communities.³⁹

b. Access to CPR Training and Medical Devices in Public Places

As discussed above, the benefits of moving healthcare closer to home and within communities in healthcare deserts are indisputable. Besides community health centers, outpatient clinics, and urgent care centers, access to self-monitoring medical devices in public places – such as blood pressure monitors – can help provide individuals with at least a general idea of their health status without having to travel or make an appointment. Similarly, access to automated external defibrillators (AEDs) and quality cardiopulmonary resuscitation (CPR) training can be lifesaving, particularly in these healthcare deserts where access to hospitals or emergency room departments may be limited.

i. AEDs

A change in the heart's electrical activity, or "cardiac arrest," substantially contributes to avoidable death and disability across the country.⁴⁰ "Sudden cardiac arrest" refers to the sudden loss of all heart activity due to an irregular heart rhythm that causes an individual to stop breathing, become unconscious, and without immediate treatment, it can lead to death.⁴¹ Although estimates vary, an estimated 70-90% of people experiencing "out-of-hospital cardiac arrest" die before they reach a hospital, as the probability of survival decreases by 7% to 10% for every minute that a victim experiences a life-threatening, abnormal heart rhythm.⁴² The use of AEDs within minutes of cardiac arrest can "dramatically raise survival rates."⁴³ An AED is a type of

³¹ *Id.*

³² *Id.*

³³ *Id.*

³⁴ NYC Health + Hospitals, *Street Health Outreach & Wellness Mobile Units*, <https://www.nychealthandhospitals.org/street-health-outreach-wellness-mobile-units/>; Project Renewal, *Mobile Medical Vans*, <https://www.projectrenewal.org/health-mobile-medical-vans>.

³⁵ *Id.*

³⁶ Community Healthcare Network, *Medical Mobile Van*, <https://www.chnyc.org/medical-mobile-van/>.

³⁷ Michael Kolomatsky, *New York's Healthiest Neighborhoods*, N.Y. Times (Jan. 24, 2019), <https://www.nytimes.com/2019/01/24/realestate/new-yorks-healthiest-neighborhoods.html>.

³⁸ Adam Warner, *Bronx Least Healthy County in New York State*, NBC News (Mar. 16, 2016, 5:17 AM), <https://www.nbcnewyork.com/news/local/ny-bronx-unhealthiest-county-in-new-york-state-study-overall-health/1113817/>.

³⁹ N.Y.C. Dep't of Health and Mental Hygiene, *Health Disparities in New York City*, https://www.commonwealthfund.org/sites/default/files/documents/_media_files_publications_other_2004_jul_health_disparities_in_new_york_city_karpati_disparities.pdf.

⁴⁰ CENTERS FOR DISEASE CONTROL, *What Evidence Supports State Laws to Enhance Public Access Defibrillation? A Policy Evidence Assessment Report*, https://www.cdc.gov/dhbsp/pubs/docs/PAD_PEAR_508.pdf

⁴¹ *Sudden cardiac arrest - Symptoms and causes - Mayo Clinic*; MAYO CLINIC, *Sudden Cardiac Arrest, Symptoms and Causes*, (Accessed March 23, 2023), <https://www.mayoclinic.org/diseases-conditions/sudden-cardiac-arrest/symptoms-causes/syc-20350634>

⁴² UNITED STATES FOOD & DRUG ADMINISTRATION, *How AEDs in Public Places Can Restart Hearts*, (Updated November 17, 2022), <https://www.fda.gov/consumers/consumer-updates/how-aeds-public-places-can-restart-hearts>

⁴³ *Supra* note 1.

computerized defibrillator that automatically analyzes the hearth rhythm in people who are experiencing cardiac arrest, and when appropriate, delivers an electrical shock to the heart to restore its normal rhythm.⁴⁴ This conversion of an abnormal heart rhythm to its normal rhythm by an electrical shock is called defibrillation, which is time sensitive.⁴⁵

According to the U.S. Centers for Disease Control and Prevention's Division for Heart Disease and Stroke Prevention, placing AEDs at public locations where cardiac arrest is likely to occur (i.e. schools, casinos, federal buildings, airports, fitness centers, churches, and workplaces) have been found to increase out-of-hospital cardiac arrests survival, improve neurological outcomes for patients, and increase rates of return of spontaneous circulation (or the resumption of a sustained heart rhythm).⁴⁶ The National Academy of Medicine's Committee on the Treatment of Cardiac Arrest recommends that states and localities develop and implement strategies to better educate the public about what cardiac arrest is, how to identify it, and how to respond to it in order to improve health outcomes.⁴⁷ It cites the lack of a single AED registry as problematic, as members of the public and emergency care providers who know how to use AEDs are often unaware of the location, number, and operational status of AEDs in their area.⁴⁸

In New York State (NYS), the following facilities are required to have AEDs on site:⁴⁹

- Public schools – NYS law requires AEDs in schools, and high school health classes must offer instruction on the proper use of AEDs.
- Public institutions and buildings – NYS law requires all public buildings must have “sufficient AEDs” according to the building’s size and occupancy.
- Places of public assembly – defined as “any place where 75 or more members of the public gather indoors or 200 or more gather outdoors – must have an AED and at least one employee trained in its use.
- Health clubs – NYS law requires AEDs in gyms, and every gym and fitness center must have at least one CPR/AED-certified employee on site at all times.
- Swimming facilities – NYS law requires all public pools must have at least one AED at the ready.
- Dental offices – NYS requires all dental offices to have AEDs available and all dentists must maintain a current CPR certification.

NYS also has specific rules and regulations pertaining to AED placement.⁵⁰ First, the location of the AED must be clearly noted at the entrance of the facility and signage must identify where the device can be found within the premises.⁵¹ The AED must be kept in a centralized location, and the general rule is that a trained operator should be able to access an AED within 3 minutes from wherever they are in the building.⁵² In 2005, the Council enacted Local Law 020, which requires the placement of AEDs in certain public places.⁵³ And in

⁴⁴ *Supra* note 4.

⁴⁵ *Id.*

⁴⁶ CENTERS FOR DISEASE CONTROL, Public Access Defibrillation (PAD) State Law, (June 30th, 2017).

https://www.cdc.gov/dhbsp/policy_resources/pad_slfs.htm#background

⁴⁷ NATIONAL ACADEMIES, *Strategies to Improve Cardiac Arrest Survival: A Time to Act*. (2015).

<https://nap.nationalacademies.org/catalog/21723/strategies-to-improve-cardiac-arrest-survival-a-time-to-act>;

⁴⁸ *Id.*

⁴⁹ AMG, *AED Requirements in New York*, AED Leader, (December 27, 2020). <https://www.aedleader.com/aed-requirements-in-new-york>; AED Leader, *New York - AED Statutes & Regulations*, (Accessed March 23, 2023). <https://www.aed.com/new-york-aed-statutes-regulations>.

⁵⁰ AMG, *AED Requirements in New York*, AED Leader, (December 27, 2020). <https://www.aedleader.com/aed-requirements-in-new-york>

⁵¹ *Id.*

⁵² *Id.*

⁵³ LL 2005/020. Available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=441621&GUID=ADBB1FE0-83E7-43D6-ABC1-898048DE20ED>. “Public place” means the publically accessible areas of the following places to which the public is invited or permitted: (i) public buildings maintained by the division of facilities management and construction of the department of citywide administrative services or any successor; (ii) parks under the jurisdiction of the department of parks and recreation identified pursuant to subdivision e of this section; (iii) ferry terminals owned and operated by the city of New York served by ferry boats with a passenger capacity of one thousand or more persons; (iv) nursing homes, as defined in section 2801 of the New York state public health law; (v) senior centers, which include facilities operated by the city of New York or operated by an entity that has contracted with the city to provide services to senior citizens on a regular basis, such as meals and other on-site activities; (vi) golf courses, stadia and arenas; and

2018, the Council enacted Local Law 119, which requires AEDs at youth baseball and youth softball games and practices on city land leased to youth leagues.⁵⁴

When deciding on AED placement and the number of “sufficient AEDs” under NYS law, the following must be considered: (1) locations of stairways and elevators; (2) number of floors in the building; (3) any security features that may restrict access or movement within the building; (4) conspicuousness and visibility of the location; and (5) potential for accidental theft or damage.⁵⁵ There are specific compliance requirements for AED maintenance.⁵⁶ Lastly, NYS Public Health Law Section 3000-a makes it clear that in the event that defibrillation is administered by an “untrained bystander” (which is often the case with out-of-hospital cardiac arrests), the person administering treatment is protected from liability.⁵⁷

ii. Free CPR Courses

After Buffalo Bills player Damar Hamlin experienced sudden cardiac arrest on January 2, 2023, during a “Monday Night Football” game, the American Heart Association has seen a 620% increase nationwide in visits to its Hands-Only CPR education resources.⁵⁸ Following Hamlin’s collapse, he was immediately provided with lifesaving emergency care – including 9 minutes of CPR – and due to this response by medical staff, Hamlin regained a pulse and survived.⁵⁹ Cardiopulmonary resuscitation, or CPR, is an emergency procedure that can help save a person’s life if their breathing or heart stops.⁶⁰ During cardiac arrest, the heart stops pumping blood to the rest of the body, including the brain and lungs. CPR uses chest compressions to mimic how the heart pumps and to help keep blood flowing throughout the body.⁶¹

If CPR is performed in the first few minutes of cardiac arrest, it can double or triple a persons’ chance of survival.⁶² However, according to the American Heart Association, individuals in low-income, Black, and Hispanic neighborhoods are less likely to receive CPR from bystanders than those in high-income white neighborhoods.⁶³ And women may also be less likely to receive CPR if they experience cardiac arrest in a public place.⁶⁴ To perform CPR, a person does not need special certification or formal training, but does need education.⁶⁵ Typically, there are 3 steps to follow if you see someone in cardiac arrest: (1) call 9-1-1 or instruct a bystander to, (2) give CPR by pushing down hard and fast in the center of the chest at a rate of 100 to 120

(vii) health clubs that are commercial establishments offering instruction, training or assistance and/or facilities for the preservation, maintenance, encouragement or development of physical fitness or well-being that have a membership of at least two hundred and fifty people, and which shall include, but not be limited to, health spas, health studios, gymnasiums, weight control studios, martial arts and self-defense schools or any other commercial establishment offering a similar course of physical training. *Id.*

⁵⁴ LL 2018/119. Available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3331916&GUID=2852F7FC-7B16-4851-B513-0C9F64C1FF9F&Options=ID|Text|&Search=automated+external>.

⁵⁵ *Id.*

⁵⁶ *Id.*

⁵⁷ *Id.* NY Pub Health Law § 3000-a. As long as the bystander’s intention was to save the patient’s life, the bystander will not be held responsible if the attempt is unsuccessful. However, this protection pertains only to untrained users and users who recently completed basic AED and CPR training, and does not protect trained professionals who are responding in a professional capacity as part of their job or profession. *Id.*

⁵⁸ Scott Scanlon, ‘What happened to Damar was a reminder’: CPR training in demand since Hamlin collapse, The Buffalo News, (March 21, 2023). https://buffalonews.com/news/local/what-happened-to-damar-was-a-reminder-cpr-training-in-demand-since-hamlin-collapse/article_a4193d98-c4ea-11ed-851d-7b0105b3daab.html

⁵⁹ Meredith Cash, A complete timeline of Damar Hamlin’s collapse and the latest on the Buffalo Bills safety’s health, Insider (Jan. 6, 2023). <https://www.insider.com/buffalo-bills-safety-damar-hamlin-a-complete-timeline-of-the-nfl-incident-and-health-updates-2023-1>.

⁶⁰ CENTERS FOR DISEASE CONTROL, *Three Things You May Not Know About CPR*, (Updated October 22, 2021). <https://www.cdc.gov/heartdisease/cpr.htm>.

⁶¹ *Id.* It should be noted that “cardiac arrest” is different from a heart attack. A heart attack occurs when blood flow to the heart is blocked. A person having a heart attack is still talking and breathing, and does not need CPR. However, heart attacks increase the risk of cardiac arrest.

⁶² *Id.*

⁶³ AMERICAN HEART ASSOCIATION, *Who gets CPR from bystanders? Depends if it’s a man or woman*, (November 12th, 2017).

<https://news.heart.org/gets-cpr-bystanders-depends-man-woman/>; Connie W. Tsao et al. *Heart Disease and Stroke Statistics—2023 Update: A Report From the American Heart Association*, AHA Journal, (January 25, 2023). <https://www.ahajournals.org/doi/10.1161/CIR.0000000000001123>.

⁶⁴ Connie W. Tsao et al. *Heart Disease and Stroke Statistics—2023 Update: A Report From the American Heart Association*, AHA Journal, (January 25, 2023). <https://www.ahajournals.org/doi/10.1161/CIR.0000000000001123>.

⁶⁵ *Supra* note 19.

pushes a minute, making sure to let the chest rise up to its normal position after each push, and (3) continue giving CPR until medical professionals arrive or until a person with formal CPR training can take over.⁶⁶

In New York City, the NYC Fire Department (FDNY) provides free, hands-only CPR classes due to funding received from the FDNY Foundation.⁶⁷ FDNY currently offers two programs that provide hands-only PR training: FDNY Free CPR Program and FDNY Teens Take Heart CPR Program.⁶⁸ The goal of these classes is to equip New Yorkers with the basic skills needed to take action in the event of a cardiac arrest emergency.⁶⁹ FDNY CPR classes are taught by certified and highly trained FDNY EMS members. The FDNY Mobile CPR Unit was created in 2006 by Chief John McFarland as a response to the change in the American Heart Association's CPR guidelines for the lay rescuer. Since then, the Unit has successfully trained thousands of New Yorkers in hands-only CPR.⁷⁰

iii. Blood Pressure Monitors

Hypertension, or high blood pressure, is a leading cause of death in New York City (NYC) and nationally.⁷¹ The condition is a major risk factor for cardiovascular disease, and despite decades of research supporting how a reduction in blood pressure can lower the risk of stroke, heart attack, and heart failure, less than half (48%) of adults in the United States with hypertension have controlled blood pressure.⁷² Further, Black adults continue to be disproportionately affected by earlier onset and higher prevalence of hypertension, as well as the health conditions that hypertension can cause. Structural racism is a driver of health inequities as it has unfairly distributed factors that promote health or cause disease. For example, some communities have lower access to high quality health care, fewer opportunities for physical activity, less access to heart healthy foods, and more fast-food establishments, along with other challenges to good health.⁷³ Among all adults with hypertension in NYC, 34% (or 480,000 New Yorkers) were unaware that they had it.⁷⁴

According to DOHMH's Epi Data Brief No. 135, released in January 2023, hypertension awareness, treatment, and control has improved among Latino/a New Yorkers since 2010, whereas control may have worsened for other racial and ethnic groups.⁷⁵ These groups comprise diverse ethnicities, cultures, and histories, which all may influence health outcomes within these groups, but are masked when the groups are aggregated.⁷⁶ DOHMH states in the Epi Data Brief that "work is still needed" to reach New Yorkers who are not aware that they have hypertension, ensure appropriate prevention and treatment, and address the persistent health inequities caused by social determinants of health.⁷⁷ DOHMH efforts to achieve health equity around hypertension include "improving access to healthy food, making neighborhoods more conducive to exercise, and working with health system partners and community organizations in areas with a high prevalence of chronic disease and poverty."⁷⁸ This also includes technical assistance and support to improve meaningful patient engagement and health outcomes, and placing blood pressure monitoring kiosks at pharmacies and other sites so that members of the public can more easily manage their blood pressure.⁷⁹

It should be noted that according to some studies, public blood pressure measurement devices may be deemed "poor screening tools" for hypertension due to their questionable accuracy.⁸⁰ These studies primarily

⁶⁶ *Id.*

⁶⁷ NYC DEPARTMENT OF FIRE, *CPR*, (Accessed March 23, 2023). <https://www.nyc.gov/site/fdny/education/cpr/cpr.page>

⁶⁸ *Id.*

⁶⁹ *Id.*

⁷⁰ *Id.*

⁷¹ NYC DEPARTMENT OF HEALTH, Epi Data Brief, *Prevalence of Hypertension, Awareness, Treatment, and Control in New York City*, (January 2023). [databrief135.pdf](https://data.brief135.pdf) ([nyc.gov](https://www.nyc.gov))

⁷² *Id.*

⁷³ *Id.*

⁷⁴ *Id.*

⁷⁵ *Id.*

⁷⁶ *Id.*

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ *Id.*

⁸⁰ JOHN W. GRAVES, M.D., Mayo Clinic School of Medicine Rochester, Minnesota, *Blood Pressure Measurement in Public Places*, *American Family Physician*, (March 1st, 2005). <https://www.aafp.org/pubs/afp/issues/2005/0301/p851.html#:~:text=Although%20it%20is%20logical%20to%20think%20that%20public%20blood%20pressure%20monitoring%20devices%20increase%20self-measurement%20rates.>

focused on evaluating Vita-State devices, the most common blood pressure monitoring devices available in public places.⁸¹ In sum, although it is “logical to think that public blood pressure measurement devices would improve the detection and treatment of hypertension,” the accuracy of the measurements has not been conclusively established.⁸² However, studies have shown that public blood pressure monitoring devices do increase self-measurement rates.⁸³

III. LEGISLATIVE ANALYSIS

a. Int. No. 96-A

This bill would require DOHMH to establish a program to provide vision testing and eyeglasses to residents of the City whose annual gross household income is within 250 percent of the federal poverty level. The bill seeks to make vision testing and eyeglasses, which may otherwise be prohibitively expensive or inaccessible to persons without vision insurance, accessible to low-income populations.

Since its initial hearing, the bill was amended to allow for the Mayor to designate an agency with appropriate subject matter expertise to establish a program to make vision testing and eyeglasses available to income-eligible individuals. The bill was also amended to provide for a maximum allowable expenditure for vision testing and eyeglasses made available through the program.

b. Int. No. 325-A

Amid concerns that children in NYC are being transported to emergency rooms that are not properly equipped to treat them, this bill would require DOHMH to maintain a list of New York City hospitals with emergency rooms and pediatric trauma centers which includes information about their locations and available medical services. The list would be posted on DOHMH’s website and made available to the 311 customer service center. DOHMH would be required to provide the list to pediatricians practicing in the City. DOHMH would also be required to mail the list to each address designated for receipt of a child’s birth certificate, and provide the list to the Department of Education and child care programs for distribution at least annually to parents and guardians of children enrolled in child care programs and grade 3-K through grade 8.

Since its initial hearing, the bill was amended to specify that the required list include emergency rooms and pediatric trauma centers. The bill was amended to remove a requirement that DOHMH coordinate with hospitals to provide the list of facilities to parents of infants born in the city. Finally, the bill now no longer requires that pediatricians distribute the required list to patients, and instead requires that materials which emphasize the importance of educating parents and guardians regarding available options for pediatric emergency care be distributed to pediatricians.

c. Int. No. 814-A

This bill would require DOHMH to issue a report on the quantities and locations of AEDs placed in public places.

Since its initial hearing, the bill was amended to require that the report be submitted twice annually, and that the report include information specifying whether an AED is equipped with child-appropriate functionality.

d. Int. No. 975-A

This bill would require DOHMH to make available on its website information on free CPR courses available to the public in New York City, and to update such information at least once annually.

⁸¹ *Id.*

⁸² *Id.*

⁸³ *Id.*; Hamilton W, Round A, Goodchild R, Baker C. *Do community based self-reading sphygmomanometers improve detection of hypertension? A feasibility study.* *J Public Health Med.* 2003;25:125-30.

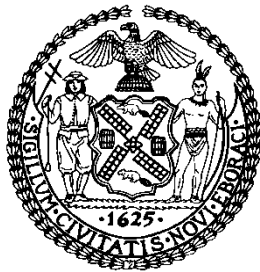
Since its initial hearing, the bill was amended to require that DOHMH post information on child and infant CPR courses, in addition to adult courses.

e. Int. No. 996-A

This bill would require DOHMH to post on its website the public places in New York City where blood pressure machines are located, and provide recommendations on locations for such machines in high-need areas. DOHMH would also be required to support making at-home blood pressure machines available at no cost to the public at federally qualified health centers in 5 high-need areas, and post the locations of such centers on its website.

Since its initial hearing, the bill was amended to limit the provision of at-home blood pressure machines in areas throughout the city to 5 high-need areas as determined by DOHMH, subject to appropriation.

(The following is the text of the Fiscal Impact Statement for Int. No. 96-A:)



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

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

RICHARD LEE, DIRECTOR

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 96-A

COMMITTEE: Committee on Health

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to providing vision testing and eyeglasses to low-income individuals.

SPONSOR(S): By Council Members Brannan, Hanif, Ung, Riley, Yeger, Stevens, Won, Restler, Bottcher, Sanchez, Velázquez, Barron, Brewer, Lee, Farías, Narcisse, Schulman, Hanks, and Avilés.

SUMMARY OF LEGISLATION: This bill would require the Department of Health and Mental Hygiene or another agency designated by the Mayor that has appropriate subject matter expertise to establish a program to provide vision testing and eyeglasses to residents of the City whose annual gross household income is within 250 percent of the federal poverty level.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues	TBD	TBD	TBD
Expenditures	TBD	TBD	TBD
Net	TBD	TBD	TBD

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

IMPACT ON EXPENDITURES: The cost to implement the pilot is undetermined due to several unknown quantities including IT infrastructure, provision of exams and eyeglasses, and outreach. In addition to the cost of incentive, the Administration believes there may be staffing and outfitting costs for clinicians, opticians, and program support staff and supervisors.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Office of Management and Budget

ESTIMATE PREPARED BY: Danielle Glants, Financial Analyst, NYC Council Finance Division

ESTIMATE REVIEWED BY: Crilhien Francisco, Assistant Director, NYC Council Finance Division
Jonathan Rosenberg, Managing Deputy Director, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on March 24, 2022 as Intro. 96 and referred to the Committee on Health (Committee). The legislation was considered by the Committee at a hearing held on March 30, 2023 and was subsequently amended to Proposed Intro. 96-A. The amended version, Proposed Intro. No. 96-A will be considered by the Committee on June 8, 2023. Upon successful vote by the Committee on Health, Proposed Intro. No. 96-A will be submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: May 22, 2023.

(For text of Int. Nos. 325-A, 814-A, 975-A, and 996-A. and their Fiscal Impact Statements, please see the Report of the Committee on Health for Int. Nos. 96-A, 325, 814-A, 975-A, and 996-A, respectively, printed in these Minutes; for text of Int. No. 96-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 96-A, 325-A, 814-A, 975-A, and 996-A.

Int. No. 96-A

By Council Members Brannan, Hanif, Ung, Riley, Yeger, Stevens, Won, Restler, Bottcher, Sanchez, Velázquez, Barron, Brewer, Lee, Farías, Narcisse, Schulman, Hanks, Avilés, Rivera and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to providing vision testing and eyeglasses to low-income individuals

Be it enacted by the Council as follows:

Section 1. Title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.21 to read as follows:

§ 17.199.21 Vision testing and eyeglasses. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Income-eligible individual. The term “income-eligible individual” means a resident of the city of New York aged 18 or older whose annual gross household income is not in excess of 250 percent of the federal poverty guidelines as updated periodically in the federal register by the United States department of health and human services pursuant to subsection (2) of section 9902 of title 42 of the United States code.

Vision testing. The term “vision testing” means an eye examination to determine any need for vision correction or for such other procedures as determined by the department.

b. Subject to appropriation, the department or another agency designated by the mayor that has appropriate subject matter expertise shall establish a program to make available to all income-eligible individuals:

1. Vision testing; and

2. If such vision testing indicates a need, eyeglasses, including lenses and frames.

c. The department or designated agency:

1. Shall determine the frequency with which such vision testing and eyeglasses are made available to income-eligible individuals, provided such vision testing and eyeglasses are made available to such individuals at least once every four years;

2. Shall determine the manner by which such testing and eyeglasses are made available, including, without limitation, provision by third parties paid by a voucher issued by the department or otherwise reimbursed by the department; and

3. May establish a maximum allowable expenditure for the vision testing and eyeglasses made available to each income-eligible individual pursuant to this section, provided that the determination of such maximum allowable expenditure shall be made in consideration of the costs of such vision testing or eyeglasses to individuals outside of the program established pursuant to this section.

d. The department or designated agency may enter into contracts or agreements with third parties to implement the provisions of this section.

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

LYNN C. SCHULMAN, *Chairperson*; KALMAN YEGER, OSWALD FELIZ, CHARLES BARRON, CRYSTAL HUDSON, JULIE MENIN, MERCEDES NARCISSE, MARJORIE VELÁZQUEZ, JOANN ARIOLA; 9-0-0; Committee on Health, June 8, 2023.

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

Report for Int. No. 325-A

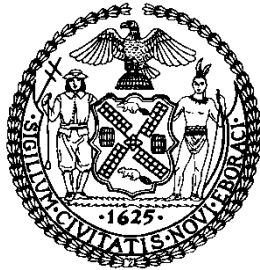
Report of the Committee on Health in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the provision of information about emergency rooms and pediatric trauma centers.

The Committee on Health, to which the annexed proposed amended local law was referred on May 5, 2022 (Minutes, page 902), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Health for Int. No. 96-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 325-A:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA S. EDWARDS, ESQ., CHIEF FINANCIAL
OFFICER, AND DEPUTY CHIEF OF STAFF TO THE
SPEAKER
RICHARD LEE, DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 325-A

COMMITTEE: Health

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the provision of information about emergency rooms and pediatric trauma centers.

SPONSOR(S): By Council Members Brannan, Brewer, Louis, Holden, Yeger, Avilés, Restler, Abreu, Narcisse, Sanchez, Velázquez, Barron, Lee and Borelli.

SUMMARY OF LEGISLATION: This bill would require the Department of Health and Mental Hygiene (DOHMH) to maintain a list of New York City (City) hospitals with emergency rooms and pediatric trauma centers which includes information about their locations and available medical services. The list would be posted on DOHMH's website and made available to the 311 customer service center. DOHMH would be required to provide the list to pediatricians practicing in the City. DOHMH would also be required to mail the list to each address designated for receipt of a child's birth certificate, and provide the list to the Department of Education and child care programs for distribution at least annually to parents and guardians of children enrolled in child care programs and grade 3-K through grade 8.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Office of Management and Budget

ESTIMATE PREPARED BY: Danielle Glants, Financial Analyst, NYC Council Finance Division

ESTIMATE REVIEWED BY: Crilhien R. Francisco, Assistant Director, NYC Council Finance Division
Jonathan Rosenberg, Managing Deputy Director, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on May 5, 2022 as Intro. 325 and referred to the Committee on Health (Committee). The legislation was considered by the Committee on March 30, 2023 and was subsequently amended to Intro. 325-A. The amended version, Intro. No. 325-A will be considered by the Committee on June 8, 2023. Upon successful vote by the Committee, Intro. No. 325-A will be submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 6, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 325-A:)

Int. No. 325-A

By Council Members Brannan, Brewer, Louis, Holden, Yeger, Avilés, Restler, Abreu, Narcisse, Sanchez, Velázquez, Barron, Lee, Rivera, Gennaro and Borelli.

A Local Law to amend the administrative code of the city of New York, in relation to the provision of information about emergency rooms and pediatric trauma centers

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-199.22 to read as follows:

§ 17-199.22 *Information regarding emergency rooms and pediatric trauma centers. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Child care program. The term “child care program” means a child care program as defined in section 47.01 of the New York city health code.

Student. The term “student” means any child who is enrolled in pre-kindergarten through grade 8 in a school of the city school district, any child who is enrolled in an early education center with which the department of education contracts to provide pre-kindergarten, and any child who is enrolled in a full-day early education program for 3-year-old children offered by the department of education.

b. The department shall make available on its website and to the 311 customer service center a list of hospitals located in the city that have emergency departments and pediatric trauma centers as designated by the state department of health. Such list shall be organized by location, as reported by the state department of health, and shall include information about medical services offered at each such location. In addition, the department shall:

1. Provide such list to pediatricians practicing in the city with materials indicating the importance of educating parents and guardians regarding available options for pediatric emergency care;

2. Within 3 months after the receipt of the report of any birth, provide such list to the address designated for receipt of the child’s certificate of registration of birth pursuant to section 17-168;

3. Provide such list to the department of education and each child care program to be distributed at least once a year to the parents and guardians of every student and every child enrolled in a child care program; and

4. Provide a link to such list on the Child Care Connect website maintained by the department.

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

LYNN C. SCHULMAN, *Chairperson*; KALMAN YEGER, OSWALD FELIZ, CHARLES BARRON, CRYSTAL HUDSON, JULIE MENIN, MERCEDES NARCISSE, MARJORIE VELÁZQUEZ, JOANN ARIOLA; 9-0-0; Committee on Health, June 8, 2023.

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

Report for Int. No. 814-A

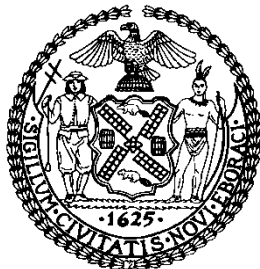
Report of the Committee on Health in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York in relation to requiring a report indicating the quantities and locations of automated external defibrillators placed in public places.

The Committee on Health, to which the annexed proposed amended local law was referred on November 3, 2022 (Minutes, page 2671), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Health for Int. No. 96-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 814-A:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA S. EDWARDS, ESQ., CHIEF FINANCIAL
OFFICER, AND DEPUTY CHIEF OF STAFF TO THE
SPEAKER
RICHARD LEE, DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 814-A

COMMITTEE: Health

TITLE: A Local Law to amend the administrative code of the city of New York in relation to requiring a report indicating the quantities and locations of automated external defibrillators placed in public places.

SPONSOR(S): By Council Members Krishnan, Schulman, Restler, Lee, Louis, Hanif, Joseph, Abreu, Velázquez, Barron, Hudson, Brewer and Avilés.

SUMMARY OF LEGISLATION: This bill would require the Department of Health and Mental Hygiene to issue a report every 6 months on the quantities and specific locations of automated external defibrillators (AEDs) placed in public places. The report would also specify whether an AED is equipped with pediatric-attenuated pads or otherwise equipped with child-appropriate functionality.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Office of Management and Budget

ESTIMATE PREPARED BY: Danielle Glants, Financial Analyst, NYC Council Finance Division

ESTIMATE REVIEWED BY: Crilhien R. Francisco, Assistant Director, NYC Council Finance Division
Jonathan Rosenberg, Managing Deputy Director, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on November 3, 2022 as Intro. 814 and referred to the Committee on Health (Committee). The legislation was considered by the Committee on March 30, 2023 and was subsequently amended to Intro. 814-A. The amended version, Intro. No. 814-A will be considered by the Committee on June 8, 2023. Upon successful vote by the Committee, Intro. No. 814-A will be submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 6, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 814-A:)

Int. No. 814-A

By Council Members Krishnan, Schulman, Restler, Lee, Louis, Hanif, Joseph, Abreu, Velázquez, Barron, Hudson, Brewer, Avilés, Rivera, Gennaro and Carr.

A Local Law to amend the administrative code of the city of New York in relation to requiring a report indicating the quantities and locations of automated external defibrillators placed in public places

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 17-188 of the administrative code of the city of New York, as added by local law number 20 for the year 2005, is amended to read as follows:

d. Reports. [The department shall conduct a comprehensive study and submit a report to the mayor and the council twelve months after the effective date of the local law that added this section. Such report shall include, but not be limited to, the quantities and locations of automated external defibrillators placed in public places pursuant to subdivision b of this section and the identification of any additional locations throughout the city of New York that warrant the placement of automated external defibrillators. Twenty-four months after the

effective date of the local law that added this section, and annually thereafter for the next succeeding three years] *No later than January 1, 2024, and every 6 months thereafter*, the department shall submit to the mayor and the speaker of the council and post on the department's website a report indicating the quantities and locations of automated external defibrillators placed in public places pursuant to subdivision b of this section. *Such report shall include:*

1. *Location data for each such device;*
2. *Location names;*
3. *Location addresses; and*
4. *Where practicable, specific information describing the placement of each such device at a location, such as the floor, room, or stairwell.*

Such report shall additionally specify whether each such automated external defibrillator is equipped with pediatric-attenuated pads or otherwise equipped with child-appropriate functionality. The department shall submit to the speaker of the council in a machine-readable format all raw data upon which the report required by this subdivision is based.

§ 2. This local law takes effect immediately.

LYNN C. SCHULMAN, *Chairperson*; KALMAN YEGER, OSWALD FELIZ, CHARLES BARRON, CRYSTAL HUDSON, JULIE MENIN, MERCEDES NARCISSE, MARJORIE VELÁZQUEZ, JOANN ARIOLA; 9-0-0; Committee on Health, June 8, 2023.

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

Report for Int. No. 975-A

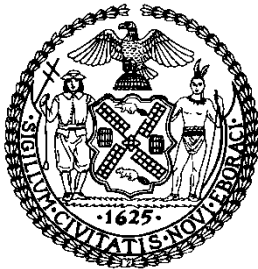
Report of the Committee on Health in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to information on free cardiopulmonary resuscitation courses available to the public.

The Committee on Health, to which the annexed proposed amended local law was referred on March 16, 2023 (Minutes, page 873), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Health for Int. No. 96-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 975-A:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA S. EDWARDS, ESQ., CHIEF FINANCIAL
OFFICER, AND DEPUTY CHIEF OF STAFF TO THE
SPEAKER
RICHARD LEE, DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 975-A

COMMITTEE: Health

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to information on free cardiopulmonary resuscitation courses available to the public.

SPONSOR(S): By Council Members Schulman, Louis, Velázquez, Yeger, Menin, Ung, Ayala, Abreu, Barron, Lee and Avilés.

SUMMARY OF LEGISLATION: This bill would require the Department of Health and Mental Hygiene (DOHMH) to make available on its website information on free adult, child, and infant cardiopulmonary resuscitation (CPR) courses available to the public in New York City, and to update such information at least annually.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Office of Management and Budget

ESTIMATE PREPARED BY: Danielle Glants, Financial Analyst, NYC Council Finance Division

ESTIMATE REVIEWED BY: Crilhien R. Francisco, Assistant Director, NYC Council Finance Division
Jonathan Rosenberg, Managing Deputy Director, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on March 16, 2023 as Intro. 975 and referred to the Committee on Health (Committee). The legislation was considered by the Committee on March 30, 2023 and was subsequently amended to Intro. 975-A. The amended version, Intro. No. 975-A will be considered by the Committee on June 8, 2023. Upon successful vote by the Committee, Intro. No. 675-A will be submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 6, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 975-A:)

Int. No. 975-A

By Council Members Schulman, Louis, Velázquez, Yeger, Menin, Ung, Ayala, Abreu, Barron, Lee, Avilés, Rivera and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to information on free cardiopulmonary resuscitation courses available to the public

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-188.1 to read as follows:

§ 17-188.1 Information on cardiopulmonary resuscitation courses available to the public. The department shall post in a conspicuous location on the department's website in English and in each of the designated citywide languages, as defined in section 23-1101, information on free adult, child, and infant cardiopulmonary resuscitation courses open to the public. Such information shall include the location, date, and time of such courses. The department shall perform outreach as necessary to identify courses that are open to the public and the location, date, and time of such courses. Such information shall be updated at least annually.

§ 2. This local law takes effect immediately.

LYNN C. SCHULMAN, *Chairperson*; KALMAN YEGER, OSWALD FELIZ, CHARLES BARRON, CRYSTAL HUDSON, JULIE MENIN, MERCEDES NARCISSE, MARJORIE VELÁZQUEZ, JOANN ARIOLA; 9-0-0; Committee on Health, June 8, 2023.

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

Report for Int. No. 996-A

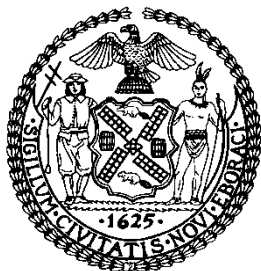
Report of the Committee on Health in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to access to blood pressure machines.

The Committee on Health, to which the annexed proposed amended local law was referred on April 11, 2023 (Minutes, page 986), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Health for Int. No. 96-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 996-A:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA S. EDWARDS, ESQ., CHIEF FINANCIAL
OFFICER, AND DEPUTY CHIEF OF STAFF TO THE
SPEAKER
RICHARD LEE, DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 996-A

COMMITTEE: Health

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to access to blood pressure machines.

SPONSOR(S): By Council Members Narcisse, Barron, Hudson and Avilés.

SUMMARY OF LEGISLATION: This bill would require the Department of Health and Mental Hygiene (DOHMH) to post on its website the public places in New York City where blood pressure machines are located, and provide recommendations on locations for such machines in high-need areas. DOHMH would also be required to support making at-home blood pressure machines available at no cost to the public at federally qualified health centers in 5 high-need areas, and post the locations of such centers on its website.

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

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2025

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: The legislation will include a cost for providing blood pressure machines. It is estimated that each machine could cost between \$30 to \$70 depending on the type of machine provided. The actual annual cost would be dependent on the demand and need.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Office of Management and Budget

ESTIMATE PREPARED BY: Danielle Glants, Financial Analyst, NYC Council Finance Division

ESTIMATE REVIEWED BY: Crilhien R. Francisco, Assistant Director, NYC Council Finance Division
Jonathan Rosenberg, Managing Deputy Director, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on March 30, 2023 as Intro. 996 and referred to the Committee on Health (Committee). The legislation was considered by the Committee on April 11, 2023 and was subsequently amended to Intro. 996-A. The amended version, Intro. No. 996-A will be considered by the Committee on June 8, 2023. Upon successful vote by the Committee, Intro. No. 996-A will be submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 6, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 996-A:)

Int. No. 996-A

By Council Members Narcisse, Barron, Hudson, Avilés, Rivera, Lee and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to access to blood pressure machines

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-188.2 to read as follows:

§ 17-188.2 *Blood pressure machines in public places. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Blood pressure machine. The term “blood pressure machine” means an automated machine that provides for self-administered testing and measurement of an individual’s blood pressure and expresses that measurement as 2 numbers indicating a systolic pressure over a diastolic pressure.

Public place. The term “public place” means a location accessible to the public, and includes, but is not limited to, a place of worship, a local business that requests a blood pressure machine, a pharmacy, a healthcare organization, a community center, a community-based organization, or a nonprofit organization.

High-need area. The term “high-need area” means an area of the city determined by the department to warrant the placement of a blood pressure machine based on relevant social determinants of health such as high rates of hypertension.

b. No later than January 1, 2024, the department shall post on the department’s website in plain language public places in the city where blood pressure machines are known or reported to be located, and instructions on the use and operations of such blood pressure machines. Such information shall be provided in the designated citywide languages, as defined in section 23-1101, and shall be updated at least annually. The department shall post a form on the department’s website for a public place to report the placement of a blood pressure machine.

c. No later than January 1, 2024, the department shall provide a report to the speaker of the council on the location of all blood pressure machines in public places and provide recommendations on locations in high-need areas in which blood pressure machines should be placed.

d. No later than January 1, 2024, and subject to appropriation, the department shall support making at-home blood pressure machines available at no cost to the public at federally qualified health centers in 5 high-need areas. The department shall post the locations of such federally qualified health centers on its website in plain language and in the designated citywide languages as defined in section 23-1101.

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

LYNN C. SCHULMAN, *Chairperson*; KALMAN YEGER, OSWALD FELIZ, CHARLES BARRON, CRYSTAL HUDSON, JULIE MENIN, MERCEDES NARCISSE, MARJORIE VELÁZQUEZ, JOANN ARIOLA; 9-0-0; Committee on Health, June 8, 2023.

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

Report of the Committee on Hospitals

Report for Int. No. 844-A

Report of the Committee on Hospitals in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to establishing an office of healthcare accountability.

The Committee on Hospitals, to which the annexed proposed amended local law was referred on December 7, 2023 (Minutes, page 2949), respectfully

REPORTS:

I. INTRODUCTION

On June 8, 2023, the Committee on Hospitals, chaired by Council Member Mercedes Narcisse, voted on Introduction Number (Int. No.) 844-A, sponsored by Council Member Menin, in relation to establishing an office of healthcare accountability, and on Resolution Number 0512-2023 (Res. No. 512), sponsored by Council Member Menin, calling on the New York State legislature to pass, and the Governor to sign, legislation to create an independent Commission to oversee hospital services pricing for the purpose of increasing access to hospital services, promoting financial stability for hospitals, and lowering healthcare costs for New Yorkers. On February 23, 2023, the Committee held a joint hearing with the Committee on Health, chaired by Council Member Lynn Schulman, to consider Int. No. 844 and Res. No. 512. At that hearing, the committees heard testimony from representatives from the Department of Health and Mental Hygiene (DOHMH), the Health and Hospitals Corporation (H+H), interested stakeholders, and other members of the public. On June 8, 2023, the Committee on Hospitals passed Int. 844-A and Res. No. 512 with seven votes in the affirmative, zero votes in the negative, and zero abstentions.

II. BACKGROUND

a. Federal Hospital Price and Health Plan Price Transparency Rules

i. *Hospital Price Transparency*

The Centers for Medicare and Medicaid Services (CMS) is part of the United States (U.S.) Department of Health and Human Services (HHS). CMS aids the public “as a trusted partner and steward, dedicated to advancing health equity, expanding coverage, and improving health outcomes.”¹ CMS issued a rule that went into effect on January 1, 2021, which requires both hospitals and insurers to make their negotiated prices public.² According to CMS, the Hospital Price Transparency Final Rule sets forth requirements for complying with § 2718(e) of the federal Public Health Service Act,³ which requires hospitals to make public their standard

¹ Centers for Medicare & Medicaid Services, <https://www.cms.gov/>.

² [Hospital Price Transparency | CMS](#)

³ The Public Health Service Act was enacted as part of the Affordable Care Act and updated Medicare payment policies to require that “each hospital operating within the United States, for each year, establish (and update) and make public (in accordance with guidelines developed by the Secretary), a list of hospital’s standard charges for items and services provided by hospitals.” <https://www.sihd.org/affordable-care-act-price-list-2718-e>. CMS provided guidance for implementation and stated that hospitals are required to make the list of their standard charges, or their policies for public access to the list, available upon inquiry. *Id.*

charges.⁴ CMS states that the public release of hospital standard charge information is “important to ensuring transparency in health care prices for consumers” while also helping to address some of the barriers that limit price transparency.⁵ CMS also notes that while the “rules we finalized are a required floor, they do not preclude hospitals from undertaking additional transparency efforts beyond making public their standard charges.”⁶

Under the final rule, hospitals must provide clear, accessible pricing information online about the items and services they provide.⁷ The regulations compel two disclosures: first, a hospital must make public a “machine-readable file” that contains the standard charges for all items and services.⁸ If different hospital locations operating under the same license have different standard charges, each location must make their charges public.⁹ Next, to help consumers estimate the cost of using the hospital,¹⁰ the hospital must provide a consumer friendly list of “shoppable services” written in plain language.¹¹ In this list, a hospital must disclose standard charges for as many of the 70 CMS-specified services the hospital provides, along with the hospital’s additional services, for a total of at least 300 shoppable services.¹² For this shoppable services list, the hospital retains discretion as to how best format the information.¹³

Both disclosures require an item or service’s description, payer-specific negotiated charges, de-identified minimum negotiated charges, de-identified maximum negotiated charges, and discounted cash price;¹⁴ the machine readable file must also contain gross charges.¹⁵ This information must be publicly available on the internet, prominently displayed, and easily accessible.¹⁶ The hospital must update these disclosures at least once per year and clearly state when it completed the update.¹⁷ Notably, CMS finalized an amendment that went into effect January 1, 2022, that prohibits certain activities that present barriers to access to the machine-readable file, specifically requiring that the machine-readable file be accessible to automated searches and direct downloads.¹⁸

ii. Health Plan Price Transparency

In addition to Hospital Price Transparency, as of July 1, 2022, most group health plans and issuers of group or individual health insurance must post pricing information for covered items and services – this information can be used by third parties, such as researchers and app developers, to help consumers better understand costs associated with their health care.¹⁹ The requirements are being rolled out in three stages: the first stage requires most group health plans and issuers of group or individual health insurance to provide machine-readable files with in-network rates (rates for all covered items and services between the plan or issuer and in-network providers) and allowed amounts for, and billed charges from, out-of-network providers.²⁰ The second stage, which went into effect on January 1, 2023, requires plans and issuers to provide an internet-based price comparison tool (also available by phone or in paper form on request) which allows individuals to receive estimates of their cost-sharing responsibility for a specific item or service from a specific provider or providers,

⁴ Centers for Medicare and Medicaid Services, *Hospital Price Transparency: Frequently Asked Questions*, <https://www.cms.gov/files/document/hospital-price-transparency-frequently-asked-questions.pdf>

⁵ *Id.*

⁶ *Id.*

⁷ *Supra* note 2.

⁸ 45 C.F.R. § 180.40(a).

⁹ *Id.* § 180.50(a)(2).

¹⁰ *Id.* § 180.60(a)(2)(ii).

¹¹ *Id.* §§ 180.50(b)(1); 180.40(b).

¹² *Id.* § 180.60(a)(1). “If a hospital does not provide 300 shoppable services, the hospital must make public the [standard charges] for as many shoppable services as it provides.” *Id.* 180.60(a)(1)(ii).

¹³ *Id.* § 180.60(c).

¹⁴ *Id.* §§ 180.50(b)(3)-(6); 180.60(b)(3)-(6).

¹⁵ *Id.* § 180.50(b)(2).

¹⁶ *Id.* §§ 180.50(d)(1)-(3); 180.60(d)(1)-(3). Accessing the information also cannot require a user to pay, make an account, enter a password, or enter personal identifying information. *Id.* § 180.60(d)(2)(i)-(iii).

¹⁷ *Id.* §§ 180.50(e); 180.60(e).

¹⁸ *Supra* note 4.

¹⁹ *Supra* note 2.

²⁰ [CMS | Healthplan Price Transparency](#).

for 500 items and services.²¹ In 2024, the last stage will go into effect, which requires an internet-based price comparison tool that allows individuals to receive an estimate of their cost-sharing responsibility for a specific item or service from a specific provider or providers, for all items and services.²²

iii. Compliance with the Federal Rules

Beginning January 1, 2021, CMS began auditing a sample of hospitals for compliance in addition to investigating complaints submitted online to CMS and reviewing analyses of noncompliance.²³ Hospitals that are noncompliant may be subject to civil monetary penalties.²⁴ Similarly, beginning July 1, 2022, CMS began enforcing the applicable price transparency requirements for health plans and issuers. For those subject to CMS's enforcement authority and do not comply, CMS may take several enforcement actions, including requiring corrective actions and/or imposing a civil money penalty up to \$100 per day, adjusted annually under 45 CFR part 102, for each violation and for each individual affected by the violation.²⁵

According to a September 2022 article in *Health Affairs*, the leading journal of health policy thought and research, hospitals have been slow to comply with the federal transparency rules.²⁶ Between July and September 2021, fewer than 6 percent of hospitals had disclosed prices as required, and hospitals with higher revenues and in highly consolidated markets were “found to be more likely to flout the law.”²⁷ And even when hospitals have complied with the rules, experts have found the data to be “consistently inconsistent” in terms of how data elements are defined and displayed, making it difficult for third parties to make connections across hospitals and payers.²⁸ As a result, CMS issued several pieces of technical guidance to insurers before the rules applicable to health plans went into effect – insurers that fail to comply with health plan transparency rules will face fines of around \$100 per violation, per day, per affected enrollee, which can quickly add up to larger fines than those faced by hospitals.²⁹ Initial reports suggest that most insurers have complied with the rule's technical requirements, but the data files posted are “largely inaccessible and indecipherable to anyone without access to a supercomputer.”³⁰

b. Federal and State Tax Reporting Requirements for Nonprofit Hospitals

Hospitals are granted property tax exemptions on grounds that they provide significant amounts of charitable care and community benefits while serving as a public good. To receive a federal tax exemption, the Internal Revenue Service (IRS) requires not-for-profit hospitals to report their community benefit activities on IRS Form 990, Schedule H.³¹

²¹ *Id.* By plan or policy years beginning on or after January 1, 2023, most group health plans and issuers of group or individual health insurance coverage are required to disclose personalized pricing information for all covered items and service to their participants, beneficiaries, and enrollees through an online consumer tool, by phone or in paper form upon request. *Id.* Cost estimates must be provided in real-time based on cost-sharing information that is accurate at the time of the request. *Id.*

²² *Id.*

²³ [2020-12-18-MLNC-SE | CMS](#)

²⁴ [2020-12-18-MLNC-SE | CMS](#). Effective January 2, 2022, the Civil Monetary Penalties (CMP) for hospital noncompliance increased the minimum CMP to \$300/day (for smaller hospitals with a bed count of 30 or fewer) and a penalty of \$10/bed/day for hospitals with a bed count greater than 30, not to exceed a maximum daily dollar amount of \$5,500. <https://www.cms.gov/files/document/hospital-price-transparency-frequently-asked-questions.pdf>. Under this approach, for a full calendar year of noncompliance, the minimum total penalty would be \$109,500 per hospital, and the maximum total penalty amount would be \$2,007,500 per hospital. This retains the current penalty amount for small hospitals, increases the penalty amount for larger hospitals, and affirms the Biden Administration's commitment to enforcement and public access to pricing information. *Id.*

²⁵ [CMS | Healthplan Price Transparency](#)

²⁶ Maanasa Kona, Sabrina Corlette, *Hospital and Insurer Price Transparency Rules Now in Effect but Compliance is Still Far Away* (*Health Affairs*, Sept. 12, 2022), <https://www.healthaffairs.org/content/forefront/hospital-and-insurer-price-transparency-rules-now-effect-but-compliance-still-far-away>.

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ I.R.S. Code § 501(r). According to the IRS, in the context of operating a tax-exempt hospital, it is not enough for a hospital to state that it operates exclusively to promote health – they must also demonstrate that it “operates to promote the health of a class of persons

At the state level, New York law exempts from taxation real property owned by nonprofit corporations that are “organized or conducted exclusively” for charitable or hospital purposes, and not for “private inurement.”³² Under § 420-a of the New York Real Property Tax Law, real property “owned by a corporation or association organized or conducted exclusively for . . . hospital . . . purpose . . . shall be exempt from taxation as provided in this section.”³³ To obtain an exemption, a nonprofit organization must complete the application provided by the NYC Department of Finance.³⁴ Further, New York Public Health Law requires nonprofit hospitals to develop publicly available annual reports that describe each hospital’s performance in meeting the healthcare needs of the community.³⁵

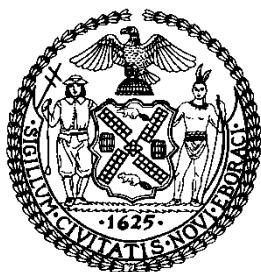
III. LEGISLATION

a. Analysis of Introduction No. 844-A

Int. 844-A would establish an Office of Healthcare Accountability. This office would provide recommendations relating to City healthcare and hospital costs, analyze expenditures on healthcare costs for city employees, provide information relating to the costs of hospital procedures on its website, convene stakeholders to examine healthcare costs, and collect and make available hospital financial documents. Finally, it would also be required to, where feasible, report on the factors external to hospitals such as the operating and profit margin of major insurance providers.

Since its initial hearing, the bill was amended to include additional powers and responsibilities for the office, including additional items to be reported on by the office.

(The following is the text of the Fiscal Impact Statement for Int. No. 844-A:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA S. EDWARDS, ESQ., CHIEF FINANCIAL
OFFICER, AND DEPUTY CHIEF OF STAFF TO THE
SPEAKER
RICHARD LEE, DIRECTOR
FISCAL IMPACT STATEMENT**

PROPOSED INTRO. NO: 844-A

COMMITTEE: Hospitals

TITLE: A Local Law to amend the New York city charter, in relation to establishing an office of healthcare accountability.

SPONSOR(S): By Council Members Menin, Schulman, Narcisse, Abreu, Brannan, De La Rosa, Stevens, Bottcher, Feliz, Ung, Williams, Sanchez, Krishnan, Dinowitz, Hanks, Velázquez, Louis, Hanif, Marte, Lee, Avilés, Ossé, Salamanca, Riley, Cabán, Joseph, Brewer, Gutiérrez, Brooks-Powers, Restler, Moya, Richardson Jordan, Hudson, Ayala, Nurse, Gennaro, Won, Farías,

that is broad enough to benefit the community,” also known as the “community benefit standard.” See <https://www.irs.gov/charities-non-profits/charitable-hospitals-general-requirements-for-tax-exemption-under-section-501c3>.

³² N.Y. Real Property Tax Law § 420-a. Under state law, hospitals are part of the “mandatory class” of tax exempt properties, meaning localities must exempt such property pursuant to the state law.

³³ N.Y. Real Property Tax Law § 420-a(1)(a).

³⁴ <https://www.nyc.gov/site/nfp/index.page>. On the application, organizations must disclose which portions of their property are used for exemptible purposes, and which portions have no exempt use and are not actively being contemplated for an exempt use, as well as those portions leased to a commercial, non-exempt organization. *Id.*

³⁵ N.Y. Pub. Health Law § 2803-I(3).

Powers, Rivera, Kagan and the Public Advocate (Mr. Williams) (by request of the Manhattan, Queens, Brooklyn and Bronx Borough Presidents).

SUMMARY OF LEGISLATION: This bill would establish an Office of Healthcare Accountability. This office would provide recommendations relating to City healthcare and hospital costs, analyze expenditures on healthcare costs for city employees, provide information relating to the costs of hospital procedures on its website, convene stakeholders to examine healthcare costs, and collect and make available hospital financial documents. The Office would also report on information relating to healthcare costs, such as, hospital, insurance, and pharmaceutical pricing.

EFFECTIVE DATE: 240 days after the bill becomes law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$604,100	\$1,500,000	\$1,500,000
Net	\$604,100	\$1,500,000	\$1,500,000

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

IMPACT ON EXPENDITURES: It is anticipated that this legislation would require the City to hire ten personnel to staff this newly created office. The fiscal impact of this legislation includes budgeting for personal services, other than personal services, and fringe benefits. The fiscal impact would be \$604,100 for a portion of Fiscal 2024 and \$1,500,000 for Fiscal 2025 and the following years.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Office of Management and Budget

ESTIMATE PREPARED BY: Alicia Miranda, Principal Budget Analyst, NYC Council Finance Division

ESTIMATE REVIEWED BY: Crilhien R. Francisco, Assistant Director, NYC Council Finance Division
Jonathan Rosenberg, Managing Deputy Director, NYC Council Finance Division

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on December 7, 2022 as Intro. 844 and referred to the Committee on Hospitals (Committee). The legislation was considered by the Committee on February 23, 2023 and was subsequently amended to Intro. 844-A. The amended version, Intro. No. 844-A will be considered by the Committee on June 8, 2023. Upon successful vote by the Committee, Intro. No. 844-A will be submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 6, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 844-A:)

Int. No. 844-A

By Council Members Menin, Schulman, Narcisse, Abreu, Brannan, De La Rosa, Stevens, Bottcher, Feliz, Ung, Williams, Sanchez, Krishnan, Dinowitz, Hanks, Velázquez, Louis, Hanif, Marte, Lee, Avilés, Ossé, Salamanca, Riley, Cabán, Joseph, Brewer, Gutiérrez, Brooks-Powers, Restler, Moya, Richardson Jordan, Hudson, Ayala, Nurse, Gennaro, Won, Farías, Powers, Rivera, Kagan and the Public Advocate (Mr. Williams) (by request of the Manhattan, Queens, Brooklyn and Bronx Borough Presidents).

A Local Law to amend the New York city charter, in relation to establishing an office of healthcare accountability

Be it enacted by the Council as follows:

Section 1. Chapter 1 of the New York city charter is amended by adding a new section 20-q to read as follows:

§ 20-q. *Office of healthcare accountability. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Director. The term “director” means the director of healthcare accountability.

Hospital. The term “hospital” has the same meaning as the term “general hospital,” as defined in subdivision 10 of section 2801 of the public health law.

Major insurance provider. The term “major insurance provider” means a health insurance company whose business accounts for a significant portion of hospital payments in the city, as determined by the office.

Office. The term “office” means the office of healthcare accountability, except where otherwise provided.

b. Establishment of office. The mayor shall establish an office of healthcare accountability. Such office may be established as a standalone office or within any office of the mayor or within any department. Such office shall be headed by a director of healthcare accountability, who shall be appointed by the mayor or, if the office is established within an agency other than the office of the mayor, by the head of such agency.

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

1. Provide recommendations to the mayor, council, comptroller, or trustees of the city pension systems regarding healthcare and hospital costs, including, but not limited to, the proportion of healthcare costs spent on hospital care. Such recommendations shall acknowledge and differentiate the needs of safety net hospitals and their reimbursements from Medicaid, and provide recommendations to the New York state commissioner of health to stabilize safety net hospitals;

2. Analyze city expenditures on healthcare costs for city employees, city retirees, and their dependents to the extent such information is publicly available;

3. Provide on the office’s website in a simplified and publicly accessible format, information on the publicly available price of common hospital procedures. Such information shall be based on any publicly available information relating to the price of hospital procedures, including disclosures required pursuant to state and federal law, and shall be formatted in a way to allow for price comparisons between hospitals for such common procedures;

4. Convene key stakeholders in healthcare, including, but not limited to, representatives of hospitals, healthcare providers, health plans, and self-insured entities, to examine the costs of healthcare services in the city; and

5. Collect and make available, upon request, each hospital’s United States internal revenue service form 990, Schedule H as required pursuant to section 501(r) of the internal revenue service code, audited financial statements as required pursuant to section 6033(b)(15)(b) of the internal revenue service code, and annual cost reports as required by centers for medicare and medicaid services.

d. Reporting. No later than 1 year after the effective date of the local law that added this section and by January 1 annually thereafter, the director shall submit to the mayor, the speaker of the council, and the attorney general of the state of New York, and shall post conspicuously on the office’s website, a report detailing the pricing practices of hospital systems in the city. Such report shall include, but not be limited to, the following:

1. A summary of any analyses conducted pursuant to paragraph 2 of subdivision c of this section, including the price of common hospital procedures paid for by the city disaggregated by hospital, utilizing a baseline price, such as Medicare;

2. To the extent publicly available, a summary of prices charged for common hospital procedures disaggregated by:

(a) Hospital;

(b) Type of procedure;

(c) To the extent publicly available, the average rate of reimbursement received by the hospital from each major insurance provider or other classification of payer for each common procedure, including reimbursements from Medicaid and Medicare and an analysis of whether such reimbursements meet the cost of caring for patients on such programs, and where practicable, negotiated price by payer and health plan, the cash price, and the Medicare price; and

(d) To the extent publicly available and where practicable, the average rate of denial by major insurance providers or payers of medically necessary care;

3. To the extent publicly available, a summary of each hospital's and each major insurance provider's or other payer's pricing transparency requirements pursuant to state and federal law;

4. To the extent publicly available, a breakdown of each major insurance provider's and other payer's profit margins, employee headcounts, overhead costs, and executive salaries and bonuses;

5. To the extent publicly available, a summary of each hospital's community benefit information as publicly reported on the United States internal revenue service's Form 990, Schedule H, as required pursuant to section 501(r) of the internal revenue code, and each hospital's publicly available implementation report regarding the hospital's performance in meeting the healthcare needs of the community, providing charity care services, including the number of public benefit beneficiaries and uninsured individuals treated by each hospital, and improving access to healthcare services by the underserved, as required pursuant to subdivision 3 of section 2803-l of the public health law; and

6. To the extent publicly available, a summary of the impact of pharmaceutical pricing, insurance premiums, and the cost of medical devices on the city's healthcare costs and individuals' out-of-pocket spending.

§ 2. This local law takes effect 240 days after it becomes law.

MERCEDES NARCISSE, Chairperson; FRANCISCO P. MOYA, CARLINA RIVERA, SELVENA N. BROOKS-POWERS, CHARLES BARRON, JENNIFER GUTIÉRREZ, RITA C. JOSEPH.; 7-0-0; Committee on Hospitals, June 8, 2023.

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

Report of the Committee on Sanitation and Solid Waste Management

Report for Int. No. 244-A

Report of the Committee on Sanitation and Solid Waste Management in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to residential curbside organics collection, and to repeal subdivision a of section 16-308 of such code, in relation to pilot programs for the diversion of organic waste.

The Committee on Sanitation and Solid Waste Management, to which the annexed proposed amended local law was referred on April 28, 2023 (Minutes, page 785), respectfully

REPORTS:

I. INTRODUCTION

On June 7, 2023, the Committee on Sanitation and Solid Waste Management (the “Committee”), chaired by Council Member Sandy Nurse, will hold a hearing and vote on Proposed Int. No. 244-A, in relation to residential curbside organics collection; Proposed Int. No. 274-A, in relation to establishing a goal of zero divertable waste for New York city by 2030; Proposed Int. No. 275-A, in relation to the goal of achieving zero waste by increasing waste diversion from landfill and incineration; Proposed Int. No. 280-A, in relation to community recycling centers and events; and Proposed Int. No. 281-B, in relation to organic waste drop off sites. The Committee previously heard these bills at a hearing on June 15, 2022, where it received testimony from representatives of the Department of Sanitation (“DSNY”), environmental advocates and interested members of the public. More information about this legislation can be accessed online at bit.ly/3MMUhv0.

II. LEGISLATION

Proposed Int. No. 244-A would require DSNY to establish a mandatory citywide curbside organics collection program for residential buildings, serving residential properties in at least 30 sanitation districts by October 2, 2023, expanding to all remaining sanitation districts by October 7, 2024. Organic waste would be required to be collected no less than once weekly, just as other designated recyclable materials are already so required.

In the next solid waste management plan prepared subsequent to the enactment of this local law, DSNY would be required to include a plan to maximize the usable composting of organic waste collected pursuant to this law.

The bill would also require DSNY to develop outreach and education materials informing residents about the program and instruct residents on properly source separating organic waste, and post such educational materials on their website. Additionally, DSNY would be required to report on total amount by weight of organic waste diverted during the previous year, disaggregated by sanitation district, as part of the department’s annual zero waste report.

Finally, separately from the residential collection program, the bill would allow the Commissioner to set by rule the fees for the disposal of yard waste and organic waste at department compost facilities.

This local law would take effect immediately.

Proposed Int. No. 274-A would require DSNY to establish a goal of diverting 100% of citywide-generated recyclable waste from landfills or incinerators by 2030. In the event that DSNY finds this goal unfeasible despite the best efforts of city government, the department must report its findings and make recommendations with respect to what policies, programs, or actions could help reach that goal, as part of the department's annual zero waste report. This local law would take effect immediately.

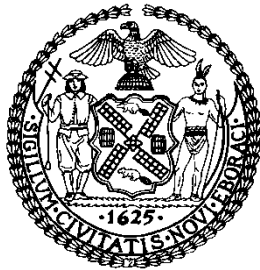
Proposed Int. No. 275-A would require DSNY to report on the City’s progress toward sending zero waste to landfill by 2030, as established in Proposed Int. No. 274-A. This would consolidate and replace an existing report, with the new annual zero waste plan and report including information pertaining to diversion targets, diversion rates for recyclable materials and organic waste, a description of how DSNY will increase diversion rates, an analysis of economic markets for materials, an analysis of processing and disposal capacities, a description of initiatives to reuse materials that would otherwise be disposed of, and recommendations on new or updated strategies or policies, among other requirements. This local law would take effect immediately.

Proposed Int. No. 280-A would require that DSNY ensure that at least two community recycling centers are established and operational in each borough. Each such center would be available for drop offs at least 24 hours per week, including weekends, and in accessible locations, in close proximity to public transportation and public housing, where practicable. The centers would accept inorganic materials that are not collected through regular curbside collection but that can be recycled or reused. Additionally, if practicable, at least one such center per borough would also accept hazardous materials that should not be disposed of curbside. An organic waste drop off site may be co-located within each such center. The bill also requires that DSNY host at least one community recycling event in each community district each year, and develop an outreach and education

program to inform residents about community recycling centers and community recycling events. An annual report on the centers and events would also be required to be included as part of DSNY's annual waste report. This local law would take effect immediately.

Proposed Int. No. 281-B would require DSNY to ensure at least 30 organic waste drop off sites are established and operational citywide, and ensure that each borough has at least three such sites. Each drop off site would be open for a minimum of 20 hours each week, except that sites operated by community partners would only be required to be open for a minimum of five hours per week and community partner sites may be operated on a seasonal basis. The organic waste drop off sites would be located in areas easily accessible for persons with disabilities and in close proximity to public transportation. The bill would also require DSNY to develop an education and outreach program informing residents about organic waste drop off sites and community scale composting facilities, and to make this information available in all designated citywide languages. DSNY would further be required to perform outreach to not-for-profit organizations to provide them with information on opportunities to work with DSNY to operate organic waste drop off sites. An annual report on the drop off sites would also be required to be included as part of DSNY's annual waste report. This local law would take effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No. 244-A:)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA S. EDWARDS, ESQ., CHIEF FINANCIAL
OFFICER, AND DEPUTY CHIEF OF STAFF TO THE
SPEAKER
RICHARD LEE, FINANCE DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 244-A

COMMITTEE: Sanitation and Solid Waste
Management

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to residential curbside organics collection, and to repeal subdivision a of section 16-308 of such code, in relation to pilot programs for the diversion of organic waste.

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

SUMMARY OF LEGISLATION: This bill would require the Department of Sanitation (DSNY) to establish a citywide curbside organics collection program for residential properties. The program must be in place in no less than 30 sanitation districts by October 2, 2023 and in all sanitation districts by October 7, 2024. The bill would also require that the Department of Sanitation develop outreach and education materials, and post such materials

on its website, to inform residents about the program and instruct residents on how to properly source separate organic waste.

EFFECTIVE DATE: This local law takes effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: It is estimated that there would be no fiscal impact on expenditures resulting from the enactment of this legislation, as DSNY would use existing resources to fulfill its requirement.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

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

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on April 28, 2022 as Intro. 244 and referred to the Committee on Sanitation and Solid Waste Management (Committee). A hearing was held by the Committee on June 15, 2022, and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. 244-A, will be considered by the Committee on June 7, 2023. Upon successful vote by the Committee, Proposed Intro. No. 244-A will be submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 2, 2023.

(For text of Int. Nos. 274-A, 275-A, 280-A, and 281-B and their Fiscal Impact Statements, please see the Report of the Committee on Sanitation and Solid Waste Management for Int. Nos. 274-A, 275-A, 280-A, and 281-B, respectively, printed in these Minutes; for text of Int. No. 244-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 244-A, 274-A, 275-A, 280-A, and 281-B.

(The following is the text of Int. No. 244-A:)

Int. No. 244-A

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

A Local Law to amend the administrative code of the city of New York, in relation to residential curbside organics collection, and to repeal subdivision a of section 16-308 of such code, in relation to pilot programs for the diversion of organic waste

Be it enacted by the Council as follows:

Section 1. Section 16-129.1 of the administrative code of the city of New York, as added by local law 93 for the year 1991, is amended to read as follows:

§ 16-129.1 Rate for the use of department compost facilities. The commissioner is authorized to collect [a fee of ten dollars per cubic yard] *fees* for the disposal of yard waste *and organic waste* at department compost facilities. *Such fees shall be set by rule promulgated by the commissioner.* For purposes of this section, the [term "yard waste" shall mean leaves, grass clippings, garden debris, vegetative residue that is recognizable as part of a plant or vegetable, small or chipped branches, and similar material, except that no material greater than eight inches in diameter and eight feet in length shall be considered yard waste;] *terms "yard waste" and "organic waste" have the same meanings as set forth in section 16-303 and the term "compost facilities" [shall mean] means* facilities operated by the department and used for the aerobic and thermophilic decomposition of organic constituents of solid waste to produce a stable, humus-like material.

§ 2. Subdivision b of section 16-305 of the administrative code of the city of New York, as added by local law number 40 for the year 2010, is amended to read as follows:

b. The commissioner shall adopt and implement rules designating at least six recyclable materials, including plastics to the extent required in subdivision c of this section and yard waste to the extent required in section 16-308 of this chapter *and organic waste to the extent required in section 16-308.1 of this chapter*, contained in department-managed solid waste and requiring households to source separate such designated materials.

§ 3. Subdivision c of section 16-305.1 of the administrative code of the city of New York, as amended by local law number 50 for the year 2003, is amended to read as follows:

c. For purposes of this section "designated recyclable materials" shall mean solid waste that has been designated by the commissioner as recyclable pursuant to section 16-305, [or] section 16-307, *or section 16-308.1 of this chapter.*

§ 4. Subdivision a of section 16-308 of the administrative code of the city of New York is REPEALED.

§ 5. Subdivisions b, d and f of section 16-308 of the administrative code of the city of New York, subdivision d as amended by local law number 37 for the year 2010 and relettered by local law number 77 for the year 2013, subdivisions b and f as amended and relettered by local law number 77 for the year 2013, are amended to read as follows:

b. [On and after July first, two thousand sixteen, the] *The* commissioner shall provide for the source separation, collection and composting of [department-managed] yard waste [generated within designated areas of the city in which a substantial amount of yard waste is generated from March first to July thirty-first and September first to November thirtieth of each year], unless the generator otherwise provides for recycling or storage for composting or mulching. In addition, the commissioner shall provide for the collection and composting of yard waste generated and source separated at residential properties owned or operated by the New York city housing authority. There shall be operated by or on behalf of the department one or more yard waste composting facilities through which the department shall compost yard waste collected by or delivered to the department pursuant to this section. In order to comply with this provision, the department may utilize the services of privately-owned or operated facilities. The department shall also work in consultation with the composting facility siting task force established by the two thousand and six solid waste management plan to

identify additional locations to site yard waste composting facilities with the goal of establishing at least one such composting facility in each borough where the department conducts yard waste composting collection.

d. [Within twenty-four months of the effective date of the local law that amended this section, no] *No* landfill, waste transfer station, intermodal facility, incinerator or resource recovery facility owned, operated or used by the department shall accept truckloads of department-managed waste primarily composed of yard waste for final disposal [from March 1 to July 31 and September 1 to November 30 of each year], except that composted yard waste may be used as part of the final vegetative cover for a department landfill.

f. Generators of yard waste, except those identified in subdivision g of this section, shall separate, tie, bundle, or place into [paper bags or unlined rigid containers] *bags or receptacles*, in accordance with rules promulgated by the commissioner, any yard waste set out for collection by the department pursuant to subdivision b of this section. The commissioner shall notify all residents in districts that receive yard waste collection by the department of such pre-collection procedures, and undertake any other action necessary to effectuate the purposes of this subdivision.

§ 6. Subchapter 2 of chapter 3 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-308.1 to read as follows:

§ 16-308.1 Curbside organics collection. a. Organics collection program. The department shall establish a mandatory citywide curbside organics collection program for the diversion of organic waste in accordance with this section. Such program shall be implemented by no later than:

1. October 2, 2023, for residential properties in no less than 30 sanitation districts, as determined by the commissioner by rule.

2. October 7, 2024, for residential properties in all remaining sanitation districts.

b. Implementation plan. No later than July 1, 2023, the department shall develop, submit to the mayor and speaker of the council, and post on the department's website a curbside organics collection implementation plan. Such plan shall include information related to, at minimum:

1. How the department will implement such program;

2. The education and outreach program required pursuant to subdivision e of this section; and

3. How the department will distribute necessary materials, including rodent-proof organics collection bins, at no cost to residential building owners, and a timeline for such distribution.

c. End use of collected organic waste. In the next solid waste management plan prepared pursuant to section 27-0107 of the environmental conservation law and presented to the council pursuant to section 16-140 following the effective date of the local law that added this subdivision, the department shall include a plan to maximize the usable composting of organic waste collected pursuant to this section. Such plan for the usable composting of organic waste shall describe the amount of organic waste collected and sent to composting facilities to be processed into usable compost pursuant to this section.

d. Reporting. The department shall report by weight the total amount of organic waste diverted pursuant to this section during the previous year, disaggregated by sanitation district. Such report shall be included as part of the department's annual zero waste report required pursuant to section 16-316.5 of this chapter.

e. Education and outreach. The department shall develop an outreach and education program to educate residents, building owners, and staff of residential buildings on the curbside organics collection program established pursuant to this section. Materials used for such outreach and education program shall be available in all designated citywide languages, as defined in section 23-1101, and any additional languages as determined by the department in consultation with local community organizations. No later than two months prior to the implementation of the curbside organics collection program for residential properties in a sanitation district pursuant to subdivision a of this section, the department shall distribute such materials to residents, building owners, and community based organizations in such district. Such materials shall also be made available on the department's website. Such materials shall include:

1. A detailed explanation of organic waste and the benefits of curbside organics collection;

2. Information on how the curbside organics collection program will be implemented and instructions for how to properly source separate organic waste; and

3. Any other information as determined by the commissioner.

f. Rules. The commissioner shall adopt and implement rules as necessary to effectuate this section. Such rules may include, but need not be limited to, the designation of organic waste as a recyclable material pursuant to subdivision b of section 16-305 of this chapter, procedures requiring the placement of organic waste at the

curbside, in specialized containers or in another manner determined by the commissioner pursuant to subdivision d of such section, and the implementation and enforcement of this section and such rules in buildings containing four or more dwelling units pursuant to subdivisions e, f, and g of section 16-305.

g. Penalty. A residential building owner who violates this section shall be liable for a civil penalty as set forth in section 16-324, except that prior to April 1, 2025, a residential building owner who violates this section shall be issued a written warning that a violation has been observed, provided that nothing in this subdivision shall preclude the department from enforcing any rules relating to yard waste separation promulgated pursuant to section 16-308 of this chapter.

§ 7. This local law takes effect immediately.

SANDY NURSE, *Chairperson*; JAMES F. GENNARO, ERIK D. BOTTCHER, AMANDA FARÍAS, JULIE MENIN, CHI A. OSSÉ, KRISTIN RICHARDSON JORDAN, MARJORIE VELÁZQUEZ; 8-1-0, *Absent*: Rafael Salamanca, Jr., *Negative*: Kalman Yeger; Committee on Sanitation and Solid Waste Management, June 7, 2023. *Other Council Members Attending: Council Member Hanif.*

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

Report for Int. No. 274-A

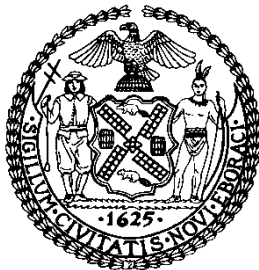
Report of the Committee on Sanitation and Solid Waste Management in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to establishing a goal of zero divertible waste for New York city by 2030.

The Committee on Sanitation and Solid Waste Management, to which the annexed proposed amended local law was referred on April 28, 2022 (Minutes, page 809), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Sanitation and Solid Waste Management for Int. No. 244-A printed above in these Minutes)

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



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA S. EDWARDS, ESQ., CHIEF FINANCIAL
OFFICER, AND DEPUTY CHIEF OF STAFF TO THE
SPEAKER
RICHARD LEE, FINANCE DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 274-A

COMMITTEE: Sanitation and Solid Waste Management

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to establishing a goal of zero divertible waste for New York city by 2030.

SPONSOR(S): By Council Members Nurse, Bottcher, Ossé, Menin, Gutiérrez, Hanif, Powers, Hudson, Brewer, Sanchez, Stevens, Yeger, Marte, Joseph, Ayala, Restler, Abreu, Krishnan, Avilés, Rivera, Moya, Williams, Richardson Jordan, Riley, Holden, De La Rosa, Cabán, Dinowitz, Won, Barron, Feliz, Louis, Narcisse, Brannan, Schulman, Velázquez, Farías, Gennaro, Salamanca, Brooks-Powers and Lee (in conjunction with the Brooklyn Borough President).

SUMMARY OF LEGISLATION: This bill would require the City of New York to establish a goal of diverting citywide-generated recyclable waste by 100 percent by calendar year 2030 from landfills or incinerators. The bill would also require reporting annually on the progress of meeting the goal, including recommendations to improve compliance with the goal.

EFFECTIVE DATE: This local law takes effect immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

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

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on April 28, 2022 as Intro. 274 and referred to the Committee on Sanitation and Solid Waste Management (Committee). A hearing was held by the Committee on June 15, 2022, and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. 274-A, will be considered by the Committee on June 7, 2023. Upon successful vote by the Committee, Proposed Intro. No. 274-A will be submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 2, 2023.

Accordingly, this Committee recommends its adoption, as amended.

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

Int. No. 274-A

By Council Members Nurse, Bottcher, Ossé, Menin, Gutiérrez, Hanif, Powers, Hudson, Brewer, Sanchez, Stevens, Yeger, Marte, Joseph, Ayala, Restler, Abreu, Krishnan, Avilés, Rivera, Moya, Williams, Richardson Jordan, Riley, Holden, De La Rosa, Cabán, Dinowitz, Won, Barron, Feliz, Louis, Narcisse, Brannan, Schulman, Velázquez, Farías, Gennaro, Salamanca, Brooks-Powers, Lee and Ung (in conjunction with the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to establishing a goal of zero divertible waste for New York city by 2030

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-144 to read as follows:

§ 16-144 Zero waste goal. *a. Definitions. For purposes of this section, the term “citywide-generated recyclable waste” means all recyclable materials, as defined in section 16-303, collected within the city by the department and by entities licensed to collect trade waste pursuant to title 16-A.*

b. Diversion of citywide-generated recyclable waste. The department shall establish a goal of diverting citywide-generated recyclable waste by 100 percent by calendar year 2030 from landfills or incinerators.

c. If the department determines that the citywide-generated recyclable waste diversion goal established pursuant to subdivision b of this section is not feasible despite the best efforts of city government, the department shall report such findings and make recommendations with respect to policies, programs, and actions that may be undertaken to achieve such diversion, as part of the department's annual zero waste report required pursuant to subdivision b of section 16-316.5.

§ 2. This local law takes effect immediately.

SANDY NURSE, *Chairperson*; KALMAN YEGER, JAMES F. GENNARO, ERIK D. BOTTCHEER, AMANDA FARÍAS, JULIE MENIN, CHI A. OSSÉ, KRISTIN RICHARDSON JORDAN, MARJORIE VELÁZQUEZ; 9-0-0, *Absent*: Rafael Salamanca, Jr.; Committee on Sanitation and Solid Waste Management, June 7, 2023. *Other Council Members Attending: Council Member Hanif.*

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

Report for Int. No. 275-A

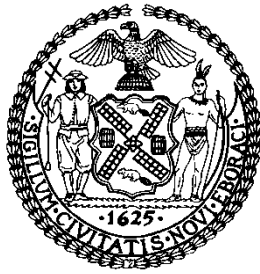
Report of the Committee on Sanitation and Solid Waste Management in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to the goal of achieving zero waste by increasing waste diversion from landfill or incineration, and to repeal subdivision k of section 16-305 of such code, in relation to an annual recycling report, and subdivision e of section 16-307.3 of such code, in relation to the inclusion of certain information in an annual recycling report.

The Committee on Sanitation and Solid Waste Management, to which the annexed proposed amended local law was referred on April 28, 2022 (Minutes, page 809), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Sanitation and Solid Waste Management for Int. No. 244-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 275-A:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA S. EDWARDS, ESQ., CHIEF FINANCIAL
OFFICER, AND DEPUTY CHIEF OF STAFF TO THE
SPEAKER
RICHARD LEE, FINANCE DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 275-A

COMMITTEE: Sanitation and Solid Waste
Management

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the goal of achieving zero waste by increasing waste diversion from landfill or incineration, and to repeal subdivision k of section 16-305 of such code, in relation to an annual recycling report, and subdivision e of section 16-307.3 of such code, in relation to the inclusion of certain information in an annual recycling report.

SPONSOR(S): By Council Members Nurse, Cabán, Bottcher, Menin, Gutiérrez, Hudson, Brewer, Sanchez, Stevens, Yeger, Hanif, Ayala, Powers, Restler, Abreu, Krishnan, Avilés, Rivera, Joseph, Ossé, Marte, Moya, Williams, Richardson Jordan, Riley, Holden, De La Rosa, Dinowitz, Won, Barron, Feliz, Louis, Narcisse, Brannan, Schulman, Velázquez, Farías, Gennaro, Salamanca, Brooks-Powers, Ung and Lee (by request of the Brooklyn Borough President).

SUMMARY OF LEGISLATION: This bill would require the Department of Sanitation to report on the City's progress toward sending zero waste to landfill by 2030, and on increasing waste diversion from landfill and incineration through waste reduction, reuse, and recycling. In addition, on or before October 1, 2024, and annually thereafter, the bill requires that the Department submit to the Mayor and the Speaker of the Council, and make publicly available online, a report on the City's progress toward the goal of achieving zero waste.

EFFECTIVE DATE: This local law takes effect immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

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

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

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

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on April 28, 2022 as Intro. 275 and referred to the Committee on Sanitation and Solid Waste Management (Committee). A hearing was held by the Committee on June 15, 2022, and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. 275-A, will be considered by the Committee on June 7, 2023. Upon successful vote by the Committee, Proposed Intro. No. 275-A will be submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 2, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 275-A:)

Int. No. 275-A

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

A Local Law to amend the administrative code of the city of New York, in relation to the goal of achieving zero waste by increasing waste diversion from landfill or incineration, and to repeal subdivision k of section 16-305 of such code, in relation to an annual recycling report, and subdivision e of section 16-307.3 of such code, in relation to the inclusion of certain information in an annual recycling report

Be it enacted by the Council as follows:

Section 1. Paragraph 3 of subdivision c of section 16-305 of the administrative code of the city of New York, as added by local law number 35 for the year 2010, is amended to read as follows:

3. If the commissioner determines that the cost to the city of recycling rigid plastic containers is not reasonable in comparison with the cost of recycling only metal, glass and plastic that have been designated as recyclable materials as of the effective date of the local law that added this subdivision, the commissioner shall annually reevaluate the cost to the city of designating such rigid plastic containers as recyclable materials, and

shall annually make a new determination as to whether the cost of designating such containers as recyclable materials is reasonable in comparison with the cost of recycling only metal, glass and plastic that have been designated as recyclable materials as of the effective date of the local law that added this subdivision and shall report such evaluations to the council as part of the department's annual [recycling] *zero waste* report required pursuant to [subdivision k of section 16-305 of this chapter] *subdivision b of section 16-316.5*. The department shall not promulgate rules designating rigid plastic containers as recyclable materials, and need not conduct outreach or education relating thereto if, pursuant to paragraph two of this subdivision, the commissioner determines that the cost to the city of recycling rigid plastic containers is not reasonable in comparison with the cost of recycling only metal, glass and plastic that have been designated as recyclable materials as of the effective date of the local law that added this subdivision.

§ 2. Subdivision k of section 16-305 of the administrative code of the city of New York is REPEALED.

§ 3. Subdivision c of section 16-307 of the administrative code of the city of New York, as added by local law number 36 for the year 2010, is amended to read as follows:

c. On or before July first, two thousand twelve and annually thereafter, every lead recycling or sustainability coordinator shall submit a report to the head of his or her respective agency and to the commissioner, summarizing actions taken to implement the waste prevention, reuse and recycling plan for the previous twelve-month reporting period, proposed actions to be taken to implement such plan, and updates or changes to any information included in such plan. The department shall consolidate the information contained in all reports prepared pursuant to this subdivision and include such information as part of the department's annual [recycling] *zero waste* report required pursuant to [subdivision k of section 16-305 of this chapter] *subdivision b of section 16-316.5*.

§ 4. Subdivision d of section 16-307.1 of the administrative code of the city of New York, as added by local law number 41 for the year 2010, is amended to read as follows:

d. [On or before January first, two thousand twelve, the] *The* chancellor shall submit a report to the commissioner *by January 1 of each year* regarding compliance with the requirements of this section [for the period of January first, two thousand eleven through June thirtieth, two thousand eleven, and shall submit an annual compliance report by January first of each year thereafter] for the preceding July [first] *1* through June [thirtieth] *30*. The department shall include the chancellor's report as part of the department's annual [recycling] *zero waste* report required pursuant to [subdivision k of section 16-305 of this chapter] *subdivision b of section 16-316.5*.

§ 5. Paragraph 2 of subdivision d of section 16-307.2 of the administrative code of the city of New York, as added by local law number 57 for the year 2021, is amended to read as follows:

2. The department shall consolidate the information contained in all reports prepared pursuant to this subdivision and include such information as part of the department's annual [recycling] *zero waste* report required pursuant to [subdivision k of section 16-305 of this chapter] *subdivision b of section 16-316.5*.

§ 6. Subdivision e of section 16-307.3 of the administrative code of the city of New York is REPEALED.

§ 7. Subdivision h of section 16-308 of the administrative code of the city of New York, as amended and redesignated by local law number 77 for the year 2013, is amended to read as follows:

h. Each permitted composting facility within the city, including those operated by city agencies, shall annually report to the commissioner the amount of yard waste and any other organic waste collected and disposed of by weight at such composting facility. All such reports shall be submitted prior to February first of each calendar year and shall contain the amount collected and disposed of for the previous calendar year. The department shall consolidate the information contained in all reports prepared pursuant to this subdivision and include such information as part of the department's annual [recycling] *zero waste* report required pursuant to [subdivision k of section 16-305 of this chapter] *subdivision b of section 16-316.5*.

§ 8. Subdivision d of section 16-310 of the administrative code of the city of New York, as added by local law number 38 for the year 2010, is amended to read as follows:

d. The department shall report the total number of public space recycling receptacles added during the relevant reporting year, and the locations in which they were placed. Such report shall be included as part of the department's annual [recycling] *zero waste* report required pursuant to [subdivision k of section 16-305 of this chapter] *subdivision b of section 16-316.5*.

§ 9. Subdivision c of section 16-310.1 of the administrative code of the city of New York, as added by local law number 38 for the year 2010, is amended to read as follows:

c. The department shall report by weight the amount of textiles collected in publicly accessible textile drop-off bins located on city property or property maintained by the city, through public textile reuse and recycling sites pursuant to subdivision a of this section and in publicly accessible textile drop-off bins maintained on private property. Such report shall be included as part of the department's annual [recycling] *zero waste* report required pursuant to [subdivision k of section 16-305 of this chapter] *subdivision b of section 16-316.5*.

§ 10. Subdivisions b and c of section 16-316.3 of the administrative code of the city of New York, as added by local law number 39 for the year 2010, are amended to read as follows:

b. The department shall report annually the total amount of household hazardous waste diverted by the program established pursuant to subdivision a of this section. Such report shall specify each category of material and the amount of such material collected at each collection event or site established pursuant to subdivision a of this section. Such report shall be included as part of the department's annual [recycling] *zero waste* report required pursuant to [subdivision k of section 16-305 of this chapter] *subdivision b of section 16-316.5*.

c. The commissioner shall study opportunities to establish additional household hazardous waste collection events and sites, as well as opportunities to provide for the collection of household hazardous waste at designated sites on a regular basis. The commissioner shall report on such opportunities to the mayor and the council within two years of the effective date of this section, and annually thereafter, and such report shall be included as part of the department's annual [recycling] *zero waste* report required pursuant to [subdivision k of section 16-305 of this chapter] *subdivision b of section 16-316.5*.

§ 11. Subchapter 3 of chapter 3 of title 16 of the administrative code of the city of New York is amended by adding a new section 16-316.5 to read as follows:

§ 16-316.5 *Zero waste plan and report. a. On or before January 1, 2024, the commissioner shall submit to the mayor, the speaker of the council, the district manager of each community board, and each citizens' solid waste advisory board as defined in section 16-317, and make publicly available online, a plan to achieve the goal of zero waste pursuant to section 16-144 and to increase waste diversion from landfill and incineration through waste reduction, reuse, and recycling.*

b. On or before October 1, 2024, and annually thereafter, the commissioner shall submit to the mayor, the speaker of the council, the district manager of each community board, and each citizens' solid waste advisory board as defined in section 16-317, and make publicly available online, a report on the city's progress toward the goal of achieving zero waste pursuant to section 16-144 and toward increasing waste diversion from landfill and incineration through waste reduction, reuse, and recycling.

c. The plan and reports required by this section shall include, but need not be limited to:

1. Annual waste disposal and diversion targets, disaggregated by waste stream, including any expected changes to diversion rates as a result of any new or discontinued programs, market conditions, or other factors, and the methodology used to arrive at such waste disposal and diversion targets;

2. Diversion rates for recyclable and organic material collected curbside by the department, disaggregated by material and community district, where feasible;

3. Diversion rates for recyclable and organic material that are not collected curbside, disaggregated by material;

4. A description of how the department will increase diversion rates, including but not limited to strategies to increase diversion for each material;

5. A description of education and outreach programs available to the public and strategies to improve such education and outreach programs;

6. A description of initiatives to increase diversion in residential buildings and buildings owned or operated by the New York city housing authority, in commercial establishments, and in the construction and demolition sector;

7. A list of materials that are not easily diverted from landfill or incineration, and strategies for eliminating such materials from the waste stream;

8. An analysis of the economic market for each recyclable material;

9. An analysis of current processing capacity for recyclable materials, disaggregated by material stream;

10. An analysis of disposal capacity and prices at disposal facilities used by the department and by designated carters as defined in section 16-1000;

11. A description of initiatives to increase diversion of materials disposed of in public litter baskets, public recycling bins, and public organics bins, including those located in parks and transit facilities;

12. A description of initiatives to increase the reuse of materials that would otherwise be disposed of; and
 13. Recommendations on new or updated strategies, policies, and programs to achieve the goal of zero waste established in section 16-144.

§ 12. This local law takes effect immediately.

SANDY NURSE, *Chairperson*; KALMAN YEGER, JAMES F. GENNARO, ERIK D. BOTTCHER, AMANDA FARÍAS, JULIE MENIN, CHI A. OSSÉ, KRISTIN RICHARDSON JORDAN, MARJORIE VELÁZQUEZ; 9-0-0, *Absent*: Rafael Salamanca, Jr.; Committee on Sanitation and Solid Waste Management, June 7, 2023. *Other Council Members Attending: Council Member Hanif.*

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

Report for Int. No. 280-A

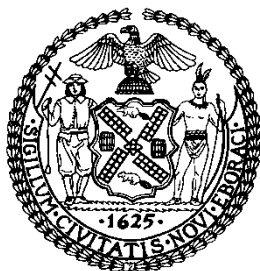
Report of the Committee on Sanitation and Solid Waste Management in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to community recycling centers and events.

The Committee on Sanitation and Solid Waste Management, to which the annexed proposed amended local law was referred on April 28, 2022 (Minutes, page 820), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Sanitation and Solid Waste Management for Int. No. 244-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 280-A:



THE COUNCIL OF THE CITY OF NEW YORK
 FINANCE DIVISION
 TANISHA S. EDWARDS, ESQ., CHIEF FINANCIAL
 OFFICER, AND DEPUTY CHIEF OF STAFF TO THE
 SPEAKER
 RICHARD LEE, FINANCE DIRECTOR
 FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 280-A

COMMITTEE: Sanitation and Solid Waste
 Management

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to community recycling centers and events.

SPONSOR(S): By Council Members Powers, Rivera, Brewer, Nurse, Hanif, Cabán, Bottcher, Hudson, Menin, Stevens, Joseph, Ayala, Restler, Abreu, Krishnan, Avilés, Ossé, Marte, Moya, Williams, Dinowitz, Richardson Jordan, Riley, Gutiérrez, De La Rosa, Barron, Won, Feliz, Louis, Narcisse, Brannan, Schulman, Ung, Velázquez, Lee, Farías, Kagan, Holden, Gennaro, Salamanca, Brooks-Powers, Sanchez and Hanks (by request of the Brooklyn Borough President).

SUMMARY OF LEGISLATION: This bill would mandate that the Department of Sanitation (DSNY) establish and operate at least two community recycling centers in each borough by December 31, 2024, as well as host at least one community recycling event in each community district each year, starting no later than September 30, 2023. The bill also requires that DSNY develop an outreach and education program to inform residents about community recycling centers and community recycling events.

EFFECTIVE DATE: This local law takes effect immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2025

FISCAL IMPACT STATEMENT:

	Effective FY23	FY Succeeding Effective FY24	Full Fiscal Impact FY25
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$600,000	\$2,600,000
Net	\$0	(\$600,000)	(\$2,600,000)

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

IMPACT ON EXPENDITURES: It is estimated that the cost of this legislation would be \$600,000 in Fiscal 2024, \$2.6 million in Fiscal 2025 and \$600,000 in each subsequent year thereafter. The \$600,000 a year cost is for the annual recycling events in each community district. \$2 million is the one-time cost to setup one additional recycling center in each borough. There is already one recycling center in each borough funded in the Fiscal 2022 Adopted Budget.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division

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

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on April 28, 2022 as Intro. 280 and referred to the Committee on Sanitation and Solid Waste Management (Committee). A hearing was held by the

Committee on June 15, 2022, and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. 280-A, will be considered by the Committee on June 7, 2023. Upon successful vote by the Committee, Proposed Intro. No. 280-A will be submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 2, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 280-A:)

Int. No. 280-A

By Council Members Powers, Rivera, Brewer, Nurse, Hanif, Cabán, Bottcher, Hudson, Menin, Stevens, Joseph, Ayala, Restler, Abreu, Krishnan, Avilés, Ossé, Marte, Moya, Williams, Dinowitz, Richardson Jordan, Riley, Gutiérrez, De La Rosa, Barron, Won, Feliz, Louis, Narcisse, Brannan, Schulman, Ung, Velázquez, Lee, Fariás, Kagan, Holden, Gennaro, Salamanca, Brooks-Powers, Sanchez and Hanks (by request of the Brooklyn Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to community recycling centers and events

Be it enacted by the Council as follows:

Section 1. Title 16 of the administrative code of the city of New York is amended by adding a new section 16-310.3 to read as follows:

§ 16-310.3 *Community recycling. a. Community recycling centers. No later than December 31, 2024, the department shall ensure that at least two community recycling centers are established and operational in each borough. Each such center shall be available for drop offs at least 24 hours per week, including weekends. Such centers shall be located in geographic areas that are easily accessible, including for persons with disabilities, and shall be in close proximity to public transportation and public housing developments, where practicable. Any organic waste drop off site provided for by local law may be co-located within such a center.*

b. Community recycling events. No later than September 30, 2023, and annually thereafter, the department shall host no less than one community recycling event in each community district. Each such event shall be located in a geographic area that is easily accessible, including for persons with disabilities, and in close proximity to public transportation and public housing developments, where practicable. Such events may be co-located with other sanitation services. Community recycling events required by this subdivision shall be in addition to any recycling event operated by an entity or organization other than the department, provided that any recycling event operated pursuant to a contract with the department shall be considered to be hosted by the department for purposes of this section.

c. Materials collected. Each community recycling center and community recycling event shall accept, to the extent practicable, inorganic material that is not collected through regular curbside collection but that can be recycled or reused. One community recycling center per borough shall also accept hazardous material, as practicable and as defined by the department, that should not be disposed of as curbside waste.

d. Community recycling center and event information. The department shall make available on the department's website, and distribute to each local community board, the following information about the community recycling centers and community recycling events required by this section:

- 1. Location, including street address and borough;*
- 2. Contact information;*
- 3. Hours of operation; and*
- 4. Services provided.*

e. Education and outreach. The department, in consultation with any agency identified by the mayor, shall develop an outreach and education program to inform residents about community recycling centers and

community recycling events, including their locations, contact information, hours of operation, and the services they provide.

f. Reporting. The department shall report annually on the operation of community recycling centers and community recycling events required pursuant to this section. Such report shall be included as part of the department's annual waste diversion report required pursuant to section 16-316.5. Such report shall include, but need not be limited to, the following information, disaggregated by community recycling center and community recycling event, where feasible:

1. The number of individuals utilizing such centers and events;
2. The material collected at each such center and event, disaggregated by material type;
3. The number of full-time and part-time staff persons working at each such center and event;
4. Where each type of material collected is sent; and
5. A description of the education programs offered to the public.

§ 2. This local law takes effect immediately.

SANDY NURSE, *Chairperson*; JAMES F. GENNARO, ERIK D. BOTTCHER, AMANDA FARÍAS, JULIE MENIN, CHI A. OSSÉ, KRISTIN RICHARDSON JORDAN, MARJORIE VELÁZQUEZ; 8-1-0, *Absent*: Rafael Salamanca, Jr., *Negative*: Kalman Yeger; Committee on Sanitation and Solid Waste Management, June 7, 2023. *Other Council Members Attending: Council Member Hanif.*

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

Report for Int. No. 281-B

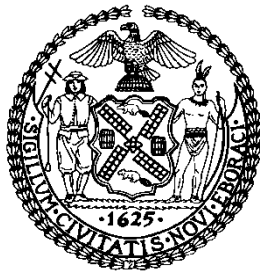
Report of the Committee on Sanitation and Solid Waste Management in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to organic waste drop off sites.

The Committee on Sanitation and Solid Waste Management, to which the annexed proposed amended local law was referred on April 28, 2022 (Minutes, page 821), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Sanitation and Solid Waste Management for Int. No. 244-A printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 281-B:



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA S. EDWARDS, ESQ., CHIEF FINANCIAL
OFFICER, AND DEPUTY CHIEF OF STAFF TO THE
SPEAKER
RICHARD LEE, FINANCE DIRECTOR
FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 281-B

COMMITTEE: Sanitation and Solid Waste
Management

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to organic waste drop off sites.

SPONSOR(S): By Council Members Powers, Nurse, Rivera, Brewer, Hanif, Cabán, Bottcher, Hudson, Menin, Stevens, Joseph, Ayala, Restler, Abreu, Krishnan, Avilés, Ossé, Marte, Moya, Williams, Dinowitz, Richardson Jordan, Riley, Gutiérrez, De La Rosa, Won, Barron, Feliz, Louis, Narcisse, Brannan, Schulman, Ung, Velázquez, Lee, Kagan, Holden, Gennaro, Salamanca, Brooks-Powers, Sanchez and Farías (by request of the Brooklyn Borough President).

SUMMARY OF LEGISLATION: This bill would mandate that the Department of Sanitation (DSNY) establish and operate no less than 30 organics waste drop off sites citywide by April 1, 2024 and ensure that at least 3 sites are established in each borough. In addition, the bill would also require the Department to report annually on the operation of organic waste drop off sites as part of the department's annual zero waste report as required by Intro. No. 275-A.

EFFECTIVE DATE: This local law takes effect immediately

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

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

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

IMPACT ON EXPENDITURES: It is estimated that there would be no impact on expenditures resulting from the enactment of this legislation as DSNY would use existing resources to fulfill its requirement.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

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

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on April 28, 2022 as Intro. 281 and referred to the Committee on Sanitation and Solid Waste Management (Committee). A hearing was held by the Committee on June 15, 2022, and the bill was laid over. The legislation was subsequently amended and the amended version, Proposed Intro. 281-B, will be considered by the Committee on June 7, 2023. Upon successful vote by the Committee, Proposed Intro. No. 281-B will be submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 2, 2023.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 281-B:)

Int. No. 281-B

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

A Local Law to amend the administrative code of the city of New York, in relation to organic waste drop off sites

Be it enacted by the Council as follows:

Section 1. Title 16 of the administrative code of the city of New York is amended by adding a new section 16-308.2 to read as follows:

§ 16-308.2 Organic waste drop off sites. a. Definitions. As used in this section, the following terms have the following meanings:

Community partner. The term “community partner” means a not-for-profit organization, community garden or other similar organization that operates or makes available to the public an organic waste drop off site.

Community scale composting facility. The term “community scale composting facility” means a physical location operated by a not-for-profit organization that engages in composting, through a registration or agreement with the department, but that is not of sufficient size so as to be required to obtain a permit for the operation of such facility from the New York state department of environmental conservation.

Organic waste drop off site. The term “organic waste drop off site” means a physical location for the collection of organic waste from members of the public.

b. Except as provided in subdivision c of this section, no later than April 1, 2024, the department, in consultation with community partners, shall ensure that no less than 30 organic waste drop off sites are established and operational throughout the city, provided that no less than three such sites are established in each borough. Each such site shall have a minimum of 20 hours available per week for individuals to drop off organic waste, except that organic waste drop off sites operated by community partners shall be open for a minimum of five hours per week, and each such organic waste drop off site shall be located in a geographic area that is easily accessible, including for persons with disabilities, and in close proximity to public transportation. Notwithstanding the foregoing, an organic waste drop off site operated by a community partner may be operated on a seasonal basis.

c. For the purposes of subdivision b of this section, an organic waste drop off site may be a community scale composting facility or a drop off site operated by the department, including co-location with a recycling center, as required pursuant to section 16-310.3.

d. No later than January 1, 2026, the department shall review the requirements of subdivision b of this section and submit to the mayor and the speaker of the council a recommendation as to whether such drop off sites should be continued.

e. Site information. The department shall post on its website information about each organic waste drop off site established pursuant to this section. Such information shall include each such site’s address, contact information, hours of operation and services provided. Where applicable, such information shall also be clearly posted in a publicly visible location at the entrance to each such site.

f. Education and outreach. The department, in consultation with any agency or office designated by the mayor, shall develop an education and outreach program to inform residents about the organic waste drop off

sites and community scale composting facilities established pursuant to this section. Such education and outreach shall include the information set forth in subdivision e of this section. Any educational or outreach materials developed pursuant to this section, as well as any other educational materials on recycling that the commissioner deems relevant, shall be available in all designated citywide languages, as defined in section 23-1101, and supplied to each organic waste drop off site. The department shall also perform outreach to community partners and other not-for-profit organizations to provide them with information on how the public can engage in opportunities to work with the department to open and operate organic waste drop off sites and community scale composting facilities.

g. Reporting. The department shall report annually on the operation of organic waste drop off sites. Such report shall be included as part of the department's annual zero waste report required pursuant to section 16-316.5. Such report shall include, at a minimum, the following information, disaggregated by organic waste drop off site where feasible:

- 1. The total amount of material collected at such site;*
- 2. The number of individuals who used such site during the reporting period;*
- 3. The number of full-time and part-time staff members working at such site, if any; and*
- 4. Where the organic waste collected at such site was processed following collection.*

§ 2. This local law takes effect immediately.

SANDY NURSE, *Chairperson*; JAMES F. GENNARO, ERIK D. BOTTCHER, AMANDA FARÍAS, JULIE MENIN, CHI A. OSSÉ, KRISTIN RICHARDSON JORDAN, MARJORIE VELÁZQUEZ; 8-1-0, *Absent*: Rafael Salamanca, Jr., *Negative*: Kalman Yeger; Committee on Sanitation and Solid Waste Management, June 7, 2023. *Other Council Members Attending: Council Member Hanif.*

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

Report of the Committee on State and Federal Legislation

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

Report for M-158

Report of the Committee on State and Federal Legislation in favor of approving a Communication from the Mayor requesting the New York State Legislature to pass bills introduced by Senator Parker, S.7387-B, and Assembly Member Zimmerman, A.7677, "AN ACT to amend the New York city charter, the education law, the general municipal law, the labor law, the public authorities law, and the New York city health and hospitals corporation act, in relation to providing for employment opportunities for economically disadvantaged candidates and economically disadvantaged region candidates and apprenticeship utilization on public transactions; and providing for the repeal of such provisions upon expiration thereof" (S.7387-B/A.7677).

The Committee on State and Federal Legislation, to which the annexed preconsidered Mayor's Message Home Rule item was referred on May 25, 2023, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective Mayor's Message Home Rule item should be recommended for adoption by the Council. By adopting this Home Rule item, the Council would be formally requesting that the New York State Legislature act favorably in this matter)

I. INTRODUCTION

On June 8, 2023, the Committee on State and Federal Legislation, chaired by Council Member Shaun Abreu, held a vote on M 158, a communication from the Mayor requesting the New York State Legislature to pass bills introduced by Senator Parker, S.7387-B, and Assembly Member Zinerman, A.7677, "AN ACT to amend the New York city charter, the education law, the general municipal law, the labor law, the public authorities law, and the New York city health and hospitals corporation act, in relation to providing for employment opportunities for economically disadvantaged candidates and economically disadvantaged region candidates and apprenticeship utilization on public transactions; and providing for the repeal of such provisions upon expiration thereof." The Mayor's Message passed with 5 votes in the affirmative, 0 votes in the negative, and no abstentions.

II. BACKGROUND

Despite decades of government policy to combat income inequality, considerable economic disparity persists in New York City, and it continues to worsen. The COVID-19 pandemic highlighted the plight of low-income New Yorkers, both at the individual and community levels—especially with regard to their ability to find work. Due in part to strict state procurement rules, city contractors have been unable to commit to hiring economically-disadvantaged candidates or persons from economically-disadvantaged regions, further exacerbating the financial situation of many city residents who are able and willing to work.

The bill would create a new office of Community Hiring and Workforce Development (CHWD) that would be authorized to improve the competitiveness of economically-disadvantaged candidates or persons from economically-disadvantaged regions in city contracting. This would be done by developing new contracting programs to permit agencies to set goals for city contractors to hire economically-disadvantaged candidates or persons from economically-disadvantaged regions, and to make best efforts to employ such persons on their projects.

III. PROPOSED LEGISLATION

Section one of the bill contains legislative findings.

Section two would establish an Office of Community Hiring and Workforce Development. CHWD would be authorized to implement a community hiring program by administrative rules that provide those entities entering transactions with the City and entities performing services under such transactions make best efforts to meet goals for hiring economically disadvantaged candidates and economically disadvantaged region candidates. To ensure adequate flexibility, provisions in this section would be subject to exceptions where best efforts were made or where it would be impractical to apply such goals. Section two would also authorize the CHWD Director to establish by rule a paper or electronic format for the submission of documents by employment referral sources and contractors and subcontractors performing or seeking to perform transactions subject to hiring goals.

Sections three, four, and six through eight would establish employment goals in accordance with the program established pursuant to section two. The Director of CHWD would not be authorized to take action on

behalf of these City affiliated entities; rather, each affiliated entities would be authorized to craft parallel sets of rules and take actions within statutory parameters.

Section five would permit a city with a population of one million or more inhabitants, a school district, a public benefit corporation operating within such a city to establish a requirement that, in performing work, the contractor and its subcontractors utilize a minimum ratio of apprentices to journey-level workers. This provision would not apply to construction contracts.

Section nine would clarify that this legislation would not invalidate any provision of a project labor agreement or otherwise affect the contractual rights of any party to such an agreement.

Section 10 contains a severability clause for this legislation.

Section 11 of the bill is the effective date.

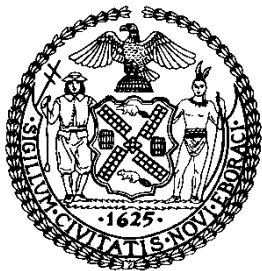
IV. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

V. EFFECTIVE DATE

This bill takes effect immediately.

(The following is the text of the Fiscal Impact Statement for Preconsidered M-158:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA EDWARDS, CFO AND DEPUTY CHIEF OF STAFF
TO THE SPEAKER
RICHARD LEE, FINANCE DIVISION DIRECTOR
FISCAL IMPACT STATEMENT**

PRECONSIDERED M-158: S.7387-B (Parker)
A.7677 (Zinerman)

COMMITTEE: State and Federal Legislation

TITLE: An act to provide for employment opportunities for economically disadvantaged candidates and economically disadvantaged region candidates and apprenticeship utilization on public transactions; and providing for the repeal of such provisions upon expiration thereof.

SPONSOR(S): Abreu.

SUMMARY OF LEGISLATION: The legislation would create a new office of Community Hiring and Workforce Development that would be authorized to improve the competitiveness of economically-disadvantaged candidates or persons from economically-disadvantaged regions in city contracting. This would be done by developing new contracting programs to permit agencies to set goals for city contractors to hire economically-

disadvantaged candidates or persons from economically-disadvantaged regions, and to make best efforts to employ such persons on their projects.

EFFECTIVE DATE: This bill would take effect 180 days after signed into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues as a result of this legislation.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation as the Department of Small Business Services could utilize existing resources already allocated in the budget to its Minority and Women-owned Business Enterprise (M/WBE) Program.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Glenn P. Martelloni, Financial Analyst

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

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on June 8, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 7, 2023.

(For text of the related State bills and the State Sponsor's Memorandum-in Support from each house ([S.7387-B](#); [A.7677](#)), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

SHAUN ABREU, *Chairperson*; JAMES F. GENNARO, CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 5-0-0; Committee on State and Federal Legislation, June 8, 2023.

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

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

Report for M-159

Report of the Committee on State and Federal Legislation in favor of approving a Communication from the Mayor requesting the New York State Legislature to pass bills introduced by Senator Sepúlveda, S.7386, and Assembly Member Braunstein, A.7667, “AN ACT to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 884 of the laws of 1975 and chapter 882 of the laws of 1977, relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York”.

The Committee on State and Federal Legislation, to which the annexed preconsidered Mayor’s Message Home Rule item was referred on June 8, 2023, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective Mayor’s Message Home Rule item should be recommended for adoption by the Council. By adopting this Home Rule item, the Council would be formally requesting that the New York State Legislature act favorably in this matter)

I. INTRODUCTION

On June 8, 2023, the Committee on State and Federal Legislation, chaired by Council Member Shaun Abreu, held a vote on M 159, a communication from the Mayor requesting the New York State Legislature to pass bills introduced by Senator Sepúlveda, S.7386, and Assembly Member Braunstein, A.7667, “AN ACT to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 884 of the laws of 1975 and chapter 882 of the laws of 1977, relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York.” The Mayor’s Message passed with 5 votes in the affirmative, 0 votes in the negative, and no abstentions.

II. BACKGROUND

This legislation would extend certain existing and key aspects of the City’s Personal Income, General Corporation, and Sales Tax codes.

Personal Income Tax

The City’s Personal Income Tax (“PIT”) includes a base tax with rates between 2.7 percent and 3.4 percent, as well as an additional tax surcharge (“surcharge”) of 14 percent. Combined, the City PIT imposes a tax rate ranging from 3.08 percent to 3.88 percent on the incomes of residents. Under the current tax law, the PIT base tax rate and the surcharge will expire by December 31, 2023. This bill would extend the current PIT base rate and the surcharge by an extra three years, allowing the City to continue to impose the existing rates through December 31, 2026.

General Corporation Tax

The City’s General Corporation Tax (“GCT”), paid by S Corporations that do business in the City, is calculated using four different tax bases—entire net income, net income plus compensation, capital and fixed minimum tax—and is imposed on whichever yields the highest amount. The current GCT rates attached to the four tax bases are 8.85 percent of entire net income, 8.85 percent of 15 percent of the total salaries and compensation paid, 0.15 percent of business and investment capital allocated to the City, and a fixed minimum

amount that ranges from \$25 to \$5,000. However, close to 94 percent of the tax is paid by businesses using the entire net income base. Under current tax law, the existing GCT rates will sunset by the end of 2023. If allowed to sunset, the GCT rates would fall to 6.7 percent of entire net income, 6.7 percent of 30 percent of net income plus salaries and compensation paid, 0.1 percent of business and investment capital and a fixed minimum tax of \$25. This bill would extend the current GCT rates through December 31, 2026.

Sales Tax on Credit Rating and Credit Reporting Services

Credit rating and credit reporting services are subject to the 4.5 percent New York City's sales tax. The tax on these services is scheduled to expire November 30, 2023. This bill would extend the current rates through November 30, 2026.

Sales Tax on Beauty and Barbering Services

New York City imposes a sale tax of 4.5 percent on the receipts from beauty, barbering, hair restoring, manicuring, pedicuring, electrolysis, massage and similar services and on every sale of services by weight control salons, health salons, gymnasiums, Turkish and Sauna baths and similar establishments. This bill would extend the current rates through November 30, 2026.

III. PROPOSED LEGISLATION

Section one and 10 of the bill amend section 1212-A(a)(3) of the Tax Law and section 11-2040(a) of the New York City Administrative Code ("Administrative Code"), relating to New York City's ("City") 4.5 percent sales tax on credit rating and credit reporting services. The tax is set to expire on November 30, 2023. The Tax Law amendment authorizes the City to impose the tax for an additional three years (until November 30, 2026). The Administrative Code amendment imposes the tax for an additional three years (until November 30, 2026).

Section two of the bill amends Tax Law section 1301(a)(1), relating to the tax on the personal income of residents of the City. The amendment of Tax Law section 1301(a)(1) authorizes the City to extend the existing rates of the PIT (the rates set forth in Tax Law section 1304(a)(1)(A), (a)(2)(A) and (a)(3)(A)) for an additional three years (for taxable years beginning before 2027) and delays the implementation of lower PIT rates (the rates set forth in Tax Law section 1304(b)) for three years (until taxable years beginning after 2027).

Section six of the bill makes a conforming change to the opening paragraph of Administrative Code section 11-1701, which relates to the tax on the personal income of residents of the City. The amendment extends the existing PIT rates (the rates set forth in section 11-1701(a)) for an additional three years (for taxable years beginning before 2027) and delays the implementation of lower PIT rates (the rates set forth in section 11-1701(b)) for three years (until taxable years beginning after 2026).

Sections three and seven of the bill amend Tax Law section 1304(b) and Administrative Code section 11-1701(b), relating to the tax on the personal income of residents of the City. They make conforming changes to the lower PIT rates, delaying their implementation for three years (until taxable years beginning after 2026).

Sections four and eight of the bill amend Tax Law section 1304-B(a) and Administrative Code section 111704.1(a)(1), relating to the additional tax on City taxable income. The Tax Law amendment authorizes the City to impose the additional tax for an additional three years at the rate of 14 percent (for taxable years beginning before 2027) and extends the authority of the City to reduce the additional tax for taxable years beginning before 2027. The Administrative Code amendment imposes the additional tax for an additional three years at the rate of 14 percent (for taxable years beginning before 2027).

Sections five, 12 and 13 of the bill amend section 11-604(1)(E) of the Administrative Code, Chapter 884 of the Laws of 1975 and Chapter 882 of the Laws of 1977, relating to the City GCT. The current tax rate is the

greater of 8.85 percent on income, 1.5 mills on business and investment capital, 8.85 percent of 15 percent of income plus the amount of salaries and other compensation paid to any person who at any time during the taxable year owned more than five percent of the taxpayer's capital stock or a minimum tax based on the amount of New York city receipts. There is also a 0.75 mill tax on subsidiary capital. (On January 1, 2024, the rates are scheduled to drop to 6.7 percent, one mill, 6.7 percent on 30 percent of income plus salaries and other compensation paid to any person who owned more than five percent of the taxpayer's capital stock, and \$25, respectively, and .5 mil on subsidiary capital.) The amendments will continue the current rates until December 31, 2026.

Section nine of the bill amends Administrative Code section 11-2002(a), relating to the 4.5 percent sales tax on beauty and barbering services and other services. The amendment imposes the tax for an additional three years (until November 30, 2026). (Tax Law section 1212-A(a)(2) authorizes the City to impose a sales tax on beauty and barbering services.)

Section 11 of the bill amends Chapter 877 of the laws of 1975, relating to the New York City cigarette tax. The current cigarette tax rate is 75 cents for each 10 cigarettes, but is set to decline to between two and four cents for each 10 cigarettes, depending on tar and nicotine content, as of January 1, 2024. The amendment extends the existing rate of tax for an additional three years (until December 31, 2026).

Section 14 of the bill is the effective date.

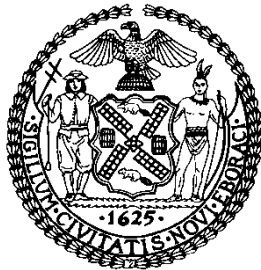
IV. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

V. EFFECTIVE DATE

This bill takes effect immediately.

(The following is the text of the Fiscal Impact Statement for Preconsidered M-159:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA EDWARDS, CFO AND DEPUTY CHIEF OF
STAFF TO THE SPEAKER
RICHARD LEE, FINANCE DIVISION DIRECTOR
FISCAL IMPACT STATEMENT**

PRECONSIDERED M-159: S.7386 (Sepulveda)
A.7667 (Braunstein)

COMMITTEE: State and Federal Legislation

TITLE: An act to provide for employment opportunities for economically disadvantaged candidates and economically disadvantaged region candidates and apprenticeship utilization on public transactions; and providing for the repeal of such provisions upon expiration thereof.

SPONSOR(S): Abreu.

SUMMARY OF LEGISLATION: This legislation would extend certain aspects of the city taxes, including:

- **Personal Income Tax**

The City's Personal Income Tax ("PIT") includes a base tax with rates between 2.7 percent and 3.4 percent, as well as an additional tax surcharge ("surcharge") of 14 percent. Combined, the City PIT imposes a tax rate ranging from 3.08 percent to 3.88 percent on the incomes of residents. Under the current tax law, a portion of the PIT base tax rate and the entire surcharge will expire by December 31, 2023. If allowed to sunset, the rates on the City PIT would drop to between 1.18 percent and 1.48 percent beginning in tax year 2024. This bill would extend the entire current PIT base rate and the surcharge by an extra three years, allowing the City to continue to impose the existing rates through December 31, 2026.

- **General Corporation Tax**

The City's General Corporation Tax ("GCT"), paid by S Corporations that do business in the City, is calculated using four different tax bases – entire net income, net income plus compensation, capital and fixed minimum tax – and is imposed on whichever yields the highest amount. The current GCT rates attached to the four tax bases are 8.85 percent of entire net income, 8.85 percent of 15 percent of the total salaries and compensation paid, 0.15 percent of business and investment capital allocated to the City, and a fixed minimum amount that ranges from \$25 to \$5,000. Under current tax law, all the existing GCT rates will sunset by the end of 2023. If allowed to sunset, the GCT rates would fall to 6.7 percent of entire net income, 6.7 percent of 30 percent of net income plus salaries and compensation paid, 0.1 percent of business and investment capital and a fixed minimum tax of \$25. This bill would extend the current GCT rates through December 31, 2026.

- **Sales Tax on Credit Rating and Credit Reporting Services**

Credit rating and credit reporting services are subject to the 4.5 percent New York City's sales tax. The tax on these services is scheduled to expire November 30, 2023. This bill would extend the current rates through November 30, 2026.

- **Sales tax on Beauty and Barbering Services**

New York City imposes a sale tax of 4.5 percent on the receipts from beauty, barbering, hair restoring, manicuring, pedicuring, electrolysis, massage and similar services and on every sale of services by weight control salons, health salons, gymnasiums, Turkish and Sauna baths and similar establishments. The tax on these services is scheduled to expire November 30, 2023. This bill would extend the current rates through November 30, 2026.

EFFECTIVE DATE: This bill would be effective immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2025

FISCAL IMPACT STATEMENT:

	Effective FY23	FY Succeeding Effective FY24	Full Fiscal Impact FY25
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: An extension of the tax rates is already assumed in the City's Financial Plan, which is why the fiscal impact is posted at zero. However, if the rates fail to be extended, the City will incur the following revenue losses:

- **Personal Income Tax:** This would reduce City PIT revenues by approximately \$5.4 billion in Fiscal 2024 and \$10 billion in Fiscal 2025.
- **General Corporation Tax:** This would reduce GCT revenues by approximately \$216 million in Fiscal 2024 and \$368 million in Fiscal 2025.
- **Sales Tax on Credit Rating and Credit Reporting Services:** This would reduce City Sales Tax revenue by approximately \$5.9 million in Fiscal 2024 and \$12.1 million in Fiscal 2024.
- **Sales Tax on Beauty and Barbering Services:** This would reduce City Sales Tax revenue by approximately \$43 million in Fiscal 2024 and \$85 million in Fiscal 2025.

IMPACT ON EXPENDITURES: N/A.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Department of Finance
New York State Department of Taxation and Finance

ESTIMATE PREPARED BY: William Kyeremateng, Lead Data and Analytics Engineer
Nashia Roman, Senior Economist
Paul Sturm, Supervising Economist

ESTIMATE REVIEWED BY: Emre Edev, Deputy Director
Kathleen Ahn, Finance Division Counsel
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on June 8, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 6, 2023

(For text of the related State bills and the State Sponsor's Memorandum-in Support from each house ([S.7386](#); [A.7667](#)), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

SHAUN ABREU, *Chairperson*; JAMES F. GENNARO, CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 5-0-0; Committee on State and Federal Legislation, June 8, 2023.

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

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

Report for M-160

Report of the Committee on State and Federal Legislation in favor of approving a Communication from the Mayor requesting the New York State Legislature to pass bills introduced by Senator Comrie, S.7526, and Assembly Member Bichotte Hermelyn, A.7673-A, “AN ACT to amend the New York city charter, the education law, the public housing law and the New York city health and hospitals corporation act, in relation to construction and mentoring programs; and providing for the repeal of certain provisions upon the expiration thereof”.

The Committee on State and Federal Legislation, to which the annexed preconsidered Mayor’s Message Home Rule item was referred on June 8, 2023, respectfully

REPORTS:

I. INTRODUCTION

On June 8, 2023, the Committee on State and Federal Legislation, chaired by Council Member Shaun Abreu, held a vote on M 160, a communication from the Mayor requesting the New York State Legislature to pass bills introduced by Senator Comrie, S.7526, and Assembly Member Bichotte Hermelyn, A.7673-A, “AN ACT to amend the New York city charter, the education law, the public housing law and the New York city health and hospitals corporation act, in relation to construction and mentoring programs; and providing for the repeal of certain provisions upon the expiration thereof.” The Mayor’s Message passed with 5 votes in the affirmative, 0 votes in the negative, and no abstentions.

II. BACKGROUND

In 2019, the State authorized the Department of Design and Construction (DDC) to operate a construction mentoring program for minority and women owned business enterprises (M/WBEs), with the first cohort of 50 firms bidding on contracts currently. The School Construction Authority, Metropolitan Transportation Agency, and DDC mentoring programs are proven successes. The proposed legislation would authorize New York City Department of Education, New York City Housing Authority, and Health and Hospitals Corp. to replicate these models to increase opportunities for small businesses.

III. PROPOSED LEGISLATION

Section one of this bill would amend the New York City Charter (Charter) by adding a new Charter § 1309. Proposed Charter § 1309 would allow New York City agencies to create two-tiered small business construction mentoring programs, tier one of which would be available for the first four years that a small business participates in the program, and tier two of which would be available to a small business for an additional four years, if such business has successfully completed tier one. An agency that has established a mentoring program pursuant to this proposed section (mentoring program agency) would be able to designate construction contracts with an estimated amount not greater than \$1.5 million for tier one and an estimated amount not greater than \$5 million for tier two, and restrict bidding for these contracts to mentee businesses that have been qualified to participate in each respective tier. For purposes of this section, "small business" is defined as a business that is independently owned and operated and has annual revenues that do not exceed \$5 million over a three-year average (or a lesser amount designated by the mentoring program agency). Each mentoring program agency would competitively select and contract with one or more experienced construction management (CM) firms to provide small businesses participating in a mentoring program with services and assistance, including technical assistance in

the performance of any contract awarded to any such small business through the program. Proposed Charter § 1309 would further authorize mentoring program agencies to establish the parameters of their respective mentoring programs, including criteria for the eligibility and selection of qualifying mentee businesses and mentor CM firms and standards for said businesses to compete for specific mentoring program contracts.

As noted above, mentoring program agencies would be authorized to designate contracts eligible for procurement through a mentoring program and determine when bids or proposals for such contracts would be restricted to mentee business. Mentoring program agencies would also be authorized to assist mentee businesses satisfy bonding requirements and insurance requirements.

Proposed Charter § 1309(7) would allow the Mayor to authorize any office of the Mayor or mayoral department head to promulgate rules establishing or modifying the parameters of a mentoring program established pursuant to proposed Charter § 1309, exercising many of the powers of a mentoring program agency authorized under such proposed section, or jointly managing the performance of a mentoring program contract with a mentoring program agency, with assistance from the relevant mentor CM firm.

Section 7 includes the effective date and sunset.

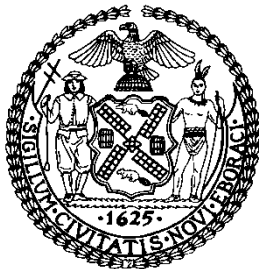
IV. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

V. EFFECTIVE DATE

This bill would take effect 120 days after being signed into law.

(The following is the text of the Fiscal Impact Statement for Preconsidered M-160:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA EDWARDS, CFO AND DEPUTY CHIEF OF
STAFF TO THE SPEAKER
RICHARD LEE, FINANCE DIVISION DIRECTOR
FISCAL IMPACT STATEMENT**

PRECONSIDERED M-160:

S.7526 (Comrie)
A.7673-A (Bichotte Hermelyn)

COMMITTEE: State and Federal Legislation

TITLE: An act to amend the New York city charter, the education law, the public housing law and the New York city health and hospitals corporation act, in relation to construction and mentoring programs; and providing for the repeal of certain provisions upon the expiration thereof.

SPONSOR(S): Abreu.

SUMMARY OF LEGISLATION: Relates to construction and mentoring programs; provides that an agency may establish a mentoring program for small businesses in construction trades; directs the New York city housing authority to establish and implement reasonable procedures to secure meaningful participation of minority and women owned enterprises and small businesses in its procurement process; provides the New York city health

and hospitals corporation to use the same measures to enhance mentoring opportunities for small businesses as are available to the city of New York.

EFFECTIVE DATE: This bill would take effect 120 days after signed into law.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues as a result of this legislation.

IMPACT ON EXPENDITURES: It is anticipated that there would be no impact on expenditures resulting from the enactment of this legislation as the Department of Small Business Services could utilize existing resources.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Glenn P. Martelloni, Financial Analyst

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

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on June 8, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 7, 2023.

(For text of the related State bills and the State Sponsor's Memorandum-in Support from each house ([S.7526](#); [A.7673-A](#)), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

SHAUN ABREU, *Chairperson*; JAMES F. GENNARO, CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 5-0-0; Committee on State and Federal Legislation, June 8, 2023.

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

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

Report for State Legislation Res. No. 15

Report of the Committee on State and Federal Legislation in favor of approving, a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.5678, and Assembly Member Pheffer Amato, A.7414, “AN ACT to amend the administrative code of the city of New York, in relation to health insurance coverage for surviving spouses or domestic partners of members of the New York city fire department”.

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on June 8, 2023, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)

I. INTRODUCTION

On June 8, 2023, the Committee on State and Federal Legislation, chaired by Council Member Shaun Abreu, held a vote on SLR 15, State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.5678, and Assembly Member Pheffer Amato, A.7414, “AN ACT to amend the administrative code of the city of New York, in relation to health insurance coverage for surviving spouses or domestic partners of members of the New York city fire department.” The State Legislative Resolution passed with 5 votes in the affirmative, 0 votes in the negative, and no abstentions.

II. BACKGROUND

Congress passed the Consolidated Omnibus Budget Reconciliation Act in 1985 allowing workers and their families to continue receiving healthcare benefits under qualifying circumstances, including job loss, reduction of hours, job transition, death, divorce, and others. Consolidated Omnibus Budget Reconciliation Act (COBRA) eligible individuals pay the entire premium for coverage up to 102 percent of the cost of the plan up for up to 36 months. In 2001, the City amended its Administrative Code to allow surviving spouses and domestic partners of deceased fire department (FDNY) and police department (NYPD) members to apply for COBRA coverage for life if the member passed away during retirement. The City again amended its Administrative Code in 2010 to extend the same privilege to Correction and Sanitation Members and their families. However, the 2001 and 2010 amendments to the Administrative Code resulted in nuanced inequities, with certain titles unable to receive the life-long COBRA coverage. This bill would extend lifetime COBRA coverage for surviving families of FDNY members, regardless of whether they passed away as an active or retired member.

III. PROPOSED LEGISLATION

Section one of this bill amends subparagraph (ii) of paragraph two of subdivision b of section 12-126 of the New York City Administrative Code to provide that the surviving spouse or domestic partner of both active and retired firefighters are entitled to continuing healthcare coverage after the death of the firefighter.

Section two of the bill sets the effective date.

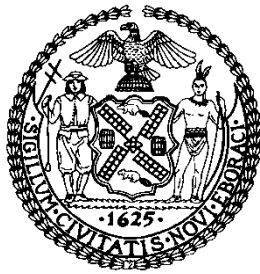
IV. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

V. EFFECTIVE DATE

This bill takes effect immediately.

(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 16:)



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

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

RICHARD LEE, FINANCE DIVISION DIRECTOR
FISCAL IMPACT STATEMENT

PRECONSIDERED SLR 15 S.5678 (Gounardes)
A.7414 (Pheffer Amato)

COMMITTEE: State and Federal Legislation

TITLE: An act to amend the administrative code of the city of New York, in relation to health insurance coverage for surviving spouses or domestic partners of members of the New York City Fire Department.

SPONSOR(S): Abreu.

SUMMARY OF LEGISLATION: Congress passed the Consolidated Omnibus Budget Reconciliation Act (COBRA) in 1985 allowing workers and their families to continue receiving healthcare benefits under qualifying circumstances like job loss, reduction of hours, job transition, death, divorce, and others. COBRA-eligible individuals pay the entire premium for coverage up to 102 percent of the cost of the plan up for up to 36 months.

In 2001, the City amended its Administrative Code to allow surviving spouses and domestic partners of deceased FDNY and NYPD members to apply for COBRA coverage for life if the member passed away during retirement. The City again amended its Administrative Code in 2010 to extend the same privilege to Correction and Sanitation Members and their families.

However, the 2001 and 2010 amendments to the Administrative Code resulted in nuanced inequities, with certain titles unable to receive the life-long COBRA coverage. This bill would extend lifetime COBRA coverage for surviving families of FDNY members, regardless of whether they passed away as an active or retired member.

EFFECTIVE DATE: This act would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

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

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues as a result of this legislation.

IMPACT ON EXPENDITURES: It is estimated that the passage of this legislation would not impact expenditures as surviving spouses and domestic partners would be responsible for paying COBRA premiums.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Andrew Wilber, Principal Economist

ESTIMATE REVIEWED BY: Emre Edev, Deputy Director
Kathleen Ahn, Finance Division Counsel
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on June 8, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 6, 2023.

(For text of the preconsidered SLR, please see the **Introduction and Reading of Bills** section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house ([S.5678](#); [A.7414](#)), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

SHAUN ABREU, *Chairperson*; JAMES F. GENNARO, CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 5-0-0; Committee on State and Federal Legislation, June 8, 2023.

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

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

Report for State Legislation Res. No. 16

Report of the Committee on State and Federal Legislation in favor of approving, a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.6877, and Assembly Member Pheffer Amato, A.7311, "AN ACT to amend the administrative code of the city of New York, in relation to dual retirement system membership in the New York city

teachers’ retirement system, the New York city employees’ retirement system, and the New York city board of education retirement system”.

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on June 8, 2023, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)

I. INTRODUCTION

On June 8, 2023, the Committee on State and Federal Legislation, chaired by Council Member Shaun Abreu, held a vote on SLR 16, State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.6877, and Assembly Member Pheffer Amato, A.7311, “AN ACT to amend the administrative code of the city of New York, in relation to dual retirement system membership in the New York city teachers’ retirement system, the New York city employees’ retirement system, and the New York city board of education retirement system.” The State Legislative Resolution passed with 5 votes in the affirmative, 0 votes in the negative, and no abstentions.

II. BACKGROUND

Currently, members in New York City Employees Retirement System (NYCERS), Teachers Retirement System (TRS), and Board of Education Retirement System (BERS) plans holding dual-employment status may not join another of these three systems if they already have an active membership in one of the other systems unless they terminate their employment status for which they established their initial retirement membership. This bill would allow members with dual-employment status to elect membership in another eligible plan without terminating employment. The bill would not alter the current transfer or reinstatement provisions for members, making the changes primarily administrative.

III. PROPOSED LEGISLATION

Section one of this bill adds a new section 13-638.7 to the New York City Administrative Code to allow members of the NYCERS, TRS, or BERS to suspend membership in such systems and join a second city system without having to quit the job that enabled membership in the first system and withdraw from such first system. Membership in the second system would then be retroactive to the earlier of the date that the member would have been mandated into the second system, but for the prohibited dual membership, or the date that the second system receives an application for membership. Members would still not be able to accrue service credit in both systems simultaneously.

Section two of the bill sets the effective date.

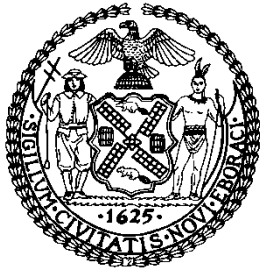
IV. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

V. EFFECTIVE DATE

This bill takes effect immediately.

(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 16:)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
 TANISHA EDWARDS, CFO AND DEPUTY CHIEF OF
 STAFF TO THE SPEAKER
 RICHARD LEE, FINANCE DIVISION DIRECTOR
FISCAL IMPACT STATEMENT

PRECONSIDERED SLR 16 S.6877 (Gounardes)
 A.7311 (Pheffer Amato)

COMMITTEE: State and Federal Legislation

TITLE: An act to amend the administrative code of the city of New York, in relation to dual retirement system membership in the New York City Teachers' Retirement System, the New York City Employees' Retirement System, and the New York City Board of Education Retirement System.

SPONSOR(S): Abreu

SUMMARY OF LEGISLATION: Currently, members in a NYCERS, TRS, or BERS plan holding dual-employment status may not join another of these three systems if they already have an active membership in one of the other systems without first terminating their employment status for which they established their initial retirement membership.

This bill would allow members with dual-employment status to elect membership in another eligible plan without terminating employment. The bill would not alter the current transfer or reinstatement provisions for members, making the changes primarily administrative.

EFFECTIVE DATE: This act would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

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

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues as a result of this legislation.

IMPACT ON EXPENDITURES: Due to the small population that would be impacted by passing this bill, the Actuary estimates that the cost would be de minimis.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division
Fiscal Note 2023-43, Chief Actuary New York City Employees' Retirement System, New York City Teachers' Retirement System, and Board of Education Retirement System of the City of New York

ESTIMATE PREPARED BY: Andrew Wilber, Principal Economist

ESTIMATE REVIEWED BY: Emre Edev, Deputy Director
Kathleen Ahn, Finance Division Counsel
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on June 8, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 6, 2023.

(For text of the preconsidered SLR, please see the **Introduction and Reading of Bills** section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house ([S.6877](#); [A.7311](#)), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

SHAUN ABREU, *Chairperson*; JAMES F. GENNARO, CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 5-0-0; Committee on State and Federal Legislation, June 8, 2023.

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

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

Report for State Legislation Res. No. 17

Report of the Committee on State and Federal Legislation in favor of approving, a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.7509, and Assembly Member Pheffer Amato, A.7668, "AN ACT to amend the retirement and social security law, in relation to updating certain death benefit provisions of the New York city employees' retirement system, the New York city teachers' retirement system, and the board of education retirement system of New York city to ensure continued compliance with the federal older workers' benefit protection act".

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on June 8, 2023, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation

Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)

I. INTRODUCTION

On June 8, 2023, the Committee on State and Federal Legislation, chaired by Council Member Shaun Abreu, held a vote on SLR 17, State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.7509, and Assembly Member Pheffer Amato, A.7668, “AN ACT to amend the retirement and social security law, in relation to updating certain death benefit provisions of the New York city employees’ retirement system, the New York city teachers’ retirement system, and the board of education retirement system of New York city to ensure continued compliance with the federal older workers’ benefit protection act.” The State Legislative Resolution passed with 5 votes in the affirmative, 0 votes in the negative, and no abstentions.

II. BACKGROUND

Currently, Tier 2, 3, and 4/6 Members in the New York City Employees’ Retirement System (NYCERS), Teachers’ Retirement System (TRS), and Board of Education Retirement System (BERS) plans are entitled to a Pre-Retirement Ordinary Death Benefit (PreODB). The PreODB equals a member’s current pay multiplied by the number of service years, reduced by a scheduled percentage corresponding to a members’ age at the time of death. The reduction currently equals zero percent for age 60 and younger, and increases by five percent for each year after 60, with a maximum rate of 50 percent at age 70 and older. Additionally, these members are entitled to a Post-Retirement Ordinary Death Benefit (PoODB) equal to 10 percent of the PreODB that would have been payable had the member passed away on the earlier of the day before retirement or age 60. This bill would alter the PreODB and PoODB in order to ensure compliance with the Federal Older Workers’ Benefit Protection Act (OWBPA) so that the actuarial cost to provide both benefits to older workers do not fall below the cost to provide the benefits to younger workers. First, it would alter the PreODB reduction percentage, which would remain zero percent for age 60 and younger, and three percent for every year after 60, with a maximum reduction of 30 percent. Second, the bill would alter the PoODB to equal the greater of the benefit payable under the current 10 percent provision, or the benefit payable had the member passed away the day before retirement.

III. PROPOSED LEGISLATION

This bill would amend certain death benefit provisions to ensure continued compliance with the requirements of the OWBPA, Public Law 101-433. In general, with respect to NYCERS, TRS, and BERS, the bill would amend the tier two, three, and 4/6 pre-retirement and post-retirement ordinary death benefit provisions set forth in Retirement and Social Security Law (RSSL) Articles 11, 14 and 15, respectively, to ensure that, on an actuarial basis, the costs of providing such benefits to older members are no less than the costs of providing such benefits to younger members.

Section four of this bill is the effective date.

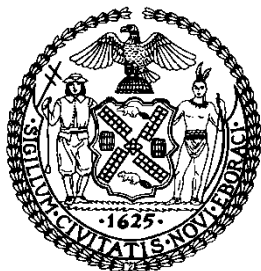
IV. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

V. EFFECTIVE DATE

This bill would be effective immediately.

(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 17:)



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

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

RICHARD LEE, FINANCE DIVISION DIRECTOR

FISCAL IMPACT STATEMENT

PRECONSIDERED SLR 17 S.7509 (Jackson)
A.7668 (Pheffer Amato)

COMMITTEE: State and Federal Legislation

TITLE: An act to amend the retirement and social security law, in relation to updating certain death benefit provisions of the New York City Employees' Retirement System, the New York City Teachers' Retirement System, and the Board of Education Retirement. System of New York City to ensure continued compliance with the federal older workers' benefit protection act.

SPONSOR(S): Abreu.

SUMMARY OF LEGISLATION: This bill would ensure City compliance with the Federal Older Workers' Benefit Protection Act (OWBPA).

Currently, Tier 2, 3, and 4/6 Members in plans offered by the NYC Employees' Retirement System, NYC Teachers' Retirement System, and the Board of Education Retirement System are entitled to a Pre-Retirement Ordinary Death Benefit (PreODB) and a Post-Retirement Ordinary Death Benefit (PoODB). The PreODB equals a member's current pay multiplied by the number of service years, reduced by a scheduled percentage corresponding to a members' age at the time of death. The reduction currently equals 0 percent for age 60 and younger, and increases by 5 percent for each year after 60, with a maximum rate of 50 percent at age 70 and older. The PoODB equals to 10 percent of the PreODB that would have been payable had the member passed away on the earlier of the day before retirement or age 60.

This bill would alter the PreODB and PoODB in order to ensure compliance with the OWBPA so that the actuarial cost to provide both benefits to older workers do not fall below the cost to provide the benefits to younger workers. First, it would alter the PreODB reduction percentage, which would remain 0 percent for age 60 and younger, and 3 percent for every year after 60, with a maximum reduction of 30 percent. Second, the bill would alter the PoODB to equal the greater of the benefit payable under the current 10 percent provision, or the benefit payable had the member passed away the day before retirement.

EFFECTIVE DATE: This bill would be effective immediately and be deemed to have been in force since July 1, 2021.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

	Effective FY23	FY Succeeding Effective FY24	Full Fiscal Impact FY230
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$27,200,000	\$28,500,000
Net	\$0	\$27,200,000	\$28,500,000

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues as a result of this legislation.

IMPACT ON EXPENDITURES: Additional City pension contributions associated with passing this bill were already accounted for in the June 30, 2020 actuarial valuations used to determine the Fiscal 2022 City contributions. Updating the PreODB and PoODB resulted in an increase in the Present Value of Future Benefits of \$223.7 million, which required the initial increase in Employer Contributions of \$40 million in Fiscal 2022. The \$40 million consists of a level-dollar payment of \$32.6 million and a \$7.4 million payment to cover the increase in the normal cost to fund the pension system. The level-dollar payments will continue for the next 7 to 8 years depending on the pension fund, while the increase in the normal cost will continue in all years, and will scale up each year with member salaries. The City paid 67 percent of the increased contributions in Fiscal 2022, and the Actuary assumes this ratio to remain constant in future years. The continuation of the level-dollar payments, coupled with the scaling normal cost payments, would require an additional \$27.2 million in City contributions in Fiscal 2024, growing to \$28.5 million in Fiscal 2030.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division
Fiscal Note 2023-55, Chief Actuary New York City Employees' Retirement System, New York City Teachers' Retirement System, and Board of Education Retirement System of the City of New York

ESTIMATE PREPARED BY: Andrew Wilber, Principal Economist

ESTIMATE REVIEWED BY: Emre Edev, Deputy Director
Kathleen Ahn, Finance Division Counsel
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on June 8, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 6, 2023.

(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house ([S.7509](#); [A.7668](#)), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

SHAUN ABREU, *Chairperson*; JAMES F. GENNARO, CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 5-0-0; Committee on State and Federal Legislation, June 8, 2023.

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

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

Report for State Legislation Res. No. 18

Report of the Committee on State and Federal Legislation in favor of approving, a State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.7289-A, and Assembly Member Pheffer Amato, A.7679, “AN ACT to amend the general municipal law, in relation to including thyroid cancer in the list of cancers presumed to be incurred in the performance of duty for purposes of disability retirement”.

The Committee on State and Federal Legislation, to which the annexed preconsidered State and Federal Legislation was referred on June 8, 2023, respectfully

REPORTS:

(The following report refers to pending State legislation which requires a Home Rule Message for passage in the State Senate and State Assembly. This Committee is to decide whether this respective State Legislation Resolution [SLR] should be recommended for adoption by the Council. By adopting this SLR, the Council would be formally requesting that the New York State Legislature act favorably in this matter)

I. INTRODUCTION

On June 8, 2023, the Committee on State and Federal Legislation, chaired by Council Member Shaun Abreu, held a vote on SLR 18, State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.7289-A, and Assembly Member Pheffer Amato, A.7679, “AN ACT to amend the general municipal law, in relation to including thyroid cancer in the list of cancers presumed to be incurred in the performance of duty for purposes of disability retirement.” The State Legislative Resolution passed with 5 votes in the affirmative, 0 votes in the negative, and no abstentions.

II. BACKGROUND

Presently, firefighter members who become disabled from thyroid or any other endocrine system cancer are entitled to an Ordinary Disability Benefit (ODB) equal to the greatest of 1/3 of a member’s Final Average Salary (FAS), 2 percent of a member’s FAS for each year of service, or the service retirement benefit for Tier 3, and the greater of 1/2 of FAS or the service retirement benefit for Tier 2. Similarly, surviving family members of active and retired members are entitled to an Ordinary Death Benefit (ODeB) generally equal to three times a member’s most recent salary. This bill would create a statutory presumption to active firefighter members and firefighters that retired no more than 5 years ago, who develop thyroid cancer or any other type of endocrine system cancer, entitling them to a Performance of Duty Disability Retirement Benefit (PDDB), and a lifetime Performance of Duty Accidental Death Benefit (PDADB) for surviving beneficiaries. The PDDB would equal the greater of 75 percent of a member’s FAS, or the service retirement if eligible. The PDADB would equal 50 percent of a member’s wages earned during their final service year.

III. PROPOSED LEGISLATION

Section one of this bill amends section 207-kk of the General Municipal Law to add cancers of the endocrine system to the list of impairments of health deemed to be incurred in the performance and discharge of duty unless the contrary be proven by competent evidence.

Section two sets the effective date.

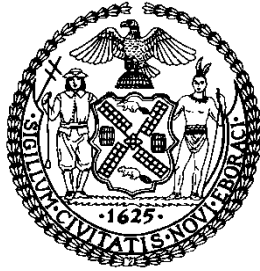
IV. FISCAL IMPLICATIONS

See Council Finance Division fiscal impact statement.

V. EFFECTIVE DATE

This bill would take effect immediately.

(The following is the text of the Fiscal Impact Statement for Preconsidered SLR No. 18:)



THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
 TANISHA EDWARDS, CFO AND DEPUTY CHIEF OF
 STAFF TO THE SPEAKER
 RICHARD LEE, FINANCE DIVISION DIRECTOR
FISCAL IMPACT STATEMENT

PRECONSIDERED SLR 18 S.7289-A (Jackson)
 A.7679 (Pheffer Amato)

COMMITTEE: State and Federal Legislation

TITLE: An act to amend the general municipal law, in relation to including thyroid cancer in the list of cancers presumed to be incurred in the performance of duty for purposes of disability retirement.

SPONSOR(S): Abreu.

SUMMARY OF LEGISLATION: This bill would enhance disability and death benefits for Tier 2 and 3 members of the NYC Firefighter Pension Fund who become disabled or pass away from thyroid and other endocrine system cancers. Presently, firefighter members who become disabled from thyroid or any other endocrine system cancer are entitled to an Ordinary Disability Benefit (ODB) equal to the greatest of 1/3 of a member's Final Average Salary (FAS), 2 percent of a member's FAS for each year of service, or the service retirement benefit for Tier 3, and the greater of 1/2 of FAS or the service retirement benefit for Tier 2. Similarly, surviving family members of active and retired members are entitled to an Ordinary Death Benefit (ODeB) generally equal to three times a member's most recent salary.

This bill would create a statutory presumption to active firefighter members and firefighters that retired no more than 5 years ago, who develop thyroid cancer or any other type of endocrine system cancer, entitling them to a Performance of Duty Disability Retirement Benefit (PDDb), and a lifetime Performance of Duty Accidental Death Benefit (PDADB) for surviving beneficiaries. The PDDR would equal the greater of 75 percent of a member's FAS, or the service retirement if eligible. The PDADB would equal 50 percent of a member's wages earned during their final service year.

EFFECTIVE DATE: This bill would be effective immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2024

FISCAL IMPACT STATEMENT:

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

**See Impact on Expenditures note below*

IMPACT ON REVENUES: It is anticipated that there would be no impact on revenues as a result of this legislation.

IMPACT ON EXPENDITURES: The bill would require an additional \$55,400 on average for each PDDb, and \$267,100 on average for each PDADB. With inadequate insight on the number of eligible disabilities and deaths to surface in future years, the cost would get recognized at the time of the event, and carries no immediate cost to the City.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council Finance Division
Fiscal Note 2023-61, Chief Actuary New York City Fire Pension Fund

ESTIMATE PREPARED BY: Andrew Wilber, Principal Economist

ESTIMATE REVIEWED BY: Emre Edev, Deputy Director
Kathleen Ahn, Finance Division Counsel
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: This bill will be considered by the Committee on State and Federal Legislation as a Preconsidered SLR on June 8, 2023. Upon successful vote by the Committee, the Preconsidered SLR will be introduced and submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: June 6, 2023.

(For text of the preconsidered SLR, please see the Introduction and Reading of Bills section printed in these Minutes; for text of the related State bills and the State Sponsor's Memorandum-in Support from each house ([S.7289-A](#); [A.7679](#)), please refer, respectively, to the New York State Senate at <https://www.nysenate.gov/legislation> and New York State Assembly at <http://nyassembly.gov/leg/>).

SHAUN ABREU, *Chairperson*; JAMES F. GENNARO, CARMEN N. De La ROSA, JENNIFER GUTIÉRREZ, CHRISTOPHER MARTE; 5-0-0; Committee on State and Federal Legislation, June 8, 2023.

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

Report of the Committee on Youth Services

Report for Int. No. 976-A

Report of the Committee on Youth Services in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of homeless services and the department of youth and community development to report data on the LGBTQ homeless population.

The Committee on Youth Services, to which the annexed proposed local law was referred on March 16, 2023 (Minutes, page 874), respectfully

REPORTS:

INTRODUCTION

On Thursday, June 8, 2023, the Committee on Youth Services, chaired by Council Member Althea Stevens, held a vote on the following legislation: Int. No. 976, sponsored by Council Member Stevens, in relation to requiring the Department of Homeless Services (DHS) and the Department of Youth and Community Development (DYCD) to report data on the LGBTQ homeless population; and Int. No. 977, sponsored by Council Member Stevens, in relation to requiring drop-in centers to participate in the streamlined intake process for RHY to transition into adult shelters. On April 24, 2023, the Committee heard this legislation in a hearing. Witnesses who testified included representatives from DYCD, homeless youth advocates, and RHY service providers. On June 8, 2023, the Committee on Youth Services passed Int. 976 by a vote of 4 in the affirmative, 0 in the negative and 0 abstentions. The Committee also passed Int. 977 by a vote of 4 in the affirmative, 0 in the negative and 0 abstentions.

I. DYCD SERVICES FOR RHY

The New York State Office of Children and Family Services (OCFS) is responsible for overseeing municipal youth bureaus which operate, administer, and monitor youth development programs, and for certifying RHY residential programs.¹ In New York City (NYC), DYCD serves as the local youth bureau and provides assistance for RHY.² DYCD-funded assistance includes:

- Street outreach and referral services, which focus on providing information about available services to RHY;³
- Drop-in centers, which are centers available in every borough that provide youth and their families with essentials, such as food, clothing, immediate shelter, counseling, support and referrals to relevant services;⁴
- Crisis shelters, which are voluntary, short-term residential programs that offer emergency shelter and crisis intervention services to RHY;⁵ and
- Transitional Independent Living (TIL) facilities that provide RHY with long-term residential services for up to 24 months, and services that include educational programs, vocational training, job placement assistance, counseling, and basic life skills training.⁶

¹ See N.Y. Exec. § 412(8); N.Y. Exec. § 422; N.Y. Exec. § 532-e.

² N.Y. City Charter § 733.

³ *Id.*

⁴ *Id.*

⁵ *Id.*

⁶ DYCD, Transitional Independent Living, available at <https://www1.nyc.gov/site/dycd/services/runaway-homeless-youth/transitional-independent-living.page>.

DYCD contracts with a network of community-based organizations that serve RHY ages 16 to 24.⁷ In addition to providing food and shelter, DYCD providers teach life skills including job placement assistance, mental health services, and housing referrals and placement.⁸ The providers supply crucial services and safe spaces to young people during a pivotal developmental phase psychologists refer to as “emerging adulthood.”⁹ DYCD operates 753 shelter beds for young people between the ages 16 and 20, a 500-bed increase from 2014.¹⁰ In 2019, DYCD extended their services to older youth by bringing 60 beds online for 21–24-year-olds.¹¹

II. INCREASED DEMAND FOR SHELTER

Despite the expansion of the RHY system over the past decade, providers contend that there is still a growing demand for age-appropriate shelter in NYC.¹² Providers claim that the demand for beds for homeless young adults ages 21–24 exceeds the limited supply.¹³ In correspondence with Manhattan-based RHY shelter Covenant House, the staff reiterated that a total of 60 beds for this population is insufficient to address the growing homeless youth crisis.¹⁴

A majority of homeless youth in this age range are forced to choose between going to a adult homeless shelter or sleeping on the street ... 21–24 year old youth may be experiencing homelessness for the first time in their life, and many have stated that they do not feel comfortable in shelters filled with chronically homeless older adults who often have extreme mental health issues, including psychosis. Just like younger youth, 21 to 24-year-olds fare best in age-specific shelters that practice positive youth development principles and trauma informed care. These youth also need the educational and vocational training, medical and mental health care, life skills workshops and intensive case management that RHY programs provide. We eagerly await the day when New York City provides enough beds for this older population so that no young person will ever be turned away from youth specific shelter programming.¹⁵

In addition to reports from providers, data from the Preliminary Fiscal 2023 Mayor’s Management Report shows that the homeless young adult system is nearing capacity.¹⁶ The utilization rates in crisis services programs for homeless young adults rose to 92% in fiscal year 2022, up from 80% in fiscal year 2021, the last years with available data.¹⁷ Similarly, utilization rates in TILs rose to 96% in fiscal year 2022, an increase from 93% the year prior.¹⁸ By comparison, data shows there are available beds in the larger shelter system for younger youth. In fiscal year 2023, the utilization rates for crisis services programs and TILs for younger youth ages 16–20 were 82% and 70%.¹⁹ The City Council continues to advocate for more beds for homeless young adults to address this need.

In the City Council’s 2020 report *Our Homelessness Crisis: The Case for Change*, the Council issued a recommendation to fund an additional 40 beds for homeless young adults.²⁰ Again, in 2023, the City Council requested additional supports for homeless young adults in its fiscal year 2024 budget response, citing significant

⁷ *Report of the New York City Youth Homelessness Taskforce*. YOUTH HOMELESSNESS TASKFORCE. (Jan. 2019) Available at <http://youthtoday.org/wp-content/uploads/sites/13/2019/09/Report-of-NYC-Youth-Homelessness-Taskforce-January-20191.pdf>

⁸ Brand, David. *Amid Homeless Crisis, NYC has Ramped Up Shelter Capacity*, CITY LIMITS. (Feb. 6, 2020) Available at <https://citylimits.org/2020/02/06/amid-youth-homeless-crisis-nyc-has-ramped-up-shelter-capacity/>

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² Brand, David, *NYC’s Youth Shelter System is Running Out of Space*, CITY LIMITS, (September 29th, 2022) available at: <https://citylimits.org/2022/09/29/nycs-youth-shelter-system-is-running-out-of-space/>

¹³ *Id.*

¹⁴ COVENANT HOUSE, E-mail Exchange on Issues Facing Runway and Homeless Youth System, (March. 27, 2023)

¹⁵ *Id.*

¹⁶ Mayor’s Preliminary Mayor’s Management Report, (January 2023) available at: https://donbuqm3ub5fw.cloudfront.net/files/PMMR_2023_f382fe0bd8.pdf

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ New York City Council, *Our Homelessness Crisis: The Case for Change*, (January 2020), available here: <https://council.nyc.gov/data/homeless/>

need due to an increase in homeless young adults because of the pandemic.²¹ The Council called on the administration to baseline \$6.3 million for 40 beds, 16 housing specialists, and 16 peer navigator positions to aid youth in their transition into permanent housing and self-sufficiency.²²

III. MIGRANT CRISIS

The increasing demand for young adult beds is compounded by the influx of migrant youth entering the shelter system. On October 7, 2022, Mayor Adams declared a state of emergency in anticipation of the “highest recorded shelter census record” as recently arrived migrants and asylum seekers were moving into NYC shelters.²³ The Mayor’s Office of Immigrant Affairs (MOIA) stated that between August 5, 2022, and August 7, 2022, 68 asylum seekers had arrived to NYC onboard a bus from Texas.²⁴ According to the Adams Administration, by early November 2022, at least 23,800 asylum seekers had arrived in NYC.²⁵ Many of these newly arrived immigrants are youth in need of shelter.²⁶ Providers contend that RHY shelters are overextended because of the influx of unaccompanied young migrants who are entering the system.²⁷

RHY providers are trying to serve the multifaceted needs of immigrant youth, including connecting young people to legal consultations.²⁸ The Door, a Manhattan drop-in center, reported that due to the surge of unaccompanied immigrants from Central and South America residing in their shelter, they had a wait list of 300 young people for immigration legal services.²⁹ Other RHY providers have echoed the need for pro-bono attorneys with immigration expertise as well as Spanish speaking staff who can help address the complex needs of young people navigating NYC.³⁰

The most pressing need at RHY shelters, however, has consistently been the need for beds. Many young migrants are forced to turn to the strained adult homeless shelter system, managed by DHS, either because the youth shelters have no available beds or because they were never informed of the age appropriate services available to them.³¹ Covenant House reported that before the surge in migrant youth in NYC, the shelter received between four or five asylum seekers a year.³² Since the declared state of emergency, the shelter has housed over 70 migrant youth, and was sheltering over 30 as of March 2023.³³ Other NYC shelters have reported that they have reached capacity as well, and they are struggling to identify placements for unaccompanied migrant youth.³⁴

In September 2022, City Limits reported that staff across RHY facilities had difficulty identifying short-term crisis services beds, where young people are permitted to stay for 60 days.³⁵ Crisis services shelter staff reportedly were referring young people to 24 hour drop-in centers to secure a bed for the night.³⁶ However, due

²¹ *New York City Council’s Response to the Fiscal 2024 Preliminary Budget*, (April 3, 2023), available at:

<https://council.nyc.gov/budget/wp-content/uploads/sites/54/2023/04/Fiscal-2024-Preliminary-Budget-Response-Final-1.pdf>

²² *Id.*

²³ *As City Anticipates Surpassing Highest Recorded Shelter Census, Mayor Adams Declares Asylum Seeker State of Emergency, Calls for Urgent Aid From Federal, State Governments*. OFFICE OF THE MAYOR. (Oct. 7, 2022). Available at <https://www.nyc.gov/office-of-the-mayor/news/728-22/as-city-anticipates-surpassing-highest-recorded-shelter-census-mayor-adams-declares-asylum-seeker#/0>.

²⁴ Brown, N., Beech, S., Chang, E. and Elassar, A. *At Least 68 migrants arrived in NYC over the weekend on buses sent by Texas Gov. Abbott*. CNN. (Aug. 8, 2022) Available at <https://www.cnn.com/2022/08/07/us/new-ork-migrants-buses-texas/index.html>.

²⁵ *Mayor Adams Announces Placement of Humanitarian Emergency Response and Relief Center to Assist Single Adult Men Seeking Asylum, City Will Demobilize Randall’s Island Relief Center*. OFFICE OF THE MAYOR. (Nov. 10, 2022). Available at <https://www.nyc.gov/office-of-the-mayor/news/827-22/mayor-adams-placement-humanitarian-emergency-response-relief-center-assist>.

²⁶ Brand, David and Daniel Parra. *NYC’s Youth Shelter System is Running Out of Space*. City Limits. (Sept. 29, 2022) Available at <https://citylimits.org/2022/09/29/nycs-youth-shelter-system-is-running-out-of-space/>

²⁷ *Id.*

²⁸ Brand, David and Daniel Parra, *supra* note 4.

²⁹ Testimony before the Committee on Immigration (Sept. 30, 2022) available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=5844023&GUID=7DDF58E1-CEFA-4503-A35E-BE9A4B4BE8AB&Options=&Search=->.

³⁰ Sperduto, Gabriella. Director of Institutional Giving, The Door, Conversation on Shelter Needs in Response to Migrant Crisis. (Nov. 17, 2022).

³¹ Brand, David and Daniel Parra. *NYC’s Youth Shelter System is Running Out of Space*. City Limits. (Sept. 29, 2022) Available at <https://citylimits.org/2022/09/29/nycs-youth-shelter-system-is-running-out-of-space/>

³² *Id.*

³³ Email from Covenant House, March 2023

³⁴ Brand, David and Daniel Parra, *supra* note 8.

³⁵ *Id.*

³⁶ *Id.*

to a recent directive from DYCD to remove beds from drop-in centers, homeless youth are forced turn to the streets or the DHS system.³⁷

IV. THE DROP-IN CENTER DIRECTIVE

NYC's drop-in centers, where homeless youth often turn first for help, are among the RHY facilities affected by the influx of migrant youth.³⁸ Drop-in centers provide food, clothing, showers, laundry, and case management.³⁹ In the first four months of fiscal year 2023, a total of 1,445 youth and young adults were served through case management at RHY drop-in centers, an increase of 48 percent from the same period in fiscal year 2022.⁴⁰ Of the eight drop-in centers in NYC, five are open 24 hours a day. Although they do not operate as homeless shelters or residential facilities, they have historically provided cots and places for young people to rest.⁴¹

On January 13, 2023, DYCD directed overnight drop-in centers to discontinue allowing homeless youth to sleep in their facilities, and directed providers to remove cots and resting places.⁴² As the basis for this, DYCD stated that the ban helps ensure that drop-in centers are in compliance with state law and not operating as "unlicensed shelters."⁴³ Providers have expressed concerns that DYCD's directive negatively impacts homeless youth who formerly relied on drop-in centers for a safe place to rest.⁴⁴ Joe Westmacott, Assistant Director of Safe Horizon Streetwork, a Manhattan drop-in center, has cited major systemic issues within the RHY shelter system that lead young people to rely on the overnight drop-in centers.⁴⁵ Westmacott asserts that the most immediate need for young people is housing, and that homeless youth often rely on the overnight drop-in centers as a stopgap measure, when they have difficulty finding a shelter placement or permanent housing.⁴⁶

At a February 27, 2023 hearing before the Committee on Youth Services, Covenant House testified about their concerns with the DYCD directive:

The recent 24hr drop-in center no sleeping directive issued by DYCD is not only inhumane, but it will create an additional barrier to youth gaining and maintaining employment. Having the ability to rest is vital to a person's overall health and wellbeing, and lack of sleep impacts humans' ability to function at a level needed to maintain employment. If we are denying youth sleep, how are they able to arrive at work rested, on time, and functioning? The DYCD funded 24hr drop-in centers have been operating as instructed and celebrated by DYCD since 2019, which is why there is so much confusion around why this directive was issued in the first place.⁴⁷

Providers report that homeless youth struggle to find placement at RHY facilities.⁴⁸ While DHS operates three shelters specifically for young people between the ages of 21 and 24, they are at capacity and have long waiting lists.⁴⁹ Providers have conceded that while drop-in centers should not be forced to operate as shelters, they maintain the solution is to bring more beds online and expand voucher access, not punish homeless youth by denying them a place to rest.⁵⁰

³⁷ Honan, Katie. *Young and Restless: City Drop-In Centers Told to Keep Runaway, Homeless Youth Awake at Night*. The City, (Feb. 9, 2023) Available at <https://www.thecity.nyc/2023/2/9/23593429/sleepless-dycd-youth-shelters>

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ The Mayor's Office of Operations and the Department of Youth and Community Development, Preliminary Mayor's Management Report (January 2023), 237

⁴¹ Honan, Katie, *supra* note 15.

⁴² *Id.*

⁴³ Needelman, Joshua. *After a Ban on Sleeping at Homeless Youth Centers, a Center Resists*. The New York Times. (Feb. 26, 2023) Available at <https://www.nytimes.com/2023/02/26/nyregion/homeless-drop-in-center-youth.html>

⁴⁴ Honan, Katie, *supra* note 15.

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ Testimony before the Committees on Youth Services and Small Business (Feb. 27, 2023) Available at <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=6013756&GUID=D2935B05-54B6-4DB4-B6A5-86BF1490A9EC&Options=&Search=>

⁴⁸ Honan, Katie, *supra* note 15.

⁴⁹ *Id.*

⁵⁰ *Id.*

V. LEGISLATIVE ANALYSIS

Int. No. 976

This bill would require DHS and DYCD to report quarterly on the number of LGBTQ homeless persons who inquire about or seek DHS and DYCD services, as well as the number of shelter beds reserved for such persons, and the rates and reasons, when given, that such beds are refused.

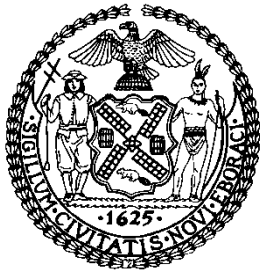
Since being heard, this bill received technical edits, and was amended to require the report to collect the number of LGBTQ homeless persons who received services from DHS or DYCD, rather than collecting the number of LGBTQ homeless persons who contact DHS or DYCD seeking services. Language was added to ensure that no information required to be reported would violate federal, state or local law. Additionally, language was added to explain that if a category of information in the report contains 5 or fewer individuals, the number will be replaced with a symbol. Further, the definition for “reporting period” was added.

Int. No. 977

This bill would require drop-in centers to participate in the streamlined intake process for youths aging or timing out of shelters operated or funded by DYCD, and who intend to transfer to adult shelters.

This bill received no edits since being heard.

(The following is the text of the Fiscal Impact Statement for Int. No. 976-A:)



**THE COUNCIL OF THE CITY OF NEW YORK
FINANCE DIVISION
TANISHA EDWARDS, CHIEF FINANCIAL OFFICER AND
DEPUTY CHIEF OF STAFF TO THE SPEAKER
RICHARD LEE, DIRECTOR
FISCAL IMPACT STATEMENT**

PROPOSED INT. NO. 976-A

COMMITTEE: Youth Services

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of homeless services and the department of youth and community development to report data on the LGBTQ homeless population.

Sponsors: Council Members Stevens, Louis, Richardson Jordan, Restler, Schulman, Hudson, Ung, Ayala, Abreu, Brewer and Avilés.

SUMMARY OF LEGISLATION: This bill would require the Department of Homeless Services (DHS) and the Department of Youth and Community Development (DYCD) to report quarterly on the number of LGBTQ homeless persons who received DHS or DYCD services, as well as the number of shelter beds reserved for such persons, and the rates and reasons, when given, that such beds are declined.

EFFECTIVE DATE: This local law takes effect immediately.

FISCAL YEAR (FY) IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY24**FISCAL IMPACT STATEMENT:**

	Effective FY23	Succeeding FY24	Full Fiscal Impact FY24
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Sandra Gray, Financial Analyst

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on March 16, 2023, as Intro. No. 976 and referred to the Committee on Youth Services (the Committee). A hearing was held by the Committee on April 24, 2023, and the legislation was laid over. The legislation was subsequently amended. The amended version, Proposed Intro. No. 976-A will be considered by the Committee on June 8, 2023. Upon successful vote by the Committee, Proposed Intro. No. 976-A will be submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: 6/1/2023.

(For text of Int. No. 977 and its Fiscal Impact Statement, please see the Report of the Committee on Youth Services for Int. No. 977 printed in these Minutes; for text of Int. No. 976-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 976-A and 977.

(The following is the text of Int. No. 976-A:)

Int. No. 976-A

By Council Members Stevens, Louis, Richardson Jordan, Restler, Schulman, Hudson, Ung, Ayala, Abreu, Brewer, Avilés and Rivera.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of homeless services and the department of youth and community development to report data on the LGBTQ homeless population

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-333 to read as follows:

§ 21-333 Reporting on homeless LGBTQ population. a. Definitions. For purposes of this section, the following terms have the following meanings:

Adult. The term “adult” means a person over 24 years of age and under 65 years of age.

Drop-in center. The term “drop-in center” means a facility that provides hot meals, showers, laundry facilities, clothing, medical care, recreational space, employment referrals, and/or housing placement services, but not overnight housing administered by the department or a provider under contract or similar agreement with the department.

Homeless young adult. The term “homeless young adult” has the same meaning as provided in section 532-a of the executive law.

Homeless youth. The term “homeless youth” has the same meaning as provided in section 532-a of the executive law.

LGBTQ. The term “LGBTQ” means lesbian, gay, bisexual, transgender, queer, or intersex identities.

Reporting period. The term “reporting period” means a quarter of a calendar year.

Runaway and homeless youth services. The term “runaway and homeless youth services” means street outreach and referral services, drop-in centers, runaway and homeless youth crisis services programs, and transitional independent living support programs funded by the department of youth and community development.

Runaway and homeless youth crisis services programs. The term “runaway and homeless youth crisis services program” has the same meaning as provided in section 532-a of the executive law.

Safe haven. The term “safe haven” means city-administered facilities that provide low-threshold, harm-reduction housing to street homeless individuals, who are referred to such facilities through a department outreach program, without the obligation of entering into other supportive and rehabilitative services in order to reduce barriers to temporary housing.

Senior. The term “senior” means a person 65 years of age or older.

Shelter. The term “shelter” means temporary emergency housing provided to homeless adults, adult families, and families with children by the department or a provider under contract or similar agreement with the department.

b. Beginning July 31, 2024, and quarterly thereafter, the department shall submit to the speaker of the council and post on its website a report regarding LGBTQ homeless persons for the reporting period ending 1 month prior. The department shall collaborate with the department of youth and community development to produce such report.

c. The report required by subdivision b of this section shall include, but not be limited to, the following information, as may be obtained voluntarily:

1. The number of LGBTQ homeless persons who received services from the department or who received runaway and homeless youth services from the department of youth and community development during the reporting period, disaggregated by:

(a) Borough;

(b) Age, classified as homeless youth, homeless young adult, adult, and senior; and

(c) The number and percentage of shelter beds reserved for LGBTQ homeless persons, if applicable; the number and percentage of such beds that are available as of the last day of the reporting period; the number of such beds declined by LGBTQ homeless persons during the reporting period; and the reason for each such declined bed, if given.

2. The department, in collaboration with the department of youth and community development, shall make best efforts to obtain information to prepare the report required in this section, but shall not require any person to provide information for such purposes. Such efforts shall include the provision of voluntary questionnaires at shelters, safe havens, drop-in centers, and runaway and homeless youth crisis services programs.

d. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of

information. If a category of information required by subdivision b contains 5 or fewer individuals, or allows another category to be narrowed to 5 or fewer individuals, the number shall be replaced with a symbol.

§ 2. This local law takes effect immediately.

ALTHEA V. STEVENS, *Chairperson*; KEVIN C. RILEY, ALEXA AVILÉS, CHI A. OSSÉ; 4-0-0; *Medical*: Kristin Richardson Jordan; Committee on Youth Services, June 8, 2023.

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

Report for Int. No. 977

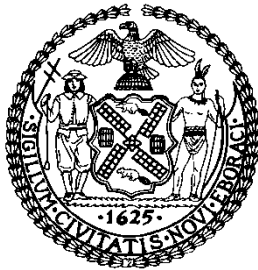
Report of the Committee on Youth Services in favor of approving and adopting, a Local Law to amend the administrative code of the city of New York, in relation to requiring drop-in centers to participate in the streamlined intake process for runaway and homeless youth to transition into adult shelters.

The Committee on Youth Services, to which the annexed proposed local law was referred on March 16, 2023 (Minutes, page 875), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Youth Services for Int. No. 976 printed above in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 977:



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

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

FISCAL IMPACT STATEMENT

PROPOSED INT. NO. 977

COMMITTEE: Youth Services

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring drop-in centers to participate in the streamlined intake process for runaway and homeless youth to transition into adult shelters.

Sponsors: Council Member Stevens, Louis, Restler, Schulman, Hudson, Ung, Abreu, Riley, Brewer, Avilés and Sanchez.

SUMMARY OF LEGISLATION: This bill would require drop-in centers to participate in the streamlined intake process for youths aging or timing out of shelters operated or funded by the Department of Youth and Community Development, and who intend to transfer to adult shelters.

EFFECTIVE DATE: This local law takes effect immediately.

FISCAL YEAR (FY) IN WHICH FULL FISCAL IMPACT ANTICIPATED: FY24

FISCAL IMPACT STATEMENT:

	Effective FY23	Succeeding FY24	Full Fiscal Impact FY24
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Sandra Gray, Financial Analyst

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on March 16, 2023, as Intro. No. 977 and referred to the Committee on Youth Services (the Committee). A hearing was held by the Committee on April 24, 2023, and the legislation was laid over. Proposed Intro. No. 977 will be considered by the Committee on June 8, 2023. Upon successful vote by the Committee, Proposed Intro. No. 977 will be submitted to the full Council for a vote on June 8, 2023.

DATE PREPARED: 6/5/2023.

Accordingly, this Committee recommends its adoption.

(The following is the text of Int. No. 977:)

Int. No. 977

By Council Members Stevens, Louis, Restler, Schulman, Hudson, Ung, Abreu, Riley, Brewer, Avilés, Sanchez, Rivera and Gennaro.

A Local Law to amend the administrative code of the city of New York, in relation to requiring drop-in centers to participate in the streamlined intake process for runaway and homeless youth to transition into adult shelters.

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 21-405 of the administrative code of the city of New York, as added by local law number 81 for the year 2018, is amended to read as follows:

b. The department of homeless services and the department shall create and maintain an intake and assessment process for runaway youth and homeless youth who have reached the age [and/]or time limitations applicable to department-funded shelter services or, as designated by the department, other runaway or homeless youth receiving shelter services, and who seek to transition from runaway and homeless youth shelter services to a department of homeless services shelter. Such process shall permit eligible runaway youth or homeless youth to bypass entry into an intake center or assessment shelter operated by the department of homeless services when the department, or an organization that receives funding from the department to provide shelter services, provides demographic and social services information for any such youth, as agreed upon between the department and the department of homeless services, in advance of such youth's presentation to the department of homeless services shelter system. Such process shall originate at a transitional independent living support program [or], a runaway and homeless youth crisis services program, *or a drop-in center* funded by the department. The intake and assessment bypass permitted pursuant to this section and any necessary information sharing between the department of homeless services and the department-funded program or the department shall only occur with the consent of such youth.

§ 2. This local law takes effect immediately.

ALTHEA V. STEVENS, *Chairperson*; KEVIN C. RILEY, ALEXA AVILÉS, CHI A. OSSÉ; 4-0-0; *Medical*: Kristin Richardson Jordan; Committee on Youth Services, June 8, 2023.

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

GENERAL ORDERS CALENDAR

There were no additional items listed on the General Orders Calendar.

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

- | | |
|--------------------------------------|--|
| (1) Preconsidered
M-158 - | Employment opportunities for economically disadvantaged candidates and economically disadvantaged region candidates and apprenticeship utilization on public transactions (S.7387-B/A.7677) (Mayor's Home Rule item). |
| (2) Preconsidered
M-159 - | Postponing the expiration of certain tax rates and taxes in the City of New York (S.7386/A.7667) (Mayor's Home Rule item). |
| (3) Preconsidered
M-160 - | Construction and mentoring programs; and providing for the repeal of certain provisions upon the expiration thereof (S.7526/A.7673-A) (Mayor's Home Rule item). |
| (4) Int 96-A - | Vision testing and eyeglasses to low-income individuals. |
| (5) Int 244-A - | Residential curbside organics collection, and to repeal subdivision a of section 16-308. |
| (6) Int 274-A - | Goal of zero divertible waste for New York City by 2030. |
| (7) Int 280-A - | Community recycling centers and events. |
| (8) Int 281-B - | Organic waste drop off sites. |
| (9) Int 325-A - | Information about emergency rooms and pediatric trauma centers. |
| (10) Int 814-A - | Quantities and locations of automated external defibrillators placed in public places. |
| (11) Int 831-A - | Citywide resource navigator for transgender, gender nonconforming, non-binary and intersex individuals as well as for cisgender women. |
| (12) Int 844-A - | Office of Healthcare Accountability. |
| (13) Int 958-A - | Changes in Flatbush Avenue Business Improvement District and |

- providing for the dissolution of the Church Avenue Business Improvement District.
- (14) **Int 975-A -** Information on free cardiopulmonary resuscitation courses available to the public.
- (15) **Int 976-A -** Department of Homeless Services and the Department of Youth and Community Development to report data on the LGBTQ homeless population.
- (16) **Int 977 -** Drop-in centers to participate in the streamlined intake process for runaway and homeless youth to transition into adult shelters.
- (17) **Int 996-A -** Access to blood pressure machines.
- (18) **Preconsidered Res 661 -** Discount percentage for early payment of real estate taxes be set at one-half of one percent per annum for Fiscal Year 2024.
- (19) **Preconsidered SLR 15 -** Health insurance coverage for surviving spouses or domestic partners of members of the New York City Fire Department (S.5678/A.7414) **(Home Rule SLR item introduced by the Council requiring two-thirds affirmative vote for passage).**
- (20) **Preconsidered SLR 16 -** Dual retirement system membership in the New York City Teachers' Retirement System, the New York City Employees' Retirement System, and the New York City Board of Education Retirement System (S.6877/A.7311) **(Home Rule SLR item introduced by the Council requiring two-thirds affirmative vote for passage).**
- (21) **Preconsidered SLR 17 -** Updating certain death benefit provisions of the New York City Employees' Retirement System, the New York City Teachers' Retirement System, and the Board of Education Retirement System of New York City to ensure continued compliance with

- the federal older workers' benefit protection act (S.7509/A.7668) **(Home Rule SLR item introduced by the Council requiring two-thirds affirmative vote for passage).**
- (22) **Preconsidered SLR 18 -** Including thyroid cancer in the list of cancers presumed to be incurred in the performance of duty for purposes of disability retirement (S.7289-A/A.7679) **(Home Rule SLR item introduced by the Council requiring two-thirds affirmative vote for passage).**
- (23) **Preconsidered L.U. 212 & Res 672 -** Duncan Genns, Brooklyn, Community District No. 4, Council District No. 37.
- (24) **Preconsidered L.U. 213 & Res 673 -** West 148th Street Heighliner Portfolio.HPO.FY23, Manhattan, Community District No. 10, Council District No. 9.
- (25) **Preconsidered L.U.214 & Res 674 -** Paradise Management Cluster 1.HPO.FY23, Manhattan, Community District No. 10, Council District No. 9.
- (26) **Preconsidered L.U. 215 & Res 675 -** Paradise Management Cluster 2.HPO.FY23, Manhattan, Community District No. 9, Council District No. 7.
- (27) **Preconsidered L.U. 216 & Res 676 -** Paradise Management Cluster 3.HPO.FY23, Bronx, Community District Nos. 6 and 7, Council District No. 15.
- (28) **Preconsidered L.U. 217 & Res 677 -** Paradise Management Cluster 5.HPO.FY23, Bronx, Community District No. 6, Council District No. 15.
- (29) **Preconsidered L.U. 218 & Res 678 -** Paradise Management Cluster 7.HPO.FY23, Bronx, Community District No. 6, Council District No. 15.
- (30) **Preconsidered L.U. 219 & Res 679 -** Paradise Management Cluster 8.HPO.FY23, Bronx, Community

- District No. 6, Council District No. 17.
- (31) **Preconsidered**
L.U. 220 & Res 680 - Paradise Management Cluster 9.HPO.FY23, Bronx, Community District No. 4, Council District No. 16.
- (32) **Preconsidered**
L.U. 221 & Res 681 - Paradise Management Cluster 10.HPO.FY23, Bronx, Community Districts No. 4 and 5, Council Districts No. 15 and 16.
- (33) **Preconsidered**
L.U. 222 & Res 682 - Paradise Management Cluster 11.HPO.FY23, Bronx, Community District No. 4, Council District No. 16.
- (34) **Preconsidered**
L.U. 223 & Res 683 - Paradise Management Cluster 12.HPO.FY23, Bronx, Community District No. 4, Council District No. 8.
- (35) **Preconsidered**
L.U. 224 & Res 684 - Paradise Management Cluster 13.HPO.FY23, Bronx, Community District No. 4, Council District No. 16.
- (36) **Preconsidered**
L.U. 225 & Res 685 - Paradise Management Cluster 16.HPO.FY23, Block 2603, Lot 1002, Bronx, Community District No. 2, Council District No. 8.
- (37) **Preconsidered**
L.U. 226 & Res 686 - 290 East 149th Street, Bronx, Community District No. 1, Council District No. 17.
- (38) **Preconsidered**
L.U. 227 & Res 687 - 1500-1502 Hone Ave.HPO.FY23, Bronx, Community District No. 11, Council District No. 13.
- (39) **Preconsidered**
L.U. 228 & Res 688 - Bronx Park East Apartments, Bronx, Community District No. 11, Council District No. 15.
- (40) **Preconsidered**
L.U. 229 & Res 689 - Hamilton Heights Cluster, Block 2071, Lot 56, Manhattan, Community District No. 9, Council District No. 7.

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

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

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

The following was the vote recorded for **Preconsidered M-159 (Mayor's Home Rule item re: S.7386/A.7667)**:

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **42**.

Negative – Ariola, Carr, Holden, Kagan, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) – **8**.

The following was the vote recorded for **Int. No. 244-A**:

Affirmative – Abreu, Avilés, Ayala, Barron, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Joseph, Krishnan, Lee, Louis, Marte, Mealy, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **43**.

Negative – Ariola, Carr, Kagan, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) – **7**.

The following was the vote recorded for **Int. Nos. 280-A, 281-B, and 958-A**:

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

Negative – Yeger – **1**.

The following was the vote recorded for **Preconsidered items L.U. No. 214 & Res. No. 674, L.U. No. 215 & Res. No. 675, L.U. No. 216 & Res. No. 676, L.U. No. 217 & Res. No. 677, L.U. No. 218 & Res. No. 678, L.U. No. 219 & Res. No. 679, L.U. No. 220 & Res. No. 680, L.U. No. 221 & Res. No. 681, L.U. No. 222 & Res. No. 682, L.U. No. 223 & Res. No. 683, L.U. No. 224 & Res. No. 684, and L.U. No. 225 & Res. No. 685:**

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

Abstention – Sanchez – **1**.

*The following Introductions were sent to the Mayor for his consideration and approval:
Int. Nos. 96-A, 244-A, 274-A, 275-A, 280-A, 281-B, 325-A, 814-A, 831-A, 844-A, 958-A, 975-A, 976-A, 977,
and 996-A.*

Home Rule Request bluebacks were signed and certified by the City Clerk and Clerk of the Council (Mr. McSweeney) verifying the passage of M-158, M-159, and M-160 as well as SLRs No. 15-18 of 2023. These signed and certified bluebacks were duly sent to the State Senate and State Assembly in Albany.

RESOLUTIONS

presented for voice-vote on the Resolutions Calendar

The following are the respective Committee Reports for each of the Resolutions referred to the Council for a voice-vote pursuant to Rule 8.50 of the Council:

Report for voice-vote item Res. No. 512

Report of the Committee on Hospitals in favor of approving a Resolution calling on the New York State legislature to pass, and the Governor to sign, legislation to create an independent Commission to oversee hospital services pricing for the purpose of increasing access to hospital services, promoting financial stability for hospitals, and lowering healthcare costs for New Yorkers.

The Committee on Hospitals, to which the annexed resolution was referred on March 2, 2023 (Minutes, page 741), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Hospitals for Int. No. 844-A printed in the Reports of the Standing Committees section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 512:)

Res. No. 512

Resolution calling on the New York State legislature to pass, and the Governor to sign, legislation to create an independent Commission to oversee hospital services pricing for the purpose of increasing access to hospital services, promoting financial stability for hospitals, and lowering healthcare costs for New Yorkers.

By Council Members Menin, Yeger, Cabán, Louis, Richardson Jordan, Ung, Rivera and Gennaro.

Whereas, Hospitals across New York State (NYS) have wide service price variations for the same procedures despite similarities in hospital size, range of services offered, teaching designation, and patient population health; and

Whereas, A 2016 Gorman Actuarial report examining hospital service price and reimbursement rate differences in NYS found that higher-priced hospitals in Downstate, Buffalo, and Albany were 1.5 to 2.7 times more expensive than lower-priced hospitals in the same regions; and

Whereas, Hospital service price variations can be attributed to the NYS Health Care Reform Act of 1996 (HCRA), which removed state-regulated hospital service price controls and allowed hospitals and private insurers to negotiate reimbursement rates; and

Whereas, Although the HCRA was created to promote financial sustainability of community hospitals and maintain access to hospital care for all New Yorkers through marketplace competition, it caused many community hospitals to shutter due to their lack of market leverage; and

Whereas, According to the Gorman Actuarial report, regardless of an individual hospital's size or market share, hospitals that are part of a hospital system with a large market share are generally higher-priced due to the power of the hospital system in contract negotiations with insurers; and

Whereas, As a result, the price of a procedure depends on the type of insurance an individual has and the hospital they go to; and

Whereas, For example, the average cost of a colonoscopy without insurance is \$895, but for a covered individual it could cost as much as \$2,200 depending on the individual's insurance plan; and

Whereas, Similarly, an MRI scan without insurance costs \$446 within the Mount Sinai Health System, while at New York-Presbyterian Hospital, the same procedure costs approximately \$7,356; and

Whereas, When comparing private insurers' hospital service price rates with Medicare rates in over 3,000 hospitals across the United States, a 2021 RAND Corporation study found that overall, private insurers paid hospitals over 240 percent more than Medicaid for the same procedures; and

Whereas, A 2022 report by the SEIU 32BJ Health Fund demonstrated that the Fund had been charged more than 300 percent of Medicare rates by private hospital systems; and

Whereas, The Gorman Actuarial report also discovered that among hospitals in the Downstate region, those hospitals with more Medicare and Medicaid patients collected lower payments from private insurers than hospitals serving fewer such patients, calling into question the assumption that hospitals bill higher reimbursement rates for privately insured patients to offset low reimbursement rates for Medicare and Medicaid patients; and

Whereas, New York City government (City) is the biggest consumer of private health insurance in NYS; and

Whereas, In Fiscal Year 2021, the City spent approximately \$9.5 billion to pay the cost of health insurance covering approximately 1.25 million people, paying an estimated \$1.2 billion in excess for comparable health insurance packages offered by 1199 and 32BJ of the Service Employee International Union, according to Center for New York City Affairs; and

Whereas, In an effort to regulate hospital service prices and induce sustainable hospital growth, the Maryland State legislature established an independent Health Services Cost Review Commission (HSCRC) in 1971; and

Whereas, The HSCRC is comprised of 7 volunteer commissioners with broad healthcare background and expertise; and

Whereas, The HSCRC has authority to regulate hospitals with the following goals: 1) constrain hospital costs; 2) ensure access to hospital care for all citizens; 3) improve equity and fairness of hospital financing; 4) provide for hospital financial stability; and 5) promote hospital and healthcare pricing transparency by holding stakeholders accountable; and

Whereas, Since its formation, the HSCRC has created many programs that have supported the success of Maryland's hospital system; and

Whereas, One such program is Maryland's All-Payer Rate Setting System, which saved the state over \$796 million in Medicare expenses in 2019 while ensuring identical service prices across all public and private hospitals in the state; and

Whereas, An independent state regulatory body like the HSCRC could be established in NYS to ensure fair hospital pricing, sustainable hospital financing, and equitable hospital access for all New Yorkers; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State legislature to pass, and the Governor to sign, legislation to create an independent Commission to oversee hospital services pricing for the purpose of increasing access to hospital services, promoting financial stability for hospitals, and lowering healthcare costs for New Yorkers.

MERCEDES NARCISSE, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, SELVENA N. BROOKS-POWERS, CHARLES BARRON, JENNIFER GUTIÉRREZ, RITA C. JOSEPH; 7-0-0; Committee on Hospitals, June 8, 2023.

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

Adopted unanimously by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS**Preconsidered State Legislation Resolution No. 15**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.5678, and Assembly Member Pheffer Amato, A.7414, “AN ACT to amend the administrative code of the city of New York, in relation to health insurance coverage for surviving spouses or domestic partners of members of the New York city fire department”.

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Gounardes, S.5678, and Assembly Member Pheffer Amato, A.7414, “AN ACT to amend the administrative code of the city of New York, in relation to health insurance coverage for surviving spouses or domestic partners of members of the New York city fire department”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered but approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 16

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.6877, and Assembly Member Pheffer Amato, A.7311, “AN ACT to amend the administrative code of the city of New York, in relation to dual retirement system membership in the New York city teachers’ retirement system, the New York city employees’ retirement system, and the New York city board of education retirement system”.

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Gounardes, S.6877, and Assembly Member Pheffer Amato, A.7311, “AN ACT to amend the administrative code of the city of New York, in relation to dual retirement system membership in the New York city teachers’ retirement system, the New York city employees’ retirement system, and the New York city board of education retirement system”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered but approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 17

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Jackson, S.7509, and Assembly Member Pheffer Amato, A.7668, “AN ACT to amend the retirement and social security law, in relation to updating certain death benefit provisions of the New York city employees’ retirement system, the New York city teachers’ retirement system, and the board of education retirement system of New York city to ensure continued compliance with the federal older workers’ benefit protection act”.

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Jackson, S.7509, and Assembly Member Pheffer Amato, A.7668, “AN ACT to amend the retirement and social security law, in relation to updating certain death benefit provisions of the New York city employees’ retirement system, the New York city teachers’ retirement system, and the board of education retirement system of New York city to ensure continued compliance with the federal older workers’ benefit protection act”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered but approved by the Committee on State and Federal Legislation).

Preconsidered State Legislation Resolution No. 18

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Gounardes, S.7289-A, and Assembly Member Pheffer Amato, A.7679, “AN ACT to amend the general municipal law, in relation to including thyroid cancer in the list of cancers presumed to be incurred in the performance of duty for purposes of disability retirement.”

By Council Member Abreu.

Whereas, Bills have been introduced in the New York State Legislature by Senator Gounardes, S.7289-A, and Assembly Member Pheffer Amato, A.7679, “AN ACT to amend the general municipal law, in relation to including thyroid cancer in the list of cancers presumed to be incurred in the performance of duty for purposes of disability retirement”; *and*

Whereas, The enactment of the above State Legislation requires the concurrence of the Council of the City of New York as the local legislative body; *now, therefore, be it*

Resolved, That the Council of the City of New York, in accordance with the provisions of Section 2 of Article 9 of the Constitution of the State of New York, does hereby request the New York State Legislature to enact into law the aforesaid pending bills.

Adopted by the Council (preconsidered but approved by the Committee on State and Federal Legislation).

Int. No. 1063

By Council Members Avilés, Powers, Cabán, Farías, Riley, Richardson Jordan, Ossé, Ung, Hanif and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a mobile application that provides information about electric vehicle charging stations

Be it enacted by the Council as follows:

Section 1. Subchapter 1 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-159.7 to read as follows:

§ 19-159.7 *Electric vehicle charging mobile application. a. Definition. For the purpose of this section, the following terms have the following meanings:*

Bicycle with electric assist. The term “bicycle with electric assist” has the same meaning as in section 102-c of the vehicle and traffic law or successor provision.

Electric vehicle. The term “electric vehicle” means a vehicle that can be powered by an electric motor that draws electricity from a battery and is capable of being charged from an external source.

Electric vehicle charging station. The term “electric vehicle charging station” means a location that contains an external source of power that may be used to charge an electric vehicle.

Mobile application. The term “mobile application” means a type of application software designed to run on a mobile device, such as a smartphone or tablet computer.

b. Mobile application. No later than 180 days following the effective date of the local law that added this section, the department of information technology and telecommunications, in conjunction with the department and any other relevant agency, shall create a mobile application that provides information regarding all publicly accessible electric vehicle charging stations in the city and allows users to filter the electric vehicle charging stations based on such information. Such information shall include, at a minimum:

- 1. The locations of each electric vehicle charging station imposed on a map of the city;*
- 2. The voltage and charging level of each electric vehicle charging station;*
- 3. The electric vehicle connector types provided by each station;*
- 4. Whether each electric vehicle charging station can be used to charge bicycles with electric assist; and*
- 5. To the extent the city has or can reasonably obtain such information, a real time display indicating whether each electric vehicle charging station is available or in use.*

c. Such mobile application shall not:

- 1. Retain internet protocol addresses or data regarding the operation system of the device on which it is installed;*
- 2. Have access to data or information stored on the mobile device;*
- 3. Have access to microphones, cameras, or Bluetooth on the mobile device; or*
- 4. Be able to activate or deactivate Wi-Fi on the mobile device.*

d. Data collected by such mobile application shall not be retained for more than 6 months from the date of collection. Identifying information, as defined by section 23-1201, collected by such mobile application shall not be shared except with the affirmative consent of the user. The user’s consent to share personal identifying information shall not be required as a condition to access or use the mobile application.

§ 2. This local law takes effect immediately.

Referred to the Committee on Technology.

Int. No. 1064

By Council Members Bottcher, Farías, Riley, Ossé, Brewer, Ung and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to monitoring and evaluating homelessness prevention and aftercare programs

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-152 to read as follows:

§ 21-152 Evaluation of homelessness prevention and aftercare services.

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

ACCESS HRA. The term “ACCESS HRA” means the website, mobile application, and any related or successor platforms through which individuals obtain information on and apply for some HRA benefits, and HRA clients obtain certain HRA benefits case information.

Case. The term “case” means the delivery timeframe for a set of services, which is opened upon a determination of eligibility to receive services through a covered program and is resolved upon either: (i) delivery of all services for which a client is eligible, or (ii) a change of status or availability of new information that renders a client ineligible for further service provision.

Client. The term “client” means a unique individual or household that receives services from a covered provider.

Covered program. The term “covered program” means a program, including the program known as Homebase Homelessness Prevention Program and any successor program, that provides homelessness prevention services to at-risk households or to assist households in securing permanent and habitable housing.

Covered provider. The term “covered provider” means a person that has entered into a contract with the department or the department of homeless services to deliver homeless prevention and aftercare services through a covered program.

HRA. The term “HRA” means the human resources administration.

Visitor. The term “visitor” means a unique individual or household that contacts a covered provider to inquire about services or eligibility to receive services through a covered program or HRA, whether in person, by telephone, online, or through the use of a mobile device application.

b. Annual report. No later than December 1, 2024, and annually thereafter, the department shall, in coordination with relevant covered providers, submit to the mayor and the speaker of the council and post on its website a report evaluating the outcomes and operations of covered programs during the preceding fiscal year. The report shall include, at a minimum, the following information as it pertains to the preceding fiscal year:

1. Services offered. The report shall describe:

(a) Services offered through the covered program and eligibility requirements for each service, as applicable, including but not limited to outreach, eligibility assessment, advice and assistance, case management services, legal assistance, financial assistance, mediation services, training or employment-related services, language access services, case management for shelter aftercare services, and referrals to or coordination with other programs that serve the same or similar clients;

(b) Number of clients who received each type of service, disaggregated by month;

(c) Number of clients who received upgraded or downgraded services pursuant to an override of the eligibility assessment results, disaggregated by month; and

(d) Average length of client engagement, as measured from first contact to case resolution, by type of service received.

2. Population served. The report shall include, at a minimum, the following information with respect to each covered provider during the previous fiscal year:

(a) List of funding sources available during the previous fiscal year, including a description of each source’s eligibility requirements for clients to receive services;

(b) Total number of visitors, disaggregated by month;

(c) How visitors heard about the covered program or other services, if known;

(d) Number of visitors identified as eligible to receive services, disaggregated by month;

(e) Total number of clients served, disaggregated by month;

(f) Demographic information for all visitors and clients, to include race or ethnicity, gender, community district, primary language, income level, family type, and any other information the department deems relevant;

(g) Number of clients represented by legal counsel at time of first contact with a covered provider;

(h) Number of clients represented by legal counsel at time of case resolution;

(i) For visitors not served, whether a referral to an alternative agency, service provider, or online assistance platform was offered, and if so to which agency, service provider, or platform they were referred; and

(j) For visitors not served, reason for not receiving services, to include, at a minimum, the number found to be:

(1) Ineligible, specifying all applicable reasons for ineligibility, including but not limited to ineligibility due to (i) visitor did not complete eligibility assessment; (ii) visitor does not meet funding requirements; (iii) covered program does not offer appropriate services to meet visitor needs; (iv) income level not served by covered program; (v) family type not served by covered program; (vi) issue related to child welfare case; (vii) issue related to family court; (viii) issue related to domestic violence; (ix) issue related to mental health; (x) language support insufficient; (xi) inaccessibility of covered program or services with respect to visitor disability; (xii) not assessed for eligibility because visitor needs are better served by different service provider or platform; (xiii) became ineligible due to loss of housing (specify number of days between first contact and loss of housing); (xiv) other reason (specify); or

(2) Eligible but did not receive services, specifying all applicable reasons for not receiving services, including but not limited to (i) became ineligible after being accepted as a client but before receiving any services; (ii) insufficient staff capacity; (iii) received assistance or referral for assistance from a program or service provider other than a covered program or provider, or an online assistance platform such as ACCESS HRA; (iv) elected not to continue, and reason why, if known; (v) other reason (specify).

(k) For visitors deemed eligible but who did not receive services due to a later determination of ineligibility, specify reasons for becoming ineligible as outlined in clause (1) of subparagraph (j).

3. Program outcomes. The report shall include, at a minimum, information about the following:

(a) Average timeframe per client case, measured from a client's first contact with a covered provider to case resolution;

(b) Method for prioritizing clients;

(c) Difference in timeframe per case, if any, between clients with and without legal representation;

(d) Return rates for clients, including average time between case resolution and return; and

(e) Rate of client application to or entry into shelter within a year of receiving services (for clients served during the year prior to the preceding fiscal year).

4. Recommendations. The report shall include, at minimum, the following recommendations:

(a) Proposed criteria to monitor and evaluate outcomes of a covered program, including metrics to be measured or data to be collected in the future; and

(b) Recommendations for improving visitor and client outcomes, including by identifying best practices implemented by top performing covered providers, legal or policy measures to expand eligibility or otherwise improve access to services, and any additional services or interventions that could contribute to improved outcomes for visitors or clients.

c. Analysis of contractor performance. No later than December 1, 2024, and every third year thereafter, the department shall include with the report required pursuant to subdivision b of this section an assessment of the performance of each covered provider's contract for delivery of the covered program, to include, at minimum, the following information with respect to each covered provider:

1. Overall quality of outcomes for visitors and clients, and the metrics used to determine quality of outcomes;

2. Work environment in which services are provided, including data on current staffing levels, vacancies, and retention rates, employee pay and benefits structures and trends, ratio of client-facing staff to non-client-facing or support staff, and average case load per client-facing employee for each covered provider;

3. Degree to which contractual requirements to deliver services pursuant to the covered program were met by each covered provider over the previous 3 years;

4. Changes made by covered providers, if any, in response to feedback provided by the department over the previous 3 years;

5. Methodology for data gathering, retention, review, and analysis, including but not limited to regular audits, in relation to each covered provider; and

6. Identified best practices from top-performing providers and recommendations for implementation of the same or similar practices by the department or other covered providers.

d. Privacy and confidentiality. All information otherwise required to be provided pursuant to this section shall be individualized and anonymized, as applicable. No information that is otherwise required to be provided

pursuant to this section shall be disclosed in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of information.

e. Data sharing. Relevant agencies, including but not limited to the department of homeless services, shall share with the department the data necessary to produce the reports required pursuant to this section.

§ 2. a. Definitions. For purposes of this section, the terms “covered program” and “covered provider” have the same meaning as defined in section 21-151 of the administrative code of the city of New York.

Department. The term “department” means the department of social services.

b. Study on early indicators of housing instability. No later than January 31, 2025, the department shall deliver to the mayor and the speaker of the council a report which provides, at minimum, the following:

1. Identification of early indicators for individuals or households at elevated risk of losing access to housing;
2. Recommendations for early or additional intervention opportunities that could complement or expand services currently offered through covered programs or by covered providers;
3. Recommendations for expanding the populations served by covered programs; and
4. Proposed service delivery framework for the recommended services or interventions.

c. Privacy protections. No information that is otherwise required to be provided pursuant to this section shall be disclosed in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of information.

§ 3. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 1065

By Council Members Bottcher, Krishnan, Brewer, Louis, Cabán, Farías, Riley, Ossé, Nurse, Ung, Hanif, Restler and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to an urban forest master plan

Be it enacted by the Council as follows:

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

§ 18-159 *Urban forest master plan. a. For the purposes of this section the following terms have the following meanings:*

Light detection and ranging. The term “light detection and ranging” means a form of measuring variable distances to Earth from the air using a laser or other light source to gather three-dimensional information about surface characteristics of the Earth.

Urban forest. The term “urban forest” means all the trees or shade creating vegetation contained within New York City, including those not under the ownership or jurisdiction of the commissioner.

b. The department shall develop an urban forest master plan that identifies strategies and sets goals to protect, care for, and expand the city’s urban forest canopy with an overall goal at expanding the cover provided by the city’s urban forest to 30% of land within the city.

c. In the development of such master plan, the department shall work in collaboration with any city agency, state agency, public authority, or person who the commissioner or department deems to have appropriate information or expertise to assist in the master plan’s development.

d. Such master plan shall:

- 1. Consider existing data to evaluate the holistic health and stability of the city’s urban forest as a whole;*
- 2. Identify the causes of the loss of urban forest or reductions of tree canopy cover and recommend strategies to remediate any urban forest losses and prevent similar losses in the future;*
- 3. Establish goals for expanding and protecting the city’s urban forest;*

4. Describe any initiatives or programs to be undertaken by the city to reach the goals outlined in the master plan; and

5. Include an outreach plan to educate real property owners, by providing them with information and strategies on how they can protect and expand the trees and vegetation on their property to advance the goals set forth in the master plan.

e. No later than July 31, 2025 and at least once every three years thereafter the department shall collect light detection and ranging data to monitor the canopy coverage of the city's urban forest and measure the growth or loss of any cover against the metrics set out in the master plan and track progress towards the overall urban forest canopy goal pursuant to subdivision b.

f. Nothing in this section shall require the commissioner to take ownership or control of any tree not already under the commissioner's jurisdiction.

g. The commissioner shall submit such master plan to the mayor and the speaker of the council no later than July 31, 2024, and shall post it on the website of the department. Such master plan shall be updated every ten years after the initial master plan.

§ 2. This local law takes effect immediately.

Referred to the Committee on Parks and Recreation.

Preconsidered Res. No. 661

Resolution to establish that the discount percentage for early payment of real estate taxes be set at one-half of one percent per annum for Fiscal Year 2024.

By Council Members Brannan and Farías.

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

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

Whereas, The Banking Commission forwarded its recommendation to the Council, by letter dated May 12, 2023, that the discount percentage for early payment of real estate taxes for Fiscal Year 2024 be set at one-half of one percent per annum; now, therefore, be it

Resolved, That the Council of the City of New York establishes that the discount percentage for early payment of real estate taxes be set at one-half of one percent per annum for Fiscal Year 2024.

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

Int. No. 1066

By Council Members Brewer, Krishnan, Bottcher, Louis, Cabán, Farías, Ossé, Nurse, Ung, Hanif and Restler.

A Local Law to amend the New York city charter, in relation to the role of trees, tree canopy, and vegetation with respect to the city's long-term sustainability planning

Be it enacted by the Council as follows:

Section 1. Paragraph 1 of subdivision b of section 20 of the New York city charter, as amended by local law number 84 for the year 2013, is amended to read as follows:

1. develop and coordinate the implementation of policies, programs and actions to meet the long-term needs of the city, with respect to its infrastructure, environment and overall sustainability citywide, including but not limited to the categories of housing, open space, brownfields, transportation, water quality and infrastructure, air quality, energy, and climate change; the resiliency of critical infrastructure, the built environment, coastal protection and communities; *the role of trees, tree canopy, and vegetation with respect to all of the foregoing*; and regarding city agencies, businesses, institutions and the public;

§ 2. This local law takes effect immediately.

Referred to the Committee on Parks and Recreation.

Int. No. 1067

By Council Members Brooks-Powers, Cabán, Farías, Richardson Jordan, Ossé and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to the prohibition of non-compete agreements

Be it enacted by the Council as follows:

Section 1. Chapter 5 of title 22 of the administrative code of the city of New York is amended by adding a new section 22-511 to read as follows:

§ 22-511 *Prohibition of non-compete agreements.*

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

Non-compete agreement. The term “non-compete agreement” means an agreement between an employer and a worker that prevents, or effectively prevents, the worker from seeking or accepting work for a different employer, or from operating a business, after the worker no longer works for the employer.

Employer. The term “employer” means a person that hires or contracts with a worker to work for a person.

Worker. The term “worker” means a natural person who works, whether paid or unpaid, for an employer. Such term includes an individual classified as an independent contractor.

b. Prohibitions. 1. No employer shall enter into, or attempt to enter into, a non-compete agreement with a worker.

2. No employer shall maintain a non-compete agreement with a worker. Any non-compete agreement between an employer and a worker must be rescinded by the employer no later than the date the local law that created this section goes into effect.

3. No employer shall represent to a worker that the worker is subject to a non-compete clause where the employer has no good faith basis to believe that the worker is subject to an enforceable non-compete agreement.

4. Any non-compete agreement entered into, or maintained, in violation of this subdivision is not enforceable.

c. Enforcement. Any person that violates any provision of this section is subject to a civil penalty of \$500 per violation. The office of labor standards shall enforce the requirements of this section.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 1068

By Council Member Cabán, the Public Advocate (Mr. Williams) and Council Members Hudson, Farías, Richardson Jordan, Ossé and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to the rights of persons who engage in sex work

Be it enacted by the Council as follows:

Section 1. Subchapter 6 of chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new section 3-162 to read as follows:

§ 3-162 Sex worker opportunity program. a. For purposes of this section, the term “sex work” means the voluntarily exchange of sexual services, performances, or products for material compensation.

b. The mayor’s office for equity, or any successor agency or office, shall establish, subject to appropriation, a sex worker opportunity program from which grants may be awarded to community organizations that work directly with persons who engage in sex work across all boroughs to create avenues for economic support for mobility, health, housing, and social well-being.

c. A community organization is eligible for such grants if it:

- 1. Works directly with current or former sex workers;*
- 2. Has experience working with the criminal justice system;*
- 3. Has experience working with historically marginalized communities including, but not limited to, immigrant populations; and*
- 4. Has experience advancing racial equity.*

d. The mayor’s office for equity, or any successor agency or office, shall promulgate such rules as it deems necessary to effectuate the provisions of this section.

§ 2. Section 8-102 of the administrative code of the city of New York is amended by adding a new definition of sex work in appropriate alphabetical order to read as follows:

Sex work. The term “sex work” means the voluntarily exchange of sexual services, performances, or products for material compensation.

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

(o) Applicability; persons who engage in sex work. (1) The provisions of this subdivision shall be construed to provide protection to persons who engage in sex work.

(2) Nothing in subparagraph (1) of this paragraph shall restrict a covered entity from taking any lawful adverse action against an occupant for reasons other than such occupant’s current or former employment in sex work.

(3) Nothing in subparagraph (1) of this paragraph shall restrict a covered entity from excluding a person from a housing accommodation where such exclusion is required pursuant to any federal, state, or local law or rule or regulation, provided that the covered entity shall provide the person a citation to the law, rule or regulation that requires such exclusion.

§ 4. Subchapter 1 of chapter 12 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-1202.1 to read as follows:

§ 20-1202.1 Outreach for persons who engage in sex work. a. For purposes of this section the term “sex work” means the voluntarily exchange of sexual services, performances, or products for material compensation.

b. The commissioner shall create a review and enforcement board to work directly with persons who engage in sex work to understand the most common unfair work practices they face and how such practices appear in the sex work industry. Such review and enforcement board shall also provide persons who engage in sex work with educational materials about their rights and how they can seek redress of those rights.

§ 5. Chapter 9 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-922 to read as follows:

§ 21-922 Matters involving sex work. a. For purposes of this section, the term “sex work” means the exchange of sexual services, performances, or products for material compensation.

b. No later than January 31 each year, the commissioner shall submit to the mayor and speaker of the council, and post on the ACS website, an annual report regarding the number, type, and outcomes of investigations initiated by ACS during the prior calendar year in which ACS case workers used information related to a person’s involvement in sex work. Such report shall include:

- 1. The age, income range, gender, and ethnicity of persons subject to investigation;*
- 2. The number of investigations initiated as a result of persons’ involvement in sex work;*
- 3. The types of investigations initiated;*
- 4. The findings and outcome of the investigations; and*

5. *The number of referrals reported to the police department or another law enforcement agency.*

§ 6. The definition of “identifying information” as set forth in section 23-1201 of the administrative code of the city of New York, as added by local law number 247 for the year 2017, is amended to read as follows:

Identifying information. The term “identifying information” means any information obtained by or on behalf of the city that may be used on its own or with other information to identify or locate an individual, including, but not limited to: name, sexual orientation, gender identity, race, marital or partnership status, status as a victim of domestic violence or sexual assault, status as a crime victim or witness, citizenship or immigration status, eligibility for or receipt of public assistance or city services, all information obtained from an individual's income tax records, information obtained from any surveillance system operated by, for the benefit of, or at the direction of the police department, motor vehicle information or license plate number, biometrics such as fingerprints and photographs, languages spoken, religion, nationality, country of origin, place of birth, arrest record or criminal conviction, employment status, *current or former employment in sex work as defined in section 8-102*, employer information, current and previous home and work addresses, contact information such as phone number and email address, information concerning social media accounts, date and/or time of release from the custody of the administration for children's services, the department of correction, or the police department, any scheduled court appearances, or any scheduled appointments with any employee, contractor, or subcontractor.

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

Referred to the Committee on Civil and Human Rights.

Int. No. 1069

By Council Members Gennaro, Cabán, Farías, Riley, Richardson Jordan, Ossé, Brewer, Ung and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to requiring testing at city waterfronts for harmful substances in the water and the posting of results online

Be it enacted by the Council as follows:

Section 1. Chapter 5-a of title 24 of the administrative code of the city of New York is amended by adding a new subchapter 5 to read as follows:

**SUBCHAPTER 5
WATER SAFETY TESTING AT WATER FRONT PROPERTIES**

§ 24-591 *Water safety testing at water front properties. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Harmful algal blooms. The term “harmful algal blooms” means colonies of algae that have grown to produce toxins that can kill fish, mammals, and birds and that can cause illness or death in humans.

Harmful substances. The term “harmful substances” means harmful or objectionable substances, contaminants, and pollutants that may have an adverse impact on waters of the state, humans, and wildlife, including but not limited to harmful algal blooms and discharges of petroleum.

b. Testing. The commissioner, in consultation with the commissioner of health and mental hygiene and the commissioner of parks and recreation, shall conduct sampling and testing at water front properties to quantify the levels of harmful substances in waters abutting such properties in accordance with this section. The commissioner shall conduct such sampling and testing no less than once per week and shall determine the appropriate methods of testing.

c. Posting of water quality information online. 1. The commissioner, in consultation with the commissioner of parks and recreation and the commissioner of health and mental hygiene, shall post conspicuously on the department’s website the results of the sampling and testing required to be conducted pursuant to subdivision b of this section within 3 days after each instance of such sampling and testing.

2. The results of such sampling and testing required to be posted online pursuant to this subdivision shall be disaggregated by:

- (a) *The type of harmful substance tested;*
- (b) *The level of such harmful substance found in the sample, indicated with units of measurement as determined by the commissioner;*
- (c) *The site where such sample was collected;*
- (d) *The date such sample was collected; and*
- (e) *The method of testing utilized to test for the harmful substance.*

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

Referred to the Committee on Environmental Protection, Resiliency and Waterfronts.

Int. No. 1070

By Council Member Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to reinstatement of the biotechnology credit against the general corporation tax, the unincorporated business tax, and the corporate tax of 2015.

Be it enacted by the Council as follows:

Section 1. Subparagraph 8 of paragraph (a) of subdivision (o) of section 11-503 of the administrative code of the city of New York, as added by local law 67 for the year 2009, is amended to read as follows:

(8) The credit allowed under this subdivision shall only be allowed for taxable years beginning on or after January first, two thousand ten and before January first, two thousand nineteen[.], *and beginning on or after January first, two thousand twenty-three and before January first, two thousand twenty-six.*

§ 2. Subparagraph 8 of paragraph (a) of subdivision 21 of section 11-604 of the administrative code of the city of New York, as added by local law number 67 for the year 2009, is amended to read as follows:

(8) The credit allowed under this subdivision shall only be allowed for taxable years beginning on or after January first, two thousand ten and before January first, two thousand nineteen[.], *and beginning on or after January first, two thousand twenty-three and before January first, two thousand twenty-six.*

§ 3. Subparagraph 8 of paragraph (a) of subdivision 21 of section 11-654 of the administrative code of the city of New York, as amended by chapter 60 of the laws of 2016, is amended to read as follows:

(8) The credit allowed under this subdivision shall only be allowed for taxable years beginning before January first, two thousand nineteen[.] *or beginning on or after January first, two thousand twenty-three and before January first, two thousand twenty-six.*

§ 4. Section 3 of local law number 67 for the year 2009 is amended to read as follows:

§ 3. The aggregate amount of tax credits allowed under *both* this local law *and subdivision 21 of section 11-654 of the administrative code* in any calendar year shall be 3 million dollars. Such aggregate amount of credits shall be allocated by the department of finance of the city of New York among eligible taxpayers on a pro rata basis. Taxpayers eligible for such pro rata allocation shall be determined by the department of finance of the city of New York no later than February twenty-eighth of the succeeding calendar year in which the credit provided in this local law is applied. *The department of finance of the City of New York shall establish by rule procedures for the allocation of tax credits allowed by this local law and subdivision 21 of section 11-654 of the administrative code. Such rules shall include provisions describing the application process, the due dates for such applications, the standards that shall be used to evaluate the applications, the documentation that will be provided to taxpayers to substantiate the amount of tax credits allocated to such taxpayers, and such other provisions as deemed necessary and appropriate.*

§ 5. This local law shall take effect immediately and, if it shall have become a law after December 31, 2023, shall be retroactive to and deemed to have been in full force and effect as of January 1, 2023.

Referred to the Committee on Finance.

Res. No. 662

Resolution calling upon the President of the United States and the Secretary of the Department of Homeland Security to grant Temporary Protected Status (TPS) and Special Student Relief (SSR) to those impacted by catastrophic flooding in Pakistan who are now living in the United States.

By Council Members Hanif, Cabán, Richardson Jordan, Ossé and Restler.

Whereas, In August 2022, Pakistan declared a national emergency after experiencing floods that caused death and destruction and cataclysmic damage affecting the residents, buildings, and critical infrastructure of Pakistan; and

Whereas, Reports indicate some areas of Pakistan had 450 percent more rain than a normal monsoon season and over one third of the country was submerged in water; and

Whereas, Over 33 million people have been affected by the flooding and 1,739 were killed; and

Whereas, Over 8 thousand miles of roads were destroyed; and

Whereas, Flood basins and drain systems were overwhelmed and areas were inundated with stagnant and contaminated flood water; and

Whereas, Villages, farms, and settlements were destroyed, and over one million livestock were killed; and

Whereas, Contaminated water and the destruction of crops and livestock threatens resident's health and food security, and Pakistan is trying to prevent a full scale hunger crisis; and

Whereas, Requests for financial aid remain seriously underfunded, hampering humanitarian support for residents and regions affected by the flooding; and

Whereas, According to data from The Center for Migration Studies, Pakistan is one of the top countries of origin for undocumented residents in the State of New York, largely in the City of New York; and

Whereas, Reports indicate more than 8,000 Pakistani students are studying in the United States, with a significant number of them in the City and State of New York; and

Whereas, Regulatory requirements from the Department of Homeland Security limit opportunities for international students to work, forcing them to rely on financial support from their home countries; and

Whereas, The devastation in Pakistan has made it unsuitable for Pakistanis to return, and Pakistani students and residents need stability in the United States to support themselves, their families, and recovery efforts in Pakistan; and

Whereas, Granting TPS and SSR would provide desperately needed protections and stability for Pakistanis in the United States; and

Whereas, The Secretary of the Department of Homeland Security is empowered to designate that a country qualifies for TPS and SSR when nationals who are already in the United States cannot return safely to their home countries due to extraordinary conditions, such as environmental disasters; and

Whereas, Advocates, like Desis Rising Up & Moving, engaged with Pakistani communities and students support TPS and SSR designation in response to the flood damage; and

Whereas, Designations of TPS and SSR for Pakistan would allow access to work permits, access to healthcare, lowered tuition fees, protection from deportation, the ability to request permission to travel back home, and many other local and state benefits; and

Whereas, The people of the City of New York possess a tremendous humanitarian spirit and have always expressed their solidarity with individuals from other nations who undergo suffering; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the President of the United States and the Secretary of the Department of Homeland Security to grant Temporary Protected Status (TPS) and Special Student Relief (SSR) to those impacted by catastrophic flooding in Pakistan who are now living in the United States.

Referred to the Committee on Immigration.

Int. No. 1071

By Council Members Holden, Cabán, Farías and Riley.

A Local Law to amend the administrative code of the city of New York, in relation to the timelines for the removal of abandoned or unsafe utility poles, wires, and appurtenances, and the transfer of appurtenances to newly erected poles

Be it enacted by the Council as follows:

Section 1. Section 24-411 of the administrative code of the city of New York is amended to read as follows:

a. All telegraph, telephone and electric light poles, wires or [conductors] *appurtenances* which shall hereafter remain or stand disused, or become disused or abandoned, *or which may be dangerous or unsafe*, in[,] or over or upon any street, shall be [forthwith] removed *within 60 days of becoming disused or abandoned, and forthwith if dangerous or unsafe*, but for sufficient cause shown the commissioner of transportation may extend the time for such removal, by one or more orders, for periods not exceeding [one year] 30 days each.

b. The persons owning, operating, managing or controlling poles, wires or appurtenances which may have been so disused or abandoned, or which may be dangerous or unsafe, shall take down and remove them *as described in subdivision a of this section*, and upon their failure to do so, the commissioner of transportation shall remove the same forthwith, at the expense of such persons. Before such removal, the commissioner of transportation, except where a condition of danger exists, shall mail a notice thereof to the last known address of such persons, a copy of which shall be posted for a period of ten days on each of such poles prior to its removal.

c. *When any new pole is erected to partially or entirely replace an existing pole, any appurtenances to the existing pole which shall be transferred to the new pole must be transferred by the persons owning, operating, managing, or controlling such appurtenances within 30 days of the erection of the new pole.*

d. Any person convicted of a violation of any of the provisions of this section shall be punished by a fine of not less than \$350 nor more than \$750[dollars, imprisonment for not more than ten days, or both]. In addition to or as an alternative to such penalty, such persons shall also be subject to a civil penalty of no less than nor more than \$100 per day such person is in violation of any provision of this section. Such civil penalties shall be imposed in the manner set forth in section 19-150.

§ 2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 1072

By Council Members Hudson, Farías, Ossé and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to shelter referrals and assessments for temporary housing assistance

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-334 to read as follows:

§ 21-334 *Referrals to shelter and assessments for temporary housing assistance. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Families with children. The term “families with children” means families with adults and children under the age of 18; families with adults and children under the age of 19 attending secondary school; a single pregnant woman; and families including at least 1 pregnant woman.

Intake facility. The term “intake facility” means the prevention assistance and temporary housing center or any successor entity.

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

Temporary housing assistance. The term “temporary housing assistance” means a public assistance benefit provided to a family with children to meet an immediate need for shelter.

b. Subject to approval of the state office of temporary and disability assistance, a family with children that has applied for temporary housing assistance shall be provided with emergency shelter for at least 30 days while the assessment of eligibility to receive temporary housing assistance and suitability for referral to a shelter is completed by the department.

c. A family with children shall not be required to furnish evidence demonstrating more than 1 year of housing history to apply for temporary housing assistance.

d. 1. No later than 30 days after the effective date of the local law that added this section, the department shall create an informational pamphlet that contains the following information:

(a) Examples of documents that may verify housing history, including, but not limited to, utility bills, leases, and eviction notices; and

(b) The process and criteria by which housing history is verified by the department.

2. Such informational pamphlet shall be posted on the department’s website and distributed to every family with children who visits an intake facility.

§ 2. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-335 to read as follows:

§ 21-335 Digital case record management. a. Definitions. For purposes of this section, the following terms have the following meanings:

Case record. The term “case record” has the meaning set forth in subdivision (a) of section 354.1 of title 18 of the New York codes, rules and regulations, regarding the maintenance of a case record for each application and for each case of public assistance.

Temporary housing assistance. The term “temporary housing assistance” means a public assistance benefit provided to a family with children to meet an immediate need for shelter.

b. The department shall maintain a digital case record for each applicant or recipient of temporary housing assistance that shall be accessible to such applicant or recipient via a secure website and application for use on mobile devices including phones.

c. The department shall immediately inform an applicant for temporary housing assistance of any need for information to complete the assessment of such applicant’s eligibility for temporary housing assistance through the digital case record required by subdivision b of this section, in addition to any other form of notice required by applicable law, rule, or regulation.

§ 3. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 1073

By Council Members Hudson, Williams, Cabán, Riley, Ossé, Richardson Jordan, Hanif, Restler, Sanchez, Narcisse, Avilés and Farías.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a truth, healing, and reconciliation process

Be it enacted by the Council as follows:

Section 1. Title 8 of the administrative code of the city of New York is amended by adding a new chapter 11 to read as follows:

CHAPTER 11 TRUTH, HEALING, AND RECONCILIATION

§ 8-1101 Legislative findings. a. The council hereby finds that from 1626 to 1827, the city of New York was the site of the wrongful but legally sanctioned enslavement of human beings of African and indigenous American descent; that in the early 1700s, the city of New York had one of the highest rates of slave ownership in the country, with between 15 and 20 percent of New Yorkers enslaved and deprived of their fundamental human rights; that after slavery was banned in the state in 1827, the city of New York continued to generate significant income from the illegal international trade of enslaved persons; and that racially motivated discrimination, riots, segregation, and violence continued after the United States formally abolished slavery in 1865, including through racially discriminatory laws, policies, and practices.

b. The council further finds that on November 8, 2022, New Yorkers voted to adopt a new preamble to the charter acknowledging “the grave injustices and atrocities that form part of our country’s history, including the forced labor of enslaved Africans” and “the discrimination, racial segregation, mass incarceration, and other forms of violence and systemic inequity that continue to be experienced by marginalized groups.” The preamble also acknowledges that these systemic injustices continue to cause profound harms to individuals, families, and communities, and that “[w]e must act intentionally to remedy these past and continuing harms and to reconstruct, revise and reimagine our foundations, structures, institutions, and laws to promote justice and equity for all New Yorkers.”

c. The council further finds that on November 8, 2022, when the preamble to the charter was approved, New Yorkers voted to affirm that “We, the people of New York city, united in our resolve to build a just and equitable city for all, recognize the efforts of those New Yorkers, past and present, who fought for racial equity and social justice, honor the contributions of those New Yorkers who have suffered in the name of freedom, and acknowledge all who fought, struggled, and dreamed for a better life and a better city. Together, we stand on their shoulders as we move boldly toward a brighter tomorrow for ourselves, our children, and future generations.”

d. Therefore, the council intends by this chapter to create a truth, healing, and reconciliation process, through which New Yorkers can publicly name and acknowledge the past, present, and ongoing harms and traumas caused by and associated with slavery and its legacies in the city of New York; and by which these grave harms and injustices can be publicly recognized, memorialized, and formally repudiated; and through which New Yorkers may ensure accountability for such harms and injustices, including by ensuring that such harms and injustices are not forgotten, perpetuated, or repeated; and through which the city may take action to repair relationships and social bonds amongst all New Yorkers.

§ 8-1102 Definitions. As used in this chapter, the following terms have the following meanings:

Affected person or community. The terms “affected person” and “affected community” mean a person and a group of people, respectively, that have experienced harm or injustice as a result of the legacies, badges, and aftereffects of slavery, or whose ancestors were subjected to slavery.

Commission. The term “commission” means the commission on racial equity established pursuant to section 3404 of the charter.

Community stakeholder. The term “community stakeholder” means a person who is an affected person or member of an affected community, a representative of a community-based organization, a community or religious leader, a scholar or expert, or a representative of a student group.

Public forum. The term “public forum” means a building or other physical location where, in accordance with rules promulgated by the commission, members of the public may learn about and engage with the history, personal experiences, and past or ongoing harms and injustices related to slavery.

Racial equity. The term “racial equity” means, when referring to an outcome, the achievement of equity with a particular focus on race or the intersection of race with other characteristics of identity. When referring to a process, the term “racial equity” means the closing of gaps in policy, practice, and allocation of city resources through the prioritization of access, opportunities, and resources to persons and communities who, based on or at least in part due to race, have historically faced or currently face marginalization or oppression, underinvestment, disinvestment, or under-resourcing.

Reconciliation. The term “reconciliation” means an ongoing process of establishing and maintaining respectful societal relationships rooted in the acknowledgement of historical truths, universal human dignity, and the shared pursuit of racial equity.

Slavery. The term “slavery” means the legally sanctioned, race-based practice in New York of enslaving Black and indigenous American persons between the years 1626 and 1827, and the effects, legacies, badges, and aftereffects of that practice.

Truth and reconciliation. The term “truth and reconciliation” means public proceedings, including but not limited to public hearings and research efforts, conducted for the purpose of investigating and recording serious human rights violations and abuses with the goal of achieving genuine healing, reconciliation, and progress toward a more just and equitable society. Such proceedings seek to establish patterns, practices, and chains of command that reveal the purposeful and systematic nature of such violations and abuses, potentially but not necessarily in concert with or in anticipation of reparative or restorative justice efforts.

§ 8-1103 Truth and reconciliation process established. a. Objectives. The commission shall establish a truth and reconciliation process with the following objectives:

1. Establishing historical facts about slavery in or in connection with the city of New York that remain disputed or denied; identifying the historical and social contexts that gave rise to them; and making recommendations as to whether further investigation is appropriate;

2. Protecting, acknowledging, and empowering affected persons and communities before, during, and after the process; and

3. Recommending and encouraging policy and social changes for government and community institutions in order to prevent the recurrence or perpetuation of harms and injustices related to slavery.

b. Plan required. Not later than June 19, 2024, the commission shall deliver to the mayor and the speaker of the council, and shall post publicly on its website, a plan describing the scope and implementation for a truth and reconciliation process, including but not limited to a plan for a public outreach and information campaign, a list of sites to be designated as public forums, the specific topics to be addressed through a truth and reconciliation process, terms and guidelines for public participation in proceedings, a plan to support and protect the physical and psychological health of participants, an implementation timeline, measures to ensure the preservation and memorialization of the proceedings and findings in accordance with section 8-1108, and any other steps the commission deems necessary to achieve broad-based public awareness, engagement, and participation before, during, and after the truth and reconciliation process.

c. Participatory process. In creating a plan, selecting topics, and otherwise carrying out its duties in relation to a truth and reconciliation process pursuant to this chapter, the commission shall consult extensively with community stakeholders and persons with expertise in truth and reconciliation processes. The commission shall, at a minimum, consult with community stakeholders who:

1. Have relevant personal experience or expertise regarding harms and injustices related to slavery in or in connection with the city of New York, which experience may include having descended from enslaved persons;

2. Represent institutions, organizations, corporations, or associations that are organized or operated primarily for historical, cultural, educational, religious, or charitable purposes and that are connected to African American or indigenous American heritage, history, or culture; or

3. Have relevant personal experience or expertise in promoting racial justice and equity in the city of New York.

§ 8-1104 Truth and reconciliation topics and proceedings. a. Topics to be addressed. The truth and reconciliation process shall address topics relating to the history and effects of slavery in or in connection with the territory that is now the city of New York, as defined in section 2-201. In selecting topics to be addressed, the commission shall consider, at minimum, rights violations, events, practices, systems, and consequences in relation to the following:

1. Topics prioritized by community stakeholders, especially those relating to harms and injustices experienced by descendants and family members of persons who were enslaved in or in connection with the city of New York;

2. Historical or ongoing civil and political injustices and inequities, which may include but need not be limited to the physical abuses, sexual violence, torture, and death including by lynching of enslaved persons and their descendants; race-based, legal and extralegal barriers to voting and other forms of political participation;

racially discriminatory police violence and over-criminalization; and other forms of racially discriminatory violence and oppression;

3. Historical or ongoing economic, social, and cultural injustices and inequities, which may include but need not be limited to enslaved persons' abduction from their homelands and communities; deprivation of economic autonomy; forced family separations; cultural oppression and erasure; segregation and "Jim Crow" laws; community displacement; redlining and other forms of discriminatory zoning and development; environmental injustice; mental, physical, and reproductive health inequities; pay and employment disparities; and other psychological and social repercussions of racial discrimination and trauma;

4. Differentiated experiences of harms and injustices associated with race-based discrimination and violence as they may have varied or vary on the basis of sex, gender, religion, ethnic and cultural origin, language, educational attainment, socioeconomic status, ability, or other personal characteristic;

5. The involvement of government, corporate, and community-based entities in perpetrating or supporting slavery;

6. Time periods, practices, or events of particular relevance to the physical site of a public forum or to nearby residents and affected communities;

7. Systemic and lived connections between various racial injustices or inequities; and

8. Past and present contributions of New Yorkers to addressing, repairing, and fighting against slavery, racial discrimination, and related injustices and inequities.

c. Opening date. The truth and reconciliation proceedings required by this chapter shall commence no later than June 19, 2025.

§ 8-1104 Public forums. a. Site selection. The commission, in consultation with community stakeholders, shall select a minimum of 5 sites on which to establish public forums for truth and reconciliation, as follows:

1. The commission shall select a minimum of 1 site in each borough.

2. The commission shall give priority consideration to sites that are:

(a) Suitable for public hearings, exhibitions, and other relevant proceedings, including those that would support remote viewing and participation, such as through interactive livestream;

(b) Easily accessible by multiple forms of transportation and otherwise conducive to maximizing public participation, including by ensuring adequate capacity for reasonably foreseeable attendance levels, with particular consideration for affected persons and communities; and

(c) Of particular relevance to the topic or topics to be addressed at that site or generally.

3. The commission may dedicate each public forum to addressing 1 or more specific topics, or the commission may determine that any topic may be raised at multiple or all public forums.

b. The commission shall list the location, schedule of meetings, and topic or topics to be addressed at each public forum on its website, and to the extent possible make materials, video recordings, public testimony, and other research from each public forum available on its website as they become available.

c. At any time during the course of the truth and reconciliation process required by this chapter, the commission may establish a temporary site dedicated to a specific event, performance, exhibition, or other proceeding which is especially or solely suited to such site.

§ 8-1105 Public engagement. a. Public information campaign. Beginning no later than 6 months after the effective date of the local law that added this chapter, and ending no earlier than 1 year after the conclusion of the truth and reconciliation process required by this chapter, the commission, in consultation with the civic engagement commission and the office of ethnic and community media, shall conduct a public outreach and information campaign designed to encourage awareness of, engagement with, and participation in the truth and reconciliation process and findings. Such information campaign shall at a minimum include:

1. Creating educational materials tailored to persons of different ages and backgrounds;

2. Creating resources for teachers, parents, historians, journalists, and persons in other relevant professions and community leadership roles;

3. Identifying community outreach partners, stakeholders, and opportunities for engagement; and

4. Distributing and publicizing materials and resources through the use of print, radio, internet, and public space, as practicable.

b. Terms and guidelines for participation. The commission shall issue terms and guidelines for the creation and protection of a physically and psychologically secure space and process for truth and reconciliation. The commission shall describe these terms and guidelines, as well as any relevant training needs, in the plan required

pursuant to section 8-1103 of this chapter. In creating these terms and guidelines, the commission shall take into particular consideration the interests and needs of affected persons and communities.

c. Public notice of proceedings. The commission shall post public notice of the time and place of meetings, hearings, and other proceedings of the commission in which it is planned to address matters relating to truth and reconciliation. Wherever practicable, such proceedings shall be scheduled and publicly noticed at least 30 days in advance, or within 2 days of when the meeting was scheduled, whichever is earlier. If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, identify the locations for the meeting, and state that the public has the right to attend the meeting at any of the locations. The public notice provided for by this section shall not be construed to require publication as a legal notice. Public notice shall include:

- 1. Giving notice to the news media;*
- 2. Conspicuously posting notice in 1 or more designated public locations at a reasonable time, preferably at least 2 weeks before a scheduled proceeding; and*
- 3. Conspicuously posting notice on the website of the commission. § 8-1106 Special inquiries. a. Special inquiries authorized. In carrying out its duties pursuant to this chapter, the commission may conduct or cause to be conducted relevant research on public and non-public city records, including but not limited to retrieval of relevant historical documents.*

b. Support for special inquiries. Pursuant to commission request, city agencies shall provide appropriate staff and resources to facilitate and support any reasonably defined inquiry authorized by this section.

§ 8-1107 Narrative report and recommendations. No later than one year following the conclusion of the truth and reconciliation process required by this chapter, the commission shall publish a report on the history and legacies of slavery in the city of New York, including but not limited to the legacy and badges of such slavery that continue to undermine racial equity in the city of New York in the present day. The report shall, at a minimum:

a. Document the findings of the truth and reconciliation process, including the experiences and recommendations shared by participants, including those affected by slavery in or in connection with the city of New York; and

b. Recommend steps that the city can take to address, repair, and combat race-based discrimination and injustice in the present and future, which may include but need not be limited to proposed steps toward memorialization, as described in section 8-1108; recommendations regarding specific cases for referral to any local, state, or national reparations mechanism that exists or may exist in future, or to any other tribunal, as appropriate; and identification of other grave injustices raised during the truth and reconciliation process but outside the scope of this chapter that may benefit from a separate, dedicated truth and reconciliation process.

§ 8-1108 Preservation and memorialization. The commission shall preserve its working documents, videos, transcripts, and operational and administrative records and shall recommend, as part of the report required by section 8-1107, a means of memorializing and making available to the public its records and findings for the purpose of public education and engagement in perpetuity. Such means may include but need not be limited to making some or all documents, exhibits, and other materials permanently available online; establishing a museum of truth, healing, and reconciliation; creating physical markers such as but not necessarily limited to a map, monument or monuments, forms of artistic expression such as permanent or temporary art installations, performances, film, or other form of artistic expression; establishing future forums or processes for truth-telling, healing, and community engagement; and proposing other measures for the promotion of racial healing, understanding, and equity.

§ 2. This local law takes effect immediately.

Referred to the Committee on Civil and Human Rights.

Int. No. 1074

By Council Members Hudson, Cabán, Schulman, Ossé, Sanchez, Farías, Richardson Jordan, Brewer, Ung, Hanif, Restler and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the use of city resources to enforce restrictions on gender-affirming care

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 10 of the administrative code of the city of New York is amended by adding a new section 10-184.1 to read as follows:

§ 10-184.1 Gender-affirming care protections. a. Definitions. As used in this section, the term “city property” means any real property leased or owned by the city that serves a city governmental purpose and over which the city has operational control.

b. No city resources, including, but not limited to, time spent by employees, officers, contractors, or subcontractors while on duty, or the use of city property, shall be utilized for the purpose of arresting or detaining:

1. A person known or suspected to have provided or aided in the provision of gender-affirming care, unless there is reasonable cause to believe the gender-affirming care was not provided in accordance with any state or local law that applies in the city;

2. A parent or guardian of a minor known or suspected to have sought or received gender-affirming care, unless there is reasonable cause to believe the gender-affirming care was not provided in accordance with any state or local law that applies in the city; or

3. A patient known or suspected to have sought or received gender-affirming care.

c. No city resources, including, but not limited to, time spent by employees, officers, contractors, or subcontractors while on duty, or the use of city property, shall be utilized for the purpose of cooperating with or providing information to any individual or out-of-state agency or department that would identify any person as providing, aiding in the provision of, receiving, or seeking gender-affirming care that has been lawfully provided or that would confirm or deny the identity of any such person.

d. Nothing in this section shall prohibit the investigation or prosecution of criminal activity which may involve the provision of gender-affirming care not provided in accordance with applicable state or local law, provided that no information that would identify any person associated with gender-affirming care that has been lawfully provided may be shared with an out-of-state agency or department or any other individual without the prior consent of such person.

e. Nothing in this section shall affect any applicable state or local law that provides a person or their legal representative a right to access or disclose any information or document related to their own health care.

f. Nothing in this section shall prevent a city agency from cooperating with or providing information to any individual or out-of-state agency or department for scientific study or research being undertaken for the purpose of the reduction of morbidity and mortality or the improvement of the quality of medical care, provided that no information relating to any medical care provided to a specific individual or that would identify any person associated with gender-affirming care that has been lawfully provided may be shared without the prior consent of such person.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Res. No. 663

Resolution calling on the New York State Legislature to pass, and the Governor to sign, legislation repealing all provisions of law that require most counties to maintain a jail.

By Council Members Hudson, Cabán, Richardson Jordan, Ossé, Hanif and Restler.

Whereas, Section 217 of the New York State County Law requires all counties in New York State to maintain a county jail, except counties wholly contained within a city, as outlined in paragraph (a) of Section 2; and

Whereas, Subsection 3 of section 500-A of the New York State Correction Law further requires that buildings presently in use as county jails must continue to be used for that purpose until and unless they are replaced; and

Whereas, The United States currently incarcerates approximately 1.9 million people, roughly a quarter of whom are confined in local jails, according to the Prison Policy Initiative; and

Whereas, As of 2017, local governments were spending a total of \$25 billion on jails each year, accounting for approximately 5% of all county spending, according to the Pew Charitable Trusts; and

Whereas, Local jails are primarily utilized for pretrial detention, including for individuals held on monetary bail, creating a fundamental unfairness to detainees who lack sufficient financial means to secure their own release; and

Whereas, Pretrial detention may incur serious social and criminogenic costs, including increased recidivism, without producing a commensurate increase in court efficiency, according to a 2019 research summary from the Vera Institute of Justice; and

Whereas, Even as New York State jail incarceration rates have generally decreased in recent years, both in absolute terms and relative to national trends, 17 counties still experienced increases in jail incarceration over the decade prior to 2021, as measured by data provided by the Vera Institute of Justice; and

Whereas, The requirement that all counties maintain a jail fuels the presumptive use of incarceration as a first-line measure in response to alleged criminality; and

Whereas, New York's current statutory scheme inhibits local ingenuity and restricts the ability of local policymakers to develop new approaches to criminal justice that do not rely primarily on incarceration; and

Whereas, Principles of democracy and community self-determination further demand that communities be permitted to implement new and innovative approaches to the criminal justice system that align with the values of the local electorate; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation repealing all provisions of law that require most counties to maintain a jail.

Referred to the Committee on Criminal Justice.

Res. No. 664

Resolution calling on Congress to pass, and the President to sign, S. Res. 144/H. Res. 269, recognizing the duty of the Federal Government to develop and implement a Transgender Bill of Rights to protect and codify the rights of transgender and nonbinary people under the law and ensure their access to medical care, shelter, safety, and economic security.

By Council Members Hudson, Cabán, Schulman, Ossé, Farías, Richardson Jordan, Brewer, Ung, Hanif and Restler.

Whereas, According to a 2022 study by the University of California at Los Angeles's Williams Institute, an estimated 1.6 million people in the United States (U.S.) over the age of thirteen identify as transgender; and

Whereas, In November 2022, the Human Rights Campaign (HRC) reported that 32 transgender and gender-nonconforming people in the U.S. died as victims of hate crimes; and

Whereas, According to the Trans Legislation Tracker, 2023 marks the fourth consecutive “record-breaking” year of increased legislative efforts to disenfranchise transgender people from accessing basic healthcare services, uniform legal recognition and protection, employment, educational and athletic opportunities, and the right to openly exist in public life; and

Whereas, According to the American Civil Liberties Union (ACLU), between January and March of 2023, 450 bills—from primarily southern state legislatures—were introduced and advanced to committees, with nearly two dozen bills passed into law that restrict freedom of expression and access to equal opportunities for LGBTQ+ individuals; and

Whereas, The ACLU report compared the 450 anti-LGBTQ+ bills introduced within the first three months of 2023 to the total of 315 bills, previously introduced by state legislatures during the entire 2022 session, and noted the alarming and growing trend away from ensuring civil rights with respect to public services, accommodations, employment, housing, and health care for the LGBTQ+ and transgender community; and

Whereas, According to HRC, anti-transgender legislation has sought to limit discussion of LGBTQ+ topics in schools, restricted gender-affirming health care, and serves to prevent transgender children from playing sports on teams or using bathrooms that align with their gender identities; and

Whereas, A PBS NewsHour/NPR/Marist poll report found 43 percent of Americans to be in support of criminalizing gender-transition-related medical care for minors as opposed to 54 percent who oppose such laws; and

Whereas, S. Res. 144, sponsored by U.S. Senator Edward J. Markey (D-MA) and H. Res. 269, sponsored by U.S. Representative Pramila Jayapal (D-WA-7), was introduced on March 30, 2023—the International Transgender Day of Visibility—in order to create a comprehensive framework of protections to ensure medical care, shelter, safety and economic security in response to escalating attacks upon the transgender community; and

Whereas, According to the New York State Department of Health, in 2022, New York State was home to over one million adults who identify as LGBTQ+, with an estimated 0.5% of New York State adults identifying as transgender or gender non-confirming; and

Whereas, According to HRC, the “epidemic” of violent incidents targeting the transgender and gender non-conforming community in New York City has resulted in at least 11 fatalities in 2023; now, therefore, be it

Resolved, That the Council of the City of New York calls upon Congress to pass, and the President to sign, S. Res.144/H. Res.269, recognizing the duty of the Federal Government to develop and implement a Transgender Bill of Rights to protect and codify the rights of transgender and nonbinary people under the law and ensure their access to medical care, shelter, safety, and economic security.

Referred to the Committee on Civil and Human Rights.

Res. No. 665

Resolution calling upon the New York State legislature to pass, and the Governor to sign, legislation that would establish the medical debt relief fund and allow taxpayers to make a donation to such fund on their personal tax returns.

By Council Members Hudson, Schulman, Cabán, Farías, Ossé and Restler.

Whereas, Medical debt is any balance or amount owed after receiving medical services or goods, including amounts owed that have not been paid, have become delinquent, or have been sent to third-party collections; and

Whereas, According to the White House 2022 Fact Sheet, medical debt is now the largest source of debt in collections in the country—more than credit cards, utilities, and auto loans combined; and

Whereas, The Consumer Financial Protection Bureau (CFPB) states that the majority of debt in third-party collections in the United States, about 58 percent, comes from medical bills; and

Whereas, According to RIP Medical Debt, over 100 million adults across the United States struggle with healthcare debt, owing an estimated \$195 billion in medical debt combined; and

Whereas, A 2021 United States Census report on the burden of medical debt found that 19 percent of United States (U.S.) households are unable to pay their medical debt, owing a median of \$2000 per household; and

Whereas, Additionally, young adults, low-income households, people with some to no college education, people with disabilities, the uninsured, immigrants, Black and Hispanic communities, and families with minor children are disproportionately impacted and make up the bulk of the population with medical debt; and

Whereas, The National Library of Medicine found that black adults incur substantial medical debt compared to white adults, and more than 40 percent of this difference is mediated by health status, income, and insurance disparities; and

Whereas, According to Kaiser Health News (KHN), despite the landmark 2010 Affordable Care Act (ACA), which expanded insurance coverage to tens of millions of Americans, patient debt continues to rise as health insurers have shifted costs onto patients through higher deductibles, forcing working-class people to pay thousands of dollars in healthcare bills and leaving many vulnerable to medical debts and bankruptcy; and

Whereas, Public Citizen reports that every year more than 60 percent of all personal bankruptcies are caused by medical debt, as nearly 650,000 people are pushed into bankruptcy by medical bills; and

Whereas, According to CFPB, medical debt can lead people to avoid medical care, develop physical and mental health problems, and face adverse financial consequences like lawsuits, wage and bank account garnishment, home liens, and bankruptcy; and

Whereas, Furthermore, past-due medical debt reported to consumer reporting companies can appear on a person's credit report, which can lower their credit score and reduce their access to credit, making it harder for many to rent or buy necessities such as a home or car; and

Whereas, Data published by Community Service Society found that between 2015 and 2020, over 52,000 New Yorkers were sued by hospitals, and thousands of New Yorkers have had property liens placed on their homes or had their wages garnished because of medical debt; and

Whereas, To aid certain causes such as Alzheimer's, Firearm Violence Research, and Teen Health Education, the New York State Department of Taxation and Finance allows individuals to make voluntary contributions to various funds of their choice on their personal income tax return; and

Whereas, As of May 2023, there are 34 funds that New Yorkers can contribute to on their personal income tax through completing Form IT-227; and

Whereas, Creating such a fund for medical debt would help New Yorkers access the healthcare they need without being pushed into medical debt related bankruptcy; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State legislature to pass, and the Governor to sign, legislation that would establish the medical debt relief fund and allow taxpayers to make a donation to such a fund on their personal tax returns.

Referred to the Committee on Health.

Int. No. 1075

By Council Members Joseph, Cabán, Farías, Riley, Ossé, Brewer, Ung, Won, Schulman, Hanif, Restler, Krishnan and Brooks-Powers.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to requiring the New York city department of education to report actual class sizes and expand reports on the amount of students in special programs in New York city public schools

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 522 of the New York city charter, as added by local law number 125 for the year 2005, is amended to read as follows:

c. Class size reporting. The department of education shall submit a report *on class sizes* to the city council twice annually, on or before November [fifteenth] 15 and February [fifteenth] 15 of each year[, with respect to]. *Each November 15 report shall reflect class sizes as of the next preceding October 31, and each February 15 report shall reflect class sizes as of the next preceding February 1. Such reports shall include the following information regarding class sizes in New York city public schools:*

1. For each school and, separately, for each academic program within a school or school building, including smaller schools housed within larger institutions and specialized programs, such as those for gifted students and for students with special needs, the average class size per grade of all classes *and the actual class size of each class* in such school or program;

2. For each school district and for each region, the average class size per grade of all classes in such district and region;

3. For each borough, the average class size per grade of all classes in such borough;

4. Citywide, the average class size per grade; and

5. A detailed description of the methodologies used to calculate all such grade size data reported.

§ 2. Section 21-957 of the administrative code of the city of New York, as amended by local law number 223 for the year 2019, is amended to read as follows:

§ 21-957 Annual report on the demographics of students in grades kindergarten through [eight] 8. Not later than December 31, 2015, and by December 1 of each year thereafter, the department shall submit to the speaker of the council and post on its website a report regarding the following:

a. For each community school district, school within such district, special program within such school, and grade within such school, the total number of [public school] students enrolled in the preceding school year in grades kindergarten through [eight] 8 and the number and percentage of such students who:

1. Receive special education services;

2. Are English language learners;

3. Are eligible for the federal free or reduced price meals program;

4. Reside in temporary housing;

5. Are attending school out of the attendance zone in which the student resides; and

6. Are attending school out of the community school district in which the student resides.

b. The data provided pursuant to subdivision a shall be disaggregated by:

1. Grade level;

2. Race or ethnicity;

3. Gender;

4. English language learner status; and

5. Primary home language.

c. *For each community school district, each borough, and citywide, the number and percentage of students enrolled in special programs in the preceding school year in grades kindergarten through 8.*

d. *The data provided pursuant to subdivision c shall be disaggregated by:*

1. *Program type;*

2. *Grade;*

3. *Race or ethnicity;*

4. *Gender;*

5. *Special education status; and*

6. *English language learner status.*

[c.] e. For students in grades [three] 3 through [eight] 8, the data provided pursuant to subdivision a of this section shall indicate:

1. The number of students who completed the New York state mathematics examination, disaggregated by performance level; and

2. The number of students who completed the New York state English language arts examination, disaggregated by performance level.

[d.] f. For each school and special program set forth in subdivision a of this section, the department shall report:

1. The admissions process used by such school or special program, including but not limited to, whether admission to such school or special program is based on a lottery; a geographic zone; an audition; a screening of candidates for such school; including a detailed description of such screening; or a standardized test;

2. Any criteria or methods that are used to supplement the admissions process, including but not limited to, preferences established under the department's diversity in admissions pilot, composite score formulas, waitlists or a principal's discretion;

3. A side-by-side comparison of the racial and ethnic demographics of such school or special program with the racial and ethnic demographics of all students in grades kindergarten through [eight] 8 that reside within the applicable attendance zone, and, if the applicable attendance zone is smaller than the community school district, a side-by-side comparison of the racial and ethnic demographics of the school or special program, the applicable attendance zone, and the applicable community school district; and

4. Whether such school or special program is becoming more or less similar to the racial and ethnic demographics of the applicable attendance zone and the community school district, based on the comparison required pursuant to paragraph 3 of this subdivision.

[e.] g. For each community school district, the department shall report on whether the department made any efforts in such community school district during the preceding school year to encourage a diverse student body in its schools and special programs and, if so, the details of such efforts, including, but not limited to, strategic site selection of new schools and special programs, making recommendations to the community education council to draw attendance zones with recognition of the demographics of neighborhoods, the allocation of resources for schools and special programs, and targeted outreach and recruitment efforts.

[f.] h. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of student information or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If a category contains between [one] 1 and [five] 5 students, or contains an amount that would allow another category that contains between [one] 1 and [five] 5 students to be deduced, the number shall be replaced with a symbol. A category that contains [zero] 0 shall be reported as [zero] 0, unless such reporting would violate any applicable provision of federal, state, or local law relating to the privacy of student information.

[g.] i. The report required pursuant to this section shall, to the extent the department has such information, include data regarding charter schools located within the [five] 5 boroughs.

§ 3. This local law shall take effect immediately.

Referred to the Committee on Education.

Int. No. 1076

By Council Members Joseph, Cabán, Farías, Riley, Ossé, Hanif and Restler (by request of the Manhattan Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to making certain bathrooms in city facilities available for public use

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 4 of the administrative code of the city of New York is amended by adding a new section 4-218 to read as follows:

§ 4-218 *Public access to bathrooms in city-managed facilities. a. Definitions. As used in this section, the following terms have the following meanings:*

ADA accessible bathroom. The term “ADA accessible bathroom” means a bathroom that complies with the Americans with Disabilities Act and the regulations promulgated thereunder, contained in parts 35 and 36 of title 28 of the code of federal regulations, and any additional applicable federal, state, and local laws relating to accessibility for persons with disabilities, as such laws, rules, or regulations may from time to time be amended.

Available bathroom. The term “available bathroom” means a bathroom located in a publicly accessible area of a city facility.

City facility. The term “city facility” means a building or structure or part thereof that (i) is owned or leased by the city; (ii) is managed or operated by an agency; and (iii) has a publicly accessible area.

Commissioner. The term “commissioner” means the commissioner of citywide administrative services.

Publicly accessible area. The term “publicly accessible area” means an area of a city facility to which members of the public are regularly invited or permitted entrance to on most business days and which does not require special authorization, other than basic security screening, to gain admission.

Facility employee. The term “facility employee” means a person who regularly performs work in a city facility with at least 1 available bathroom.

b. Bathrooms to be opened to the public. The commissioner shall coordinate with the heads of all agencies that manage or operate a city facility to open every available bathroom to public use during the operating hours of the city facility in which each bathroom is located. In determining which available bathrooms are to be opened to the public, the commissioner shall coordinate with the manager or operator of each city facility to:

1. Make every reasonable effort to open available bathrooms that are ADA accessible to the public;
2. At least 28 calendar days before selected bathrooms are to be opened to the public, provide written notice to the designated leadership of any labor union or labor organization that represents facility employees; and
3. At least 28 calendar days before selected bathrooms are to be opened to the public, post notice in or near all entrances to each selected bathroom.

c. Information to be shared with the public. 1. The commissioner shall coordinate with the heads of all city agencies that manage or operate a bathroom opened to the public pursuant to this section to display signage indicating that the facility offers bathrooms for public use. During operating hours, such signage shall be conspicuously visible in front of all publicly accessible entrances to each city facility. The sign shall state the hours during which the bathrooms are open and whether the bathrooms are ADA accessible.

2. A bathroom opened to the public pursuant to subdivision b of this section shall be considered a public bathroom for the purposes of section 18-159.

d. Report on implementation. No later than 30 days after the effective date of this section, the commissioner shall coordinate with all agency heads that manage or operate a city facility to submit a report to the speaker of the council, the mayor, the public advocate, and each community board that lists:

1. The address of each city facility and the name of the agency that manages or operates it;
2. A list of all bathroom facilities in each city facility, categorized as follows: (i) ADA accessible bathrooms open to the public; (ii) bathrooms open to the public that are not ADA accessible; (iii) bathrooms not open to the public; and
3. For any bathroom not opened to the public, the factors that led to such determination. Where such bathroom is ADA accessible, the report shall describe the potential workarounds that were considered and why these were insufficient to allow opening the bathroom to the public.

e. Agency duty to notify. Agencies shall notify the commissioner of the following changes in circumstance at least 30 days in advance of when such change are expected to occur, except where such change is unforeseen, in which case agencies must notify the commissioner within 2 business days from when the change occurred:

1. When a bathroom opened to the public pursuant to this section is to be closed to the public during operating hours for a reason other than regularly scheduled maintenance, or when a bathroom becomes inaccessible to persons with disabilities after having been listed as ADA accessible, including, as applicable, the date on which the bathroom is expected to be re-opened to the public or to persons with disabilities; or
2. When a bathroom becomes available to the public for the first time or an available bathroom is newly made ADA accessible, including the date on which such change is expected to occur.

f. Periodic updates to the report. Upon a change in circumstance pursuant to subdivision e of this section, the commissioner shall update and resubmit the report required by subdivision d of this section. The updated portion of the report must also be submitted to the agency designated by the mayor pursuant to subdivision c of section 18-159 and reflected on the website listing all public bathrooms in the city. If a bathroom will be closed temporarily, the report and website must specify the date on which the bathroom is expected to be re-opened to the public. The updated report must be submitted no later than 14 calendar days before a change in circumstance pursuant to subdivision e of this section is expected to occur, or 4 business days after an unforeseen change, except that no update shall be required within 14 calendar days of the previous update.

§ 2. Paragraph 26) of subdivision a of section 4-208 of the administrative code of the city of New York, as added by local law number 48 for the year 2011, is amended to read as follows:

26) the major use of the structure or structures, where applicable, *including whether it contains a publicly available bathroom as defined in section 4-218*;

§ 3. This local law takes effect 90 days after it becomes law, except that, to the extent that any part of this local law cannot be implemented without reference to section 18-159 of the administrative code of the city of New York, that part takes effect no earlier than the effective date of a local law to amend the administrative code of the city of New York, in relation to requiring reporting on the features and condition of public bathrooms, as proposed in introduction number 576 for the year 2022.

Referred to the Committee on Governmental Operations.

Int. No. 1077

By Council Members Joseph, Cabán, Farías, Riley, Ossé, Brewer, Ung, Hanif and Restler (by request of the Manhattan Borough President).

A Local Law in relation to a capital plan and timeline for installing public bathrooms

Be it enacted by the Council as follows:

Section 1. a. Definitions. For purposes of this section:

1. The terms “capital project,” “scope of project,” “proposed scope of project,” and “cost” have the same meanings as set forth in section 210 of the New York city charter.

2. The term “introduction number 258-A” means a local law for the year 2022 relating to a report on suitable locations for installing public bathrooms, as proposed in introduction number 258-A.

b. Report. No later than May 31, 2024, an agency or office designated by the mayor, in coordination with the department of parks and recreation and the department of transportation, shall submit to the mayor and to the speaker of the council a report that proposes a capital project plan and implementation timeline for the installation and maintenance of public bathroom facilities at each of the sites to be identified pursuant to introduction number 258-A. The report shall contain a detailed estimate of the costs either to acquire and install or to design and construct each public bathroom facility, as well as the costs to maintain each facility. In addition, such report shall include, but need not be limited to, the following information:

1. A proposed scope of project that conforms to the standards and limits set out under section 221 of the New York city charter;

2. The cash flow requirements and proposed sources of funding for each bathroom facility, including estimated expenditures for each fiscal year until its completion;

3. A summary description of the factors that led to the determination of the proposed site, proposed type of facility, proposed safety measures, and other projected costs, including a description of how these determinations address the challenges identified pursuant to paragraphs 4 and 5 of subdivision b of section 1 of introduction number 258-A;

4. A proposed schedule for beginning and completing the installation of each facility, with no fewer than 12 facilities proposed for installation annually and a target completion date for all facilities of no later than June 1, 2035;

5. Each facility’s period of probable usefulness;

6. An appropriate maintenance schedule, including estimated annual costs through the end of fiscal year 2029; and

7. A description of how the equity evaluation required under subdivision d of this section was undertaken, and how the findings are reflected in the proposed installation schedule, funding streams, and maintenance schedules.

c. Coordination. In preparing the report, the designated agency or office, in coordination with the department of parks and recreation and the department of transportation, shall consult with other city agencies, offices, or

entities that are qualified to address the challenges identified pursuant to paragraphs 4 and 5 of subdivision b of section 1 of introduction number 258-A. Such city agencies, offices, or entities may include but need not be limited to the department of city planning, the department of small business services, the department of design and construction, the department of environmental protection, the office of management and budget, the mayor's office of contract services, a contracted entity as defined in section 22-821 of the administrative code of the city of New York, and any other city agency, office, or entity that may aid or influence the siting, planning, construction or maintenance of each facility.

d. Equity considerations. In proposing an installation timeline, allocation of funds, and maintenance resources for each facility pursuant to paragraphs two, four, and six of subdivision b of this section, the designated agency or office, in coordination with the department of parks and recreation and the department of transportation, shall give priority to each facility or group of facilities based on its estimated potential to improve social, economic, and environmental equity outcomes.

§ 2. This local law takes effect on the same date as a local law in relation to a report on suitable locations for installing public bathrooms, as proposed in introduction number 258-A for the year 2022, takes effect.

Referred to the Committee on Transportation and Infrastructure.

Res. No. 666

Resolution calling on the New York City Housing Authority to cap the transfer process for victims of domestic violence with an order of protection to 90 days.

By Council Member Kagan.

Whereas, The New York State Department of Health defines domestic violence as a pattern of behavior used by an individual to establish and maintain power and control over their intimate partner, and can include abusive tactics, threats, and actions; and

Whereas, According to the Coalition for the Homeless, one of the main causes for homelessness is domestic violence; and

Whereas, The New York City Housing Authority (NYCHA) provides affordable housing to vulnerable populations such as low income residents and individuals who have experienced domestic violence; and

Whereas, NYCHA is a public housing authority with 277 developments and 162,143 public housing units in its conventional public housing program; and

Whereas, As of February 28, 2022, there were 254,827 families on the NYCHA waiting list for a public housing unit; and

Whereas, NYCHA has adopted a priority system to rank applicants and provide shorter wait periods for housing to certain groups based on the applicant's need, including people who have experienced domestic violence; and

Whereas, NYCHA also has an Emergency Transfer Program for tenants who are domestic violence survivors, intimidated witnesses, intimidated victim or a victim of a traumatic incident but NYCHA cannot guarantee that an emergency transfer request will be approved or how long it will take to process an emergency request; and

Whereas, At a New York City Council hearing on March 13, 2023, NYCHA reported that there were over 1,770 residents waiting for a domestic violence-related emergency transfer, making up approximately three-fourths of all of NYCHA's emergency transfer requests; and

Whereas, There is currently no cap on the number of days a domestic violence survivor has to wait for a unit to become available; and

Whereas, Some survivors of domestic violence wait several months or, in some cases, years in order to transfer to another NYCHA apartment; and

Whereas, This delay creates a risk for the safety and well-being of people who have experienced domestic violence and subjects them to unnecessary danger; and

Whereas, Capping the transfer process to 90 days for residents who have experienced domestic violence and have an order of protection would help ensure their safety and well-being; and

Whereas, Prioritizing the relocation of applicants who have experienced domestic violence would help mitigate risks and create a safer living environment; now, therefore be it

Resolved, That the Council of the City of New York calls on the New York City Housing Authority to cap the transfer process for victims of domestic violence with an order of protection to 90 days.

Referred to the Committee on Public Housing.

Int. No. 1078

By Council Members Krishnan, Hanif, Lee, Cabán, Farías, Avilés, Brewer, Richardson Jordan, Marte, Ung, Abreu and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to the wrongful deactivation of high-volume for-hire vehicle drivers

Be it enacted by the Council as follows:

Section 1. Chapter 12 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 8 to read as follows:

SUBCHAPTER 8
WRONGFUL DEACTIVATION OF HIGH VOLUME FOR-HIRE VEHICLE DRIVERS

§ 20-1281 Definitions. As used in this subchapter, the following terms have the following meanings:

Deactivation. The term “deactivation” means any (i) indefinite or permanent discharge, termination, or layoff of a high-volume for-hire vehicle driver or (ii) revocation or restriction of access to the driver platform or authorization to accept trips on the driver platform that is either continuously in effect for 72 hours or consists of multiple periods that total at least 72 hours within a 180-day period.

Driver platform. The term “driver platform” means the driver-facing application dispatch system software or any online-enabled application, service, website, or system used by a high-volume for-hire vehicle driver that enables the prearrangement of passenger trips for compensation.

Driving performance data. The term “driving performance data” means any data regarding a high-volume for hire vehicle driver’s operation of the for-hire vehicle, including, but not limited to, data recording a high-volume for-hire vehicle driver’s rates of acceleration, deceleration, braking, speed, road movements, or any other electronic monitoring of driving performance.

High-volume for-hire vehicle driver. The term “high-volume for-hire vehicle driver” means a driver who performs driving services for a high-volume for-hire vehicle service.

High-volume for-hire vehicle service. The term “high-volume for-hire vehicle service” has the same meaning as set forth in subdivision gg of section 19-502.

Just cause. The term “just cause” means a high-volume for-hire vehicle driver’s failure to satisfactorily perform job duties or misconduct that is demonstrably and materially harmful to the high-volume for-hire vehicle service’s legitimate business interests.

Prior deactivation. The term “prior deactivation” means a deactivation that occurred during the 6 years prior to the effective date of the local law that added this subchapter.

Probation period. The term “probation period” means a defined period of time, not to exceed 30 days, from the first date that a high-volume for-hire vehicle driver performs driving services for a high-volume for-hire vehicle service, within which high volume for-hire vehicle services and high-volume for-hire vehicle drivers are not subject to the prohibition on wrongful deactivation set forth in sections 20-1282 and 20-1283.

Progressive discipline. The term “progressive discipline” means a disciplinary system that provides for a graduated range of reasonable responses to a high-volume for-hire vehicle driver’s failure to satisfactorily perform such high-volume for-hire vehicle driver’s job duties, with the disciplinary measures ranging from mild to severe, depending on the frequency and degree of the failure.

§ 20-1282 *Prohibition on wrongful deactivation.* a. A high-volume for-hire vehicle service shall not deactivate a high-volume for-hire vehicle driver who has completed such service’s probation period except for just cause or a bona fide economic reason.

b. In determining whether a high-volume for-hire vehicle driver has been deactivated for just cause, the fact-finder shall consider, in addition to any other relevant factors, whether:

1. The high-volume for-hire vehicle driver knew or should have known of the high-volume for-hire vehicle service’s policy, rule, or practice that is the basis for progressive discipline or deactivation and knew or should have known of the potential consequences for violation of the policy, rule, or practice;

2. The high-volume for-hire vehicle service’s policy, rule, or practice that is the basis for progressive discipline or deactivation is reasonably related to safe and efficient high-volume for-hire vehicle service operations;

3. The high-volume for-hire vehicle service provided relevant and adequate training to the high-volume for-hire vehicle driver;

4. The high-volume for-hire vehicle service’s rule or practice, including the utilization of progressive discipline, was reasonable and applied consistently;

5. The high-volume for-hire vehicle service undertook a fair and objective investigation into the job performance or misconduct;

6. The deactivation is proportionate and accounts for mitigating circumstances and the high-volume for-hire vehicle driver’s past work history; and

7. The high-volume for-hire vehicle driver violated the policy, rule or practice or committed the misconduct that is the basis for progressive discipline or deactivation.

c. Except where deactivation is for an egregious failure by the high-volume for-hire vehicle driver to perform their duties, or for egregious misconduct, a deactivation shall not be considered based on just cause unless:

1. The high-volume for-hire vehicle service has utilized progressive discipline; provided, however, that the high-volume for-hire vehicle service may not rely on discipline issued more than 1 year before the purported just cause termination; and

2. The high-volume for-hire vehicle service had a written policy on progressive discipline that was provided to the high-volume for-hire vehicle driver.

d. A high-volume for-hire vehicle service shall provide the high-volume for-hire vehicle driver with 14 days’ advance notice of the impending deactivation, except that (i) where a deactivation is for bona fide economic reasons, the high-volume for-hire vehicle service must provide 120 days’ advance notice, and (ii) advance notice is not required where a deactivation is for egregious misconduct or for an egregious failure to perform duties. Where advance notice is required, the notice shall include a written statement of the reasons for and the effective date of deactivation and provide notice, in a form and manner designated by the department, of the high-volume for-hire vehicle driver’s right to challenge such deactivation. The notice shall also include a written statement describing eligible high-volume for-hire vehicle drivers’ rights to access unemployment insurance.

e. Within 5 days of deactivating a high-volume for-hire vehicle driver, the high-volume for-hire vehicle service shall provide a written explanation to the high-volume for-hire vehicle driver of the precise reasons for the deactivation. The notice shall also include a written statement describing eligible high-volume for-hire vehicle drivers’ rights to access unemployment insurance in New York state. If advance notice is required pursuant to subdivision d of this section, the high-volume for-hire vehicle service shall provide the notice required pursuant to this subdivision in addition to such notice.

f. This section shall not apply to any deactivation that occurred prior to the effective date of the local law that added this section.

§ 20-1283 *Wrongful prior deactivations.* a. Within one year after the effective date of the local law that added this section, a high-volume for-hire vehicle driver who was subject to a prior deactivation may petition the high-volume for-hire vehicle service for reinstatement and restoration of driver platform access. Within 30 days after receipt of such petition, the high-volume for-hire vehicle service shall reinstate or restore the driver

platform access of the petitioner, unless the prior deactivation occurred during the probation period or was due to just cause or a bona fide economic reason.

b. In determining whether a prior deactivation was for just cause, the fact-finder shall consider, in addition to any other relevant factors, whether:

- 1. The high-volume for-hire vehicle driver knew or should have known of the high-volume for-hire vehicle service's policy, rule or practice that was the basis for deactivation and knew or should have known of the potential consequences for violation of the policy, rule or practice;*
- 2. The high-volume for-hire vehicle service's policy, rule, or practice that was the basis for deactivation was reasonably related to the safe and efficient company operations;*
- 3. The high-volume for-hire vehicle service's rule or practice was reasonable and applied consistently;*
- 4. The deactivation was proportionate and accounted for mitigating circumstances and the high-volume for-hire vehicle driver's past work history; and*
- 5. The high-volume for-hire vehicle driver violated the policy, rule, or practice or committed the is conduct that was the basis for deactivation.*

c. If a high-volume for-hire vehicle service does not reinstate or restore driver platform access within 30 days after receipt of a petition pursuant to subdivision a of this section, the high-volume for-hire vehicle service shall provide a written explanation to the high-volume for-hire vehicle driver of the precise reasons for the prior deactivation.

§ 20-1284 Bona fide economic reasons. a. A deactivation, including a prior deactivation, shall not be considered based on a bona fide economic reason unless supported by a high-volume for-hire vehicle service's business records showing that the deactivations of high-volume for-hire vehicle drivers are in response to a proportionate reduction in volume of sales or profit within the fiscal quarter prior to the deactivation.

b. Where deactivations are based on a bona fide economic reason, the deactivations must be made in order of economic impact and seniority. The department shall promulgate rules establishing a method by which economic impact and seniority shall be considered in determinations of the order of deactivations. This subdivision shall apply only to deactivations that occur on or after the effective date of the local law that added this section.

§ 20-1285 Burden of proof; evidence. a. The high-volume for-hire vehicle service shall bear the burden of proving just cause by a preponderance of the evidence in any proceeding alleging a violation of this subchapter, subject to the rules of evidence as set forth in the civil practice law and rules or, where applicable, the common law.

b. In determining whether a high-volume for-hire vehicle service had just cause for deactivation, the fact-finder may not consider any reasons proffered by the high-volume for-hire vehicle service but not included in the written explanation provided to the high-volume for-hire vehicle driver required by subdivision e of section 20-1282 or subdivision c of section 20-1283.

§ 20-1286 Provision of data. a. Upon the issuance of the notice required pursuant to subdivision e of section 20-1282, the high-volume for-hire vehicle service shall provide the deactivated high-volume for-hire vehicle driver with any information and data relevant to the high-volume for-hire driver's deactivation. Such information shall include, but need not be limited to:

- 1. Driving performance data specific to the high-volume for-hire vehicle driver;*
- 2. Anonymized and aggregated driving performance data of the high-volume for-hire vehicle service's high-volume for-hire vehicle driver workforce in the city;*
- 3. All customer comments, ratings, and complaints received regarding the high-volume for-hire vehicle driver; and*
- 4. Anonymized and aggregated reports regarding discipline imposed across the high-volume for-hire vehicle service's high-volume for-hire vehicle driver workforce in the city.*

b. Upon the issuance of the notice required pursuant to subdivision c of section 20-1283, the high-volume for-hire vehicle service shall provide the deactivated high-volume for-hire vehicle driver with any information and data relevant to the high-volume for-hire driver's deactivation, such as the information required under subdivision a of this section, to the extent that such information is available to the high-volume for-hire vehicle service.

§ 20-1287 Informal resolution and arbitration. a. Department investigations. The department shall not proceed with its investigation of a complaint filed pursuant to section 20-1207 alleging a violation of section

20-1282 or 20-1283 unless (i) the high-volume for-hire vehicle driver or such high-volume for-hire vehicle driver's representative and the high-volume for-hire vehicle service fail to reach an informal resolution pursuant to subdivision b of this section and do not agree to arbitration pursuant to subdivision c of this section or (ii) an arbitration proceeding relating to the complaint has been withdrawn or dismissed without prejudice.

b. *Informal resolution process.* After receiving a complaint pursuant to section 20-1207 alleging a violation of section 20-1282 or 20-1283, the department shall notify the high-volume for-hire vehicle driver or such high-volume for-hire vehicle driver's representative and the high-volume for-hire vehicle service that they may resolve the complaint informally. The parties shall have 15 days after receipt of such notice to informally resolve the complaint, unless they mutually agree to a longer timeframe. If the parties resolve the complaint pursuant to this subdivision, they shall memorialize that resolution in a written agreement, on a form provided by the department, and such written agreement shall be subject to approval by the department. A failure on the part of the high-volume for-hire vehicle service to engage in the informal resolution process shall be a violation subject to a civil penalty under section 20-1209, but such violation shall not be subject to enforcement pursuant to sections 20-1207, 20-1208, 20-1210, 20-1211 and 20-1212.

c. *Deactivation appeals arbitration process.* If the parties fail to resolve the complaint pursuant to subdivision b of this section, the department shall notify the parties of the option to proceed to arbitration pursuant to this subdivision. If the parties elect to proceed to arbitration pursuant to this subdivision, the parties shall file a notice of intent to arbitrate with the department within 30 days after notification by the department. If the parties do not file such a notice, the department shall proceed with its investigation of the complaint pursuant to section 20-1207.

1. The parties to an arbitration proceeding shall jointly select the arbitrator from a panel of arbitrators. The number of arbitrators on the panel shall be determined by the department. The arbitrators on the panel shall be chosen by a committee of 8 participants established by the department and comprised of:

(a) Four high-volume for-hire vehicle driver-side representatives, including high-volume for-hire vehicle drivers or advocates; and

(b) Four high-volume for-hire vehicle service-side representatives, including high-volume for-hire vehicle services or advocates.

2. If an insufficient number of high-volume for-hire vehicle driver-side and high-volume for-hire vehicle service-side representatives agree to participate in the committee pursuant to paragraph 1 of this subdivision, the department shall consult with those who have agreed to participate and select individuals to fill the requisite number of openings on the committee.

3. If the committee established pursuant to paragraph 1 of this subdivision is unable to select a sufficient number of arbitrators for the panel as determined by the department, the department shall select the remaining arbitrators.

4. If the parties are unable to agree on an arbitrator, the department shall select an arbitrator from the panel.

5. The department shall provide interpretation services to any party requiring such services for the arbitration hearing.

6. The high-volume for-hire vehicle service shall pay all the costs, fees, and expenses of an arbitration proceeding conducted pursuant to this subdivision. The arbitration hearing shall be held at a location designated by the department or a location agreed to by the parties and the arbitrator. Except as otherwise provided in this chapter, such arbitration shall be subject to the labor arbitration rules established by the American Arbitration Association and the rules promulgated by the department to implement this subchapter. In case of a conflict between the rules of the American Arbitration Association and the rules of the department, the rules of the department shall govern. Any rules promulgated by the department implementing this section shall be consistent with the requirement that in any arbitration conducted pursuant to this section, the arbitrator shall have appropriate qualifications and maintain personal objectivity, and each party shall have the right to present its case, which shall include the right to be in attendance during any presentation made by the other party and the opportunity to rebut or refute such presentation.

7. If a high-volume for-hire vehicle driver or such high-volume for-hire vehicle driver's representative agrees to an arbitration proceeding pursuant to subdivision c of this section, arbitration shall be the exclusive remedy for the wrongful deactivation dispute and neither the high-volume for-hire vehicle driver nor such high-volume for-hire vehicle driver's representative shall have a right to bring or continue a private cause of action

or administrative complaint under this subchapter, unless such arbitration proceeding has been withdrawn or dismissed without prejudice.

8. Each party shall have the right to apply to a court of competent jurisdiction for the confirmation, modification, or vacatur of an award pursuant to article 75 of the civil practice law and rules, as such article applies, pursuant to applicable case law, to review of arbitration proceedings in accordance with standards of due process.

§ 20-1288 Exceptions. This subchapter shall not:

1. Apply to any high-volume for-hire vehicle driver during a probation period;

2. Limit or otherwise affect the applicability of any right or benefit conferred upon or afforded to a high-volume for-hire vehicle driver by the provisions of any other law, regulation, rule, requirement, policy, or standard including but not limited to any federal, state, or local law providing for protections against retaliation or discrimination; or

3. Limit or otherwise affect the authority of the taxi and limousine commission to issue, revoke, or suspend the licenses of high-volume for-hire vehicle drivers or prevent a high-volume for-hire vehicle service from deactivating a high-volume for-hire vehicle driver whose license has been revoked or from deactivating a high-volume for-hire vehicle driver whose license has been suspended for the duration of the suspension.

§ 2. Paragraph 1 of subdivision b of section 20-1207 of the administrative code of the city of New York, as amended by local law number 80 for the year 2020, is amended to read as follows:

1. Any person, including any organization, alleging a violation of this chapter may file a complaint with the department within two years of the date the person knew or should have known of the alleged violation, *except that (i) a complaint alleging a violation of section 20-1282 or section 20-1283 may be filed only by the deactivated high-volume for-hire vehicle driver or by a representative of such high-volume for-hire vehicle driver, provided that the high-volume for-hire vehicle driver has agreed to such representation and (ii) a complaint alleging a violation of section 20-1283 may be filed within one year after the effective date of the local law that added subchapter 8 of this chapter.*

2. Upon receiving such a complaint, the department shall investigate it, *except that for a complaint alleging a violation of section 20-1282 or 20-1283, the department shall follow the procedures set forth in section 20-1287.*

§ 3. Paragraph 5 of subdivision b of section 20-1207 of the administrative code of the city of New York, as amended by local law number 80 for the year 2020, is amended to read as follows:

5. The department shall keep the identity of any complainant confidential unless disclosure is necessary to resolve the investigation or is otherwise required by law, *except that for complaints alleging violations of section 20-1282 or 20-1283, the department shall provide notice of the complaint and the identity of the complainant to the high-volume for-hire vehicle service as soon as practicable.* The department shall, to the extent practicable, notify such complainant that the department will be disclosing the complainant's identity before such disclosure.

§ 4. Subdivision c of section 20-1208 of the administrative code of the city of New York, as added by local law number 107 for the year 2017 and redesignated by local law number 2 for the year 2021, is redesignated subdivision d and amended to read as follows and a new subdivision c is added to read as follows:

c. *For each violation of section 20-1282 or 20-1283, the department shall order reinstatement or restoration of the driver platform access of the high-volume for-hire vehicle driver, unless waived by the high-volume for-hire vehicle driver. For each violation of 20-1282, the department may, in addition, grant the following relief: \$500, an order directing compliance with section 20-1282, rescission of any discipline issued, payment of back pay for any loss of pay or benefits resulting from the wrongful deactivation, and any other equitable relief as may be appropriate.*

d. The relief authorized by this section shall be imposed on a per employee or high-volume for-hire vehicle driver and per instance basis for each violation.

§ 5. Section 20-1209 of the administrative code of the city of New York, as added by local law 107 for the year 2017, is amended to read as follows:

a. For each violation of this chapter, *except for any violation of section 20-1283*, an employer or high-volume for-hire vehicle service is liable for a penalty of \$500 for the first violation and, for subsequent violations that occur within two years of any previous violation of this chapter, up to \$750 for the second violation and up to \$1,000 for each succeeding violation.

b. The penalties imposed pursuant to this section shall be imposed on a per employee *or high-volume for-hire vehicle driver* and per instance basis for each violation.

§ 6. Subdivision a of section 20-1211 of the administrative code of the city of New York, as amended by local law number 2 for the year 2021, is amended to read as follows:

a. Claims. Any person, including any organization, alleging a violation of the following provisions of this chapter may bring a civil action, in accordance with applicable law, in any court of competent jurisdiction:

1. Section 20-1204;
2. Section 20-1221;
3. Subdivisions a and b of section 20-1222;
4. Section 20-1231;
5. Subdivisions a, b, d, f and g of section 20-1241;
6. Section 20-1251;
7. Subdivisions a and b of section 20-1252; [and]
8. Section 20-1272;
9. *Section 20-1282; and*
10. *Section 20-1283.*

§ 7. Subdivisions c and d of section 20-1211 of the administrative code of the city of New York, as amended by local law number 2 for the year 2021, are amended to read as follows:

c. For each violation of section 20-1272, *20-1282 or 20-1283*, the court shall order reinstatement or restoration of hours of the fast food employee *or reinstatement or restoration of the driver platform access of the high-volume-for-hire vehicle driver*, unless waived by the fast food employee *or high-volume-for-hire vehicle driver*, and shall order the fast food employer *or high-volume-for-hire vehicle service* to pay the reasonable attorneys' fees and costs of the fast food employee *or high-volume-for-hire vehicle driver*. [The] *For each violation of section 20-1272 or 20-1282*, the court may, in addition, grant the following relief: \$500 [for each violation], an order directing compliance with section 20-1272 *or 20-1282*, rescission of any discipline issued, payment of back pay for any loss of pay or benefits resulting from the wrongful discharge *or deactivation*, punitive damages, and any other equitable relief as may be appropriate.

d. Statute of limitations. A civil action under this section shall be commenced within two years of the date the person knew or should have known of the alleged violation, *except that for a violation of section 20-1283, a civil action shall be commenced within one year after the effective date of the local law that added subchapter 8 of this chapter.*

§ 9. This local law takes effect 120 days after it becomes law, provided that the commissioner of consumer and worker protection shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 1079

By Council Members Krishnan, Hanif, Lee, Cabán, Avilés, Marte, Ung, Abreu and Hudson.

A Local Law to amend the administrative code of the city of New York, in relation to taxicab driver pay for electronically dispatched taxicab trips

Be it enacted by the Council as follows:

Section 1. Section 19-502 of the administrative code of the city of New York is amended by adding new subsections ii through kk to read as follows:

- ii. *"E-hail" means any hail made by a passenger through an e-hail application.*

jj. “E-hail application” means any software program licensed by the commission residing on a smartphone or other electronic device and integrated with the hardware and software required by the commission to be installed in a taxicab or street hail livery which performs one or more of the following functions:

- 1. Allows a passenger to identify the location(s) of available taxicabs and street hail liveries in a given area and allows a taxicab or street hail livery driver to identify the location of a passenger who is currently ready to travel;*
- 2. Allows a passenger to hail a taxicab or street hail livery via the electronic device;*
- 3. Allows a taxicab or street hail livery driver to receive a hail request from such a passenger if the e-hail application provides for connecting a passenger to a taxicab or street hail livery driver; or*
- 4. Allows for passengers to pay for fares through the e-hail application.*

kk. “E-hail application provider” means the vendor of an e-hail application.

§ 2. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-557 to read as follows:

§ 19-557 Taxicab driver payments on e-hail trips. For all taxicab trips provided by an e-hail application, the e-hail application provider must pay the driver performing the trip no less than an amount equal to the metered rate of fare, as set by the commission, for an equivalent trip of a passenger accepted by street hail.

§ 3. This local law takes effects 90 days after it becomes law.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 1080

By Council Members Lee, Cabán, Fariás, Ung, Louis, Hanif and Restler (by request of the Bronx Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to the publication and dissemination of information on emergency feeding programs, food benefits programs, and senior centers

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-131.3 to read as follows:

§ 21-131.3 Information on emergency feeding programs, food benefits programs, and senior centers. a. Definitions. As used in this chapter, the following terms have the following meanings:

ACCESS HRA. The term “ACCESS HRA” has the same meaning as set forth in section 21-150.

Emergency feeding program. The term “emergency feeding program” means a food pantry or soup kitchen.

Food benefits programs. The term “food benefits programs” means the supplemental nutrition assistance program; the special supplemental nutrition program for women, infants, and children; and any successor programs.

Job center. The term “job center” has the same meaning as set forth in section 21-142.1.

Senior center. The term “senior center” has the same meaning as set forth in section 21-201.

SNAP center. The term “SNAP center” has the same meaning as set forth in section 21-142.1.

b. The department shall make information on emergency feeding programs, food benefits programs, and senior centers available on the department’s website and through ACCESS HRA, in a format such that users can search for an emergency feeding program, a location for applying for a food benefits program, or a senior

center by zip code, hours of operation, status as a senior citizen, and any other category determined by the commissioner.

c. The department shall work with the department of information technology and telecommunications to include a link to such information available on the department's website and through ACCESS HRA on any online platform through which the city disseminates information on social services and benefits.

d. The department shall, in coordination with the department for the aging, make written information on emergency feeding programs, food benefits programs, and senior centers available at job centers, senior centers, SNAP centers, and any other locations determined by the commissioner. Such information shall include but not be limited to the locations of each emergency feeding program and senior center, the locations for applying for a food benefits program, and the hours of operation of such locations.

e. The information required by subdivisions b and d shall be available be in English and in the designated citywide languages as defined in section 23-1101.

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

Referred to the Committee on General Welfare.

Int. No. 1081

By Council Members Louis, Cabán, Riley, Ossé and Hanif.

A Local Law in relation to requiring the department of social services to prepare and submit a plan to address economic empowerment for shelter residents

Be it enacted by the Council as follows:

Section 1. Economic empowerment plan. No later than 6 months after the effective date of this local law, the department of social services, in coordination with the department of small business services and all other relevant city agencies, shall prepare and submit to the mayor and the speaker of the council, and post on its website, a plan to ensure coordination across city agencies to provide economic empowerment services for shelter residents. Such plan shall, at a minimum:

1. Identify challenges that shelter residents face when trying to find employment, including specific challenges facing marginalized groups in shelters such as asylum seekers;
2. Identify ways to help asylum seekers who are shelter residents navigate employment challenges related to documentation and work authorization;
3. Identify ways to use existing networks to provide the necessary skills to find employment opportunities;
4. Increase employment opportunities at city agencies specifically for shelter residents; and
5. Complement existing career services partnerships for shelter residents.

§ 2. This local law takes effect immediately.

Referred to the Committee on Civil and Human Rights.

Int. No. 1082

By Council Members Louis, Williams, Hudson, Cabán, Riley, Richardson Jordan, Ossé, Brewer, Hanif, Restler, Sanchez, Narcisse, Avilés and Farías.

A Local Law in relation to creating a task force to consider the impact of slavery and past injustices for African Americans in New York city and reparations for such injustices

Be it enacted by the Council as follows:

Section 1. a. Definitions. For purposes of this local law, the term “task force” means the New York city racial justice and reparations task force established by this local law.

b. Task force established. a. The mayor shall establish a temporary task force to study the impact of slavery and past injustices for African Americans in New York city and to consider solutions for such injustices, including, but not limited to, reparations.

c. Membership. The task force shall consist of 9 members, as follows:

1. The commissioner of the mayor’s office for equity, or the commissioner’s designee;

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

3. Five members to be appointed by the mayor; and 2 members to be appointed by the speaker of the council.

Appointed members shall include diverse New Yorkers passionate about racial equity and social justice, as well as representatives of institutions, organizations, corporations, or associations that are organized or operated primarily for historical, cultural, educational, religious, or charitable purposes and which are connected to African American heritage, history, or culture. The mayor, after consultation with the speaker of the council, shall designate a chairperson of the task force.

d. Terms of membership. All members shall be appointed within 90 days after the effective date of this local law. Each member of the task force shall serve without compensation at the pleasure of the appointing authority. In the event of a vacancy on the task force during the term of an appointed member, a successor shall be selected in the same manner as the original appointment.

e. Meetings. The task force shall meet at least quarterly and shall hold at least 2 public meetings prior to submission of the report required pursuant to subdivision g of this section to solicit public comment on the impact of slavery and past injustices for African Americans in New York city and reparations for such injustices.

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

g. Report. The task force shall submit a report of its findings and recommendations to the mayor and the speaker of the council no later than 12 months after the commencement of the task force. In formulating its recommendations, the task force shall consider, but not be limited to, the following:

1. Historic harms, disparities, and inequities experienced by African Americans in New York city, including but not limited to those due to slavery;

2. Any relevant research and data related to historical injustices for African Americans in New York city, and which include, but need not be limited to, those related to: mental, physical, and reproductive health outcomes, social determinants of health, housing, economic development, education, and criminal justice;

3. How reparations should be defined; and

4. And other information deemed relevant.

h. Termination. The task force shall dissolve upon submission of the report required pursuant to subdivision g of this section.

§ 2. This local law takes effect immediately and is deemed repealed upon submission of the report required pursuant to subdivision g of this local law.

Referred to the Committee on Civil and Human Rights.

Int. No. 1083

By Council Members Menin, Riley and Ung (by request of the Mayor).

A Local Law to amend the New York city charter, in relation to the establishment of the office of nightlife

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 20-d of the New York city charter, as added by local law number 178 for the year 2017, is amended to read as follows:

b. The mayor shall establish an office of nightlife. Such office may be established within any office of the mayor or as a separate office or within any agency that does not conduct enforcement against nightlife

establishments, *provided that such office may also be established within the department of small business services*. Such office shall be headed by a director who shall be appointed by the mayor or by the head of such office or agency.

§2. This local law takes effect immediately.

Referred to the Committee on Small Business.

Res. No. 667

Resolution calling on the federal government to create a national database compiling hospital audited financial statements.

By Council Members Menin, Schulman, Cabán, Farías, Riley, Brewer, Ung and Restler.

Whereas, According to a 2020 analysis by the National Nurses United, national healthcare expenditures in the United States (U.S.) rose every year between 1999 and 2018, from roughly \$1.3 trillion in 1999 to about \$3.7 trillion in 2018; and

Whereas, Per the 2020 National Nurses United analysis, national healthcare expenditures as a percentage of U.S. National Gross Domestic Product (GDP) also increased between 1999 and 2018, from 13.27 percent of GDP in 1999 to 17.73 percent of GDP in 2018; and

Whereas, National Nurses United data indicate that as of 2018, hospital services accounted for 33 percent of overall national healthcare expenditures in the U.S., for a total of approximately \$1.2 trillion; and

Whereas, National Nurses United data also reveal that national hospital-services expenditures increased every year between 1999 and 2018, from nearly \$394 billion in 1999 to roughly \$1.2 trillion in 2018; and

Whereas, National Nurses United data further show that hospital profits in the U.S. also grew between 1999 and 2018, from over \$16 billion in 1999 to more than \$83 billion in 2018; and

Whereas, Data from the U.S. Bureau of Labor Statistics disclose that between 1999 and 2018, prices for both inpatient and outpatient hospital services tripled; and

Whereas, Per the 2020 National Nurses United analysis, average Charge-to-Cost Ratio (CCR) among U.S. hospitals rose between 1999 and 2018, from about 200 percent in 1999 to over 417 percent in 2018, which means that for every \$100 in costs to provide care, hospitals charge on average more than \$400 to expand their profit margins; and

Whereas, In a study published in 2019 in the Journal of General Internal Medicine, 56 percent of adults in the U.S., or over 137 million Americans, reported medical financial hardship, such as medical debt, which resulted for them in psychological distress, assets depletion, and delaying or forgoing needed medical care; and

Whereas, Policymakers need credible, timely, comparable, and comprehensive financial information about healthcare systems to inform a range of health policy issues, including the desirability of caps on rates for hospital services, priorities for the distribution of federal and state financial aid during public emergencies, insurer premium rate setting, early surveillance of potential or impending hospital bankruptcies, and non-profit tax policy; and

Whereas, Presently, health policy is impeded because the only national source of hospital financial information is the Medicare Cost Report, which is widely acknowledged to have inaccurate, incomparable, unaudited financial accounting data, and because most analyses focus on income statement-related metrics, such as the size of revenues and profit margins, instead of a more comprehensive picture of financial position, which encompasses liquidity, solvency, capital adequacy, and non-operational investment revenues; and

Whereas, For example, in 2019, New York-Presbyterian hospital system in New York City had \$301 million in operating income from the provision of care to patients, but its total net income was \$906 million; and

Whereas, As another example, in 2019, Northwell Health hospital system in New York City had \$188 million in operating income, but its total net income was \$672 million; and

Whereas, Another issue with current hospital financial data is the focus on a facility, rather than on a health system to which it belongs as a whole, which can significantly distort the actual financial position of a given hospital; and

Whereas, A report published in 2021 in the Journal of Health Care Finance and 2021 data by the American Hospital Association show that 92 percent of all U.S. hospital beds are in health systems, and 68 percent of community hospitals nationwide are system-affiliated; and

Whereas, As of 2023, there were 96 hospital systems in New York State, with large entities like Kaleida Health, Northwell Health, Episcopal Health Services, Montefiore Health System, and Albany Medical Center accounting for 79 percent of combined non-profit hospital systems' revenues; and

Whereas, As of 2023, there were 86 hospital systems in the greater New York City metropolitan area, with large organizations like Atlantic Health System, RWJBH Corporate Services, Northwell Health, Episcopal Health Services, and Montefiore Health System accounting for over 90 percent of combined non-profit hospital systems' revenues; and

Whereas, According to the Commonwealth Fund, a health policy organization, during the COVID-19 pandemic, financial distributions to hospitals authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES) should have been need-based, but neither Congress nor the Centers for Medicare and Medicaid Services had the necessary data to accurately assess the financial need of intended recipients of financial distributions; and

Whereas, The inability to assess need for CARES distributions resulted in a mismatch, whereby large grants were awarded to many health systems with substantial and readily available surplus funds, while cash-strapped health systems serving low-income populations received smaller grants; and

Whereas, For example, Northwell Health hospital system in New York City with a net income of \$672 million in 2019 and liquidity of 95 cash-on-hand days received \$1 billion in CARES funding; and

Whereas, As another example, New York-Presbyterian hospital system in New York City with a net income of \$906 million in 2019 and liquidity of 314 cash-on-hand days received \$567 million in CARES funding; and

Whereas, In contrast, NYC Health & Hospitals system in New York City with a net loss of \$5.4 billion in 2019 and liquidity of 37 cash-on-hand days received \$745 million in CARES funding; and

Whereas, Audited financial statements are required of most health systems by creditors and federal and state governments and are the gold standard of financial data due to the depth of meaningful disclosure, certification by outside auditors, descriptions of financial performance of all entities constituting the health system, and a more timely publication within three to six months of the close of a system's fiscal year; and

Whereas, A national database compiling and publishing hospital systems' audited financial statements would be an important tool to inform policymakers about a range of health policy issues, as illustrated by CARES distributions; now, therefore, be it

Resolved, That the Council of the City of New York calls on the federal government to create a national database compiling hospital audited financial statements.

Referred to the Committee on Hospitals.

Res. No. 668

Resolution calling on the New York State Legislature to pass, and the Governor to sign legislation requiring the New York City Department of Education to establish a pilot program for the purpose of providing frozen take-home meals to certain children located in the City of New York.

By Council Members Moya, Sanchez, Cabán, Riley, Ossé and Hanif.

Whereas, Hunger is an uncomfortable or painful physical sensation caused by insufficient consumption of dietary energy on a regular basis to lead a normal active and healthy life, according to the Food and Agriculture Organization (FAO) of the United Nations; and

Whereas, Per FAO, a person is food insecure when they lack regular access to safe and nutritious food for normal growth, development and an active and healthy life, due to unavailability of food or lack of resources to obtain food; and

Whereas, The World Health Organization has reported that the number of people affected by hunger globally rose to as many as 828 million in 2021, an increase of about 150 million since the outbreak of the COVID-19 pandemic; and

Whereas, According to the United States (U.S.) Department of Agriculture (USDA) more than 38 million people, including 12 million children in the U.S. are food insecure; and

Whereas, Food assistance programs, such as the National School Lunch Program (NSLP), the Women, Infants and Children (“WIC”) program, and the Supplemental Nutrition Assistance Program (“SNAP”), address barriers to accessing healthy food and help reduce food insecurity, according to the U.S. Department of Health and Human Services; and

Whereas, According to Feeding America, a national nonprofit that is a nationwide network of more than 200 food banks that feed more than 46 million people, hunger can affect people from all walks of life, but some groups like children, seniors, Black, Indigenous, and other people of color face hunger at much higher rates; and

Whereas, For children, food insecurity is particularly devastating as not having enough healthy food can have serious implications for a child’s physical and mental health, academic achievement and future economic prosperity, according to the national campaign No Kid Hungry; and

Whereas, Disproportionate hunger among Black, Latino and Indigenous communities is a result of systemic racial injustice; and

Whereas, Per Feeding America, to achieve a hunger-free America, the root causes of hunger and structural and systemic inequities should be addressed; and

Whereas, A report from City Harvest revealed that 1 in 4 New York City (“NYC” or “City”) children do not know where their next meal will come, and many of these children depend on school meals and do not have access to regular nutritious meals; and

Whereas, The NYC Department of Education (DOE) offers free breakfast and lunch to students throughout the day, as well as afterschool meals to every child who participates in an afterschool program; and

Whereas, With more than a million students, DOE feeds more people every day than almost any other public institution in the country, according to Civil Eats, an independent, nonprofit digital news and commentary site about the American food system; and

Whereas, During the pandemic, DOE served more than 100 million meals to students and families, according to Food Management, which provides noncommercial onsite foodservice industry news and business and culinary insights to the K-12 food service; and

Whereas, According to a World Wildlife Fund report, U.S. school food waste totals 530,000 tons per year and costs as much as \$9.7 million a day to manage; and

Whereas, In New York State, food makes up about 18 percent of all waste and each year, about 3.9 million tons of wasted food ends up in landfills, while 12.8 percent of New Yorkers are food insecure, according to NYC Food Policy Center at Hunter College; and

Whereas, According to the Natural Resources Defense Council, in NYC specifically, 54 percent of the discarded food was generated in residential settings, 20 percent was generated by restaurants and the remaining percentages were generated by schools, health care settings, markets, event facilities and others; and

Whereas, Reducing food waste in schools is an important issue to consider in ensuring that all students get the food they need, while working to send less food to the landfill, according to the National Farm to School Network; and

Whereas, The Backpack Program at the Woodland Elementary School in Indiana has a program that ensures that children in need will not go hungry by taking the unused leftover cafeteria meals and turning them into individualized frozen meals for children to take home; and

Whereas, This program also cuts down on food waste and can inspire other school districts to adopt similar programs, according to The Learning Channel; and

Whereas, State legislation could require DOE to establish a pilot program for the purpose of providing frozen take-home meals to certain children located in NYC; and

Whereas, Participating schools could administer the pilot program to include, but not be limited to, making frozen take-home meals from unused and unopened leftover food and distributing them to children who have been accepted into such pilot programs; and

Whereas, The pandemic has increased food insecurity among low-income families with children and communities of color, who already face hunger at much higher rates than before the pandemic; and

Whereas, For many DOE school students, school is not just a place to learn, it is also the place where they can count on daily meals and programs that ensure they will not go hungry when they are not in school; now, therefore be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign legislation requiring the New York City Department of Education to establish a pilot program for the purpose of providing frozen take-home meals to certain children located in the City of New York.

Referred to the Committee on Education.

Int. No. 1084

By Council Members Narcisse, Cabán, Riley, Ossé, Louis, Hanif and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to creating training on trauma-informed care for persons serving refugees, asylees, and migrants

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-180.2 to read as follows:

§ 17-180.2 Trauma-informed care. a. Definitions. Provider. The term “provider” means a community-based organization or not-for-profit organization under contract or similar agreement with the department.

Eligible participant. The term “eligible participant” means a person serving refugees, asylees, and migrants.

Trauma-informed care. The term “trauma-informed care” means trauma-informed care as described by the substance abuse and mental health services administration of the United States department of health and human services, or any successor agency, department, or governmental entity.

b. Training. The department or provider, in consultation with the New York city health and hospitals corporation, shall develop training on trauma-informed care. The training shall include but not be limited to recognizing signs of trauma exposure, understanding common behaviors of people exposed to trauma, trauma-informed principles for interacting with those individuals, and resources on addressing secondary trauma. Such training shall be consistent with standards developed by the substance abuse and mental health services administration of the United States department of health and human services.

c. Outreach. The department shall identify where the training on trauma-informed care developed pursuant to subdivision b of this section would be appropriate for eligible participants and offer training to any such persons.

d. Reporting. Not later than 3 months after the effective date of the local law that added this section and annually thereafter, the department shall publish on its website a report on the following:

1. The components of the training on trauma-informed care developed pursuant to subdivision b of this section;

2. The entities to whom the training on trauma-informed care was offered; and

3. The entities who accepted and completed the training on trauma-informed care.

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

Referred to the Committee on Health.

Int. No. 1085

By Council Members Nurse, Williams, Hudson, Cabán, Riley, Ossé, Richardson Jordan, Ung, Hanif, Restler, Sanchez, Narcisse, Avilés, Menin and Farías.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to public art and school names

Be it enacted by the Council as follows:

Section 1. Section 856 of the New York city charter is amended by adding a new subdivision e to read as follows:

e. 1. Definitions. As used in this subdivision, the term “crimes against humanity” means a widespread or systemic attack directed against any civilian population, with knowledge of the attack, including murder, extermination, enslavement, deportation or forcible transfer of population, imprisonment or other severe deprivation of physical liberty, torture, rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity, persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender, or other impermissible grounds, enforced disappearance of persons, the crime of apartheid, or other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

2. No later than 180 days after the effective date of the local law that added this subdivision, and annually thereafter, the commission, in consultation with the department of parks and recreation, the landmarks preservation commission, and any other relevant agency, shall review works of art and submit to the mayor and the speaker of the council and post on its website a plan to remove certain works of art. The commission may consider any existing or future reports issued by the task force established by local law number 131 for the year 2019 when creating the plans, and shall prioritize for removal works of art that depict a person who meets one or more of the following criteria:

- (a) Participated in or otherwise promoted the trade of enslaved persons;*
- (b) Received significant economic benefit directly from the institution of slavery, including through owning or insuring enslaved persons or from entities that did so;*
- (c) Participated in or directly promoted the systemic murder, enslavement, or forcible transfer of indigenous people in the United States or other countries; or*
- (d) Participated in or otherwise promoted crimes against humanity.*

2. If the commission or any relevant agency determines a work of art cannot be removed but meets the one or more of the criteria for removal described in paragraph 1 of this subdivision, the commission shall include in the plan steps the commission will take to create and install a plaque adjacent to the work of art that includes a description of the work’s connection to the criteria for removal described in paragraph 1 of this subdivision.

3. The plan required by paragraph 1 of this subdivision shall include, but need not be limited to, the following:

- (a) A list of the works of art that meet any of the criteria for removal described in paragraph 1 of this subdivision, and the location of each work of art;*
- (b) A list of the works of art that meet any of the criteria for removal described in paragraph 1 of this subdivision that will be removed, and the reasons for removal;*
- (c) A list of the works of art that meet any of the criteria for removal described in paragraph 1 of this subdivision that will have a plaque installed adjacent to the work of art, and the reasons why a plaque will be installed instead of removing the work of art; and*
- (d) The steps the commission will take to remove each work of art pursuant to subparagraph (b) of this paragraph, or install a plaque adjacent to each work of art pursuant to subparagraph (c) of this paragraph.*

§ 2. Subchapter 1 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-159.7 to read as follows:

§ 19-159.7 Explanatory plaques adjacent to schools. a. Definitions. As used in this section, the term “crimes against humanity” means a widespread or systemic attack directed against any civilian population, with knowledge of the attack, including murder, extermination, enslavement, deportation or forcible transfer of population, imprisonment or other severe deprivation of physical liberty, torture, rape, sexual slavery, enforced

prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity, persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender, or other impermissible grounds, enforced disappearance of persons, the crime of apartheid, or other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

b. No later than 180 days after the effective date of the local law that added this section, and annually thereafter, the department, in consultation with the department of education, shall review the names of schools and submit to the mayor and the speaker of the council and post on its website a plan to install explanatory plaques on sidewalks or other public space adjacent to certain schools. The department shall prioritize the installation of a plaque at each school which is named after a person who meets one of the following criteria:

- 1. Participated in or otherwise promoted the trade of enslaved persons;*
- 2. Received significant economic benefit directly from the institution of slavery, including through owning or insuring enslaved persons or from entities that did so;*
- 3. Participated in or directly promoted the systemic murder, enslavement, or forcible transfer of indigenous people in the United States or other countries; or*
- 4. Participated in or otherwise promoted crimes against humanity.*

c. Any plaque installed pursuant to subdivision b of this section shall be installed on a sidewalk or other public space directly adjacent to a school, and shall include a description of the school name's connection to the criteria for installing a plaque described in such subdivision b.

§ 3. This local law takes effect immediately.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Int. No. 1086

By Council Members Ossé, Cabán, Riley, Louis, Avilés, Hudson, Richardson Jordan, Brooks-Powers, Schulman, Ung, Hanif and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the administration for children's services to report annually on the number of and placement of LGBTQ+ foster youth

Be it enacted by the Council as follows:

Section 1. Chapter 9 of title 21 of the administrative code of the City of New York is amended by adding a new section 21-922 to read as follows:

§ 21-922 *Survey on foster youth placement. a. Definitions. For the purposes of this section, the term "LGBTQ+" means lesbian, gay, bisexual, transgender, queer, and other non-heterosexual orientations or non-cisgender gender identities.*

b. No later than October 1, 2023, and annually thereafter, ACS shall provide to all youth in foster care ages 13 and older a survey regarding such youth's identification as a member of the LGBTQ+ community, racial identity, and placement into permanent homes. For youth placed with foster parents, such surveys shall be administered in a location other than the foster parents' home, or administered online or through a mobile application. ACS shall explain the purpose of the survey and how the privacy of survey respondents will be protected.

c. No later than 120 days after the administration of the survey required pursuant to subdivision b of this section, ACS shall submit to the speaker of the council and make available on its website an anonymous report aggregating information on youth in foster care including:

- 1. The number of youth in foster care;*
- 2. The number of youth in foster care who have been placed in a permanent home;*
- 3. The number of youth in foster care who identify as LGBTQ+;*
- 4. The number of youth in foster care who identify as LGBTQ+ who have been placed in a permanent home;*
- 5. The number of youth in foster care who identify as LGBTQ+ disaggregated by specific LGBTQ+ identity;*

6. The number of youth in foster care who identify as LGBTQ+ who have been placed in a permanent home disaggregated by specific LGBTQ+ identity;

7. The racial identity of youth in foster care;

8. The racial identity of youth in foster care who have been placed in a permanent home;

9. The combined racial and LGBTQ+ identity of youth in foster care; and

10. The combined racial and LGBTQ+ identity of youth in foster care who have been placed in a permanent home.

d. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law relating to the privacy of information relating to youth in foster care or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement. If any category requested contains between 1 and 5 youth in foster care, or allows another category to be narrowed to between 1 and 5 youth in foster care, the number shall be replaced with a symbol. ACS shall not attribute survey responses to individuals. Any records accumulated in the survey collection shall be destroyed after the completion of the report aggregating such records.

§2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 1087

By Council Members Ossé, Cabán, Riley, Louis, Avilés, Hudson, Richardson Jordan, Brooks-Powers, Schulman, Ung, Hanif and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of social services to create shelters for LGBTQ single adults in every borough

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-152 to read as follows:

§ 21-152 Shelters for LGBTQ single adults. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Appropriate services. The term “appropriate services” shall include, but not be limited to, referrals to education and employment programs, counseling, and healthcare, including HIV and transgender care.

LGBTQ. The term “LGBTQ” means lesbian, gay, bisexual, transgender, questioning, and other non-heterosexual sexual orientations or non-cisgender gender identities.

LGBTQ shelter. The term “LGBTQ shelter” means a facility operated by the department or by a provider under contract or similar agreement with the department to exclusively provide shelter for LGBTQ single adults.

Single adult. The term “single adult” means an adult without an accompanying adult or child.

b. No later than January 1, 2024, the department shall establish at least one LGBTQ shelter in every borough. The department shall ensure that appropriate services are available and provided to all clients who identify as LGBTQ and wish to access such services.

c. The department shall post information regarding the availability of such LGBTQ shelters created pursuant to subdivision b on the department’s website, social media accounts and through in person outreach.

d. No later than January 1, 2025, the department shall post on its website and provide the speaker of the council a report containing information regarding the shelters established pursuant to this local law, including, but not limited to the following:

1. The total cost of each LGBTQ shelter;

2. The number of individuals who resided in each shelter created pursuant to subdivision b of this section;

3. The number of referrals made to individuals residing in each LGBTQ shelter to appropriate services offered in such shelters;

4. The number of referrals made to individuals residing in each LGBTQ shelter to appropriate services offered outside of such shelters;

5. A listing of outreach efforts conducted to make individuals residing in each LGBTQ shelter aware of appropriate services available to them; and

6. Any other information the department deems relevant.

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

Referred to the Committee on General Welfare.

Int. No. 1088

By Council Members Ossé, Cabán, Riley, Louis, Avilés, Hudson, Richardson Jordan, Brooks-Powers, Schulman, Ung, Hanif and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to quarterly reports on shelters for LGBTQ single adults

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 21-333 of the administrative code of the city of New York, as added by a local law for the year 2023 amending the administrative code of the city of New York, relating to requiring the department of homeless services and the department of youth and community development to report data on the LGBTQ homeless population, as proposed in introduction number 976-A, is amended by adding new definitions of “LGBTQ shelter” and “single adult” in alphabetical order to read as follows:

LGBTQ shelter. The term “LGBTQ shelter” means a facility operated by the department or by a provider under contract or similar agreement with the department to exclusively provide shelter for LGBTQ single adults. Single adult. The term “single adult” means an adult without an accompanying adult or child.

§ 2. Subdivision c of section 21-333 of the administrative code of the city of New York, as added by a local law for the year 2023 amending the administrative code of the city of New York, relating to requiring the department of homeless services and the department of youth and community development to report data on the LGBTQ homeless population, as proposed in introduction number 976-A, is amended to read as follows:

c. The report required by subdivision b of this section shall include, but not be limited to, the following information, as may be obtained voluntarily:

1. The number of LGBTQ homeless persons who received services from the department or who received runaway and homeless youth services from the department of youth and community development during the reporting period, disaggregated by:

(a) Borough;

(b) Age, classified as homeless youth, homeless young adult, adult, and senior; and

(c) The number and percentage of shelter beds reserved for LGBTQ homeless persons, if applicable; the number and percentage of such beds that are available as of the last day of the reporting period; the number of such beds declined by LGBTQ homeless persons during the reporting period; and the reason for each such declined bed, if given[.] ; and

2. For each LGBTQ shelter, the number of individuals who entered such shelter; the number of individuals who exited such shelter; the number of individuals who exited such shelter into permanent housing; the number of individuals who were denied entry, disaggregated by the reason for denial; the services available including but not limited to referrals to education and employment programs, counseling, and healthcare, including HIV and transgender care; and whether staff are provided with LGBTQ inclusive training.

[2.] 3. The department, in collaboration with the department of youth and community development, shall make best efforts to obtain information to prepare the report required in this section, but shall not require any person to provide information for such purposes. Such efforts shall include the provision of voluntary questionnaires at shelters, safe havens, drop-in centers, and runaway and homeless youth crisis services programs.

§ 3. This local law takes effect on the same date as a local law amending the administrative code of the city of New York, relating to requiring the department of homeless services and the department of youth and community development to report data on the LGBTQ homeless population, as proposed in introduction number 976-A, takes effect.

Referred to the Committee on General Welfare.

Int. No. 1089

By Council Members Ossé, Cabán, Riley, Louis, Avilés, Hudson, Richardson Jordan, Brooks-Powers, Schulman, Ung and Hanif.

A Local Law to amend the New York City charter, in relation to establishing an office to address LGBTQ homelessness

Be it enacted by the Council as follows:

Section 1. Chapter 1 of the New York city charter is amended by adding a new section 20-o to read as follows:

§ 20-o. *Office to address LGBTQ homelessness. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Director. The term “director” means the director appointed pursuant to subdivision b of this section.

Office. The term “office” means the office to address LGBTQ homelessness that is established pursuant to subdivision b of this section.

LGBTQ. The term “LGBTQ” means lesbian, gay, bisexual, transgender, questioning, and other non-heterosexual sexual orientations or non-cisgender gender identities.

Supportive housing. The term “supportive housing” means affordable and permanent housing with support services.

b. Establishment of the office; director. The mayor shall establish an office to address LGBTQ homelessness, the head of which shall be a director appointed by the mayor. Such office may be established in any office of the mayor or be established as a separate office.

c. Powers and duties. The director shall have the following powers and duties:

1. To identify housing issues specific to homeless individuals who identify as LGBTQ, including, but not limited to, the need for safe and gender-affirming supportive housing, and recommend plans to address such issues;

2. To review agency budgets at the request of the mayor, and recommend budget priorities to the mayor to promote programs related to LGBTQ homelessness;

3. To advise and assist the mayor with agency coordination and cooperation to administer such programs;

4. To facilitate communication between agencies that administer such programs and the public;

5. To develop both online and in-person mechanisms to refer homeless individuals who identify as LGBTQ to providers of homeless services, and promote public awareness of resources that could address the housing needs of such individuals;

6. To conduct in-person and online community outreach and education targeted to individuals who identify as LGBTQ including, but not limited to, information about preventive services, legal services, public benefits programs, rental assistance, education and job placement assistance, physical and mental healthcare, short-term financial assistance, and any other information the director deems relevant; and

7. To perform such other duties as the mayor may assign.

d. Annual report. No later than January 31, 2024, and annually thereafter, the director shall submit to the mayor and the speaker of the council a report on the activities carried out by the office during the preceding year.

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

Referred to the Committee on General Welfare.

Int. No. 1090

By Council Members Powers, Brannan, Abreu and Yeger.

A Local Law to amend the administrative code of the city of New York, in relation to suspending the tax imposed by chapter 24 of title 11 of such code for the tax year beginning on June 1, 2023

Be it enacted by the Council as follows:

Section 1. Chapter 24 of title 11 of the administrative code of the city of New York is amended by adding a new section 11-2402.2 to read as follows:

§ 11-2402.2 *Suspension of tax for the tax year beginning in 2023. Notwithstanding any other provision to the contrary, the tax authorized by this chapter shall not be imposed for the tax year beginning on June 1, 2023.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Finance.

Int. No. 1091

By the Public Advocate (Mr. Williams) and Council Members Cabán, Riley, Menin, Richardson Jordan, Ossé, Hanif, Restler and Farías.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to provide menstrual hygiene products for the city university of New York to make available on campus

Be it enacted by the Council as follows:

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

§ 17-199.19 *Menstrual hygiene products for university students. a. For the purposes of this section, “menstrual hygiene products” means tampons, sanitary napkins and other products for use in connection with the menstrual cycle.*

b. The department shall make available to the city university of New York, at no cost, a supply of menstrual hygiene products, sufficient to meet the needs of students, as soon as practicable upon request by such university.

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

Referred to the Committee on Health.

Int. No. 1092

By the Public Advocate (Mr. Williams) and Council Members Powers, Farías, Riley, Ossé, Brewer, Hanif and Restler (by request of the Bronx Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to the application for New York city identity cards by incarcerated persons

Be it enacted by the Council as follows:

Section 1. Paragraph (2) of subdivision b of section 3-115 of the administrative code of the city of New York, as added by local law number 35 for the year 2014, is amended to read as follows:

(2) The administering agency shall designate access sites, including at least one site located within each of the five boroughs of the city of New York, where applications for such card shall be made available for pick-up

and submission. *The administering agency shall also designate access sites at each city correctional facility. The administering agency shall also make applications available online.*

§ 2. Paragraph (1) of subdivision c of section 3-115 of the administrative code of the city of New York, as added by local law number 35 for the year 2014, is amended to read as follows:

(1) The New York city identity card shall display, at a minimum, the cardholder's photograph, name, date of birth, address, and an expiration date, provided that the administering agency may by rule establish procedures to protect the addresses of victims of domestic violence or *provide* alternate requirements for applicants who lack a permanent address *including incarcerated persons residing in a city correctional facility as described in subdivision d of section 9-128*. Such card shall [also], at the cardholder's option, display the cardholder's self-designated gender. Such identification card shall be designed in a manner to deter fraud.

§ 3. Paragraph (1) of subdivision d of section 3-115 of the administrative code of the city of New York, as added by local law number 35 for the year 2014, is amended to read as follows:

(1) Proof of identity. [In order to establish identity, an] *An applicant shall be required to establish identity. The administering agency may by rule determine the weight to be given to each type of document provided in this paragraph and may require that an applicant produce one or more of the following documents:*

- (i) a U.S. or foreign passport;
- (ii) a U.S. state driver's license;
- (iii) a U.S. state identification card;
- (iv) a U.S. permanent resident card;
- (v) a consular identification card;
- (vi) a photo identification card with name, address, date of birth[,] and expiration date issued by another country to its citizens or nationals as an alternative to a passport for re-entry to the issuing country;
- (vii) a certified copy of U.S. or foreign birth certificate;
- (viii) a Social Security card;
- (ix) a national identification card with photo, name, address, date of birth[,] and expiration date;
- (x) a foreign driver's license;
- (xi) a U.S. or foreign military identification card;
- (xii) a current visa issued by a government agency;
- (xiii) a U.S. individual taxpayer identification number (ITIN) authorization letter;
- (xiv) an electronic benefit transfer (EBT) card; [or]
- (xv) *a book and case number, or New York state identification number utilized by the department of criminal justice services, assigned to any person incarcerated in a city correctional facility; or*
- (xvi) any other documentation that the administering agency deems acceptable. [The administering agency may by rule determine the weight to be given to each type of document provided in this paragraph, and require that an applicant produce more than one document to establish identity.]

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

d. The department of correction shall provide eligible incarcerated persons the opportunity to apply for a New York city identity card issued pursuant to section 3-115 and shall provide notice of such opportunity and necessary assistance in completing such applications, including providing written documentation of the incarcerated person's book and case identification number or New York state identification number for identification purposes, a photo of the incarcerated person to submit with the application and a letter stating that the incarcerated person has resided in the city of New York for at least 15 days and lacks a home address, if applicable. Such eligible incarcerated persons shall include the following:

- 1. any incarcerated person in the custody of the department of correction on pending felony charges, who has not been sentenced and who has been in custody for at least seven days; and*
- 2. any incarcerated person who has been sentenced and will serve 10 days or more in any city correctional institution.*

§ 5. This local law takes effect 120 days after it becomes law, provided that the commissioner of social services/human resources administration shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Criminal Justice.

Int. No. 1093

By the Public Advocate (Mr. Williams) and Council Members Powers, Cabán, Farías, Riley and Ossé, Brewer, Hanif and Restler (by request of the Bronx Borough President).

A Local Law to amend the administrative code of the city of New York, in relation to requiring a report on voter registration in city jails

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code is amended by adding a new section 9-163 to read as follows:

§ 9-163 *Voter registration report.* a. No later than January 31, 2023 and annually thereafter, the commissioner shall submit to the mayor, speaker of the council and the public advocate and shall post conspicuously on the department's website an annual report regarding voter registration in city jails. Such report shall include the following information for the previous calendar year:

1. The number of events held to promote voter registration and voting;
2. The number of completed voter registration forms returned to the department from incarcerated individuals, in total and disaggregated by facility and by the race, age, gender, gender identity, sexual orientation, disability status and veteran status of such individual; and
3. The number of absentee ballots the department distributed to incarcerated individuals, in total and disaggregated by facility.

b. The report required by this section must not contain personally identifiable information.

§ 2. This local law takes effect immediately.

Referred to the Committee on Criminal Justice.

Res. No. 669

Resolution calling on the President of the United States to immediately place New York City jails in federal receivership.

By the Public Advocate (Mr. Williams) and Council Members Richardson Jordan, Ossé, Hudson, Farías, Cabán, Krishnan and Avilés.

Whereas, the New York City Department of Correction (DOC) manages 10 correctional facilities, eight of which are located on Rikers Island; and

Whereas, According to the 2021 New York City Mayor's Management Report, during fiscal year 2021 DOC had more than 16,000 admissions and the current jail census is over 5,500; and

Whereas, According to the Vera Institute, in July of 2022, there were 4,847 inmates waiting for court in New York City jails with 1,276 of them waiting for trial for more than one year; and

Whereas, According to reports, tragically, 15 inmates have died in DOC custody in 2022 and 16 died in 2021, marking an eight year high; and

Whereas, *Nunez V. City of New York (Nunez)* was a class action lawsuit from 2015 that resulted in a consent decree that requires DOC to implement specific policies and practices overseen by a court-appointed monitor; and

Whereas, Pursuant to the *Nunez* settlement, the court-appointed monitor issues a progress report on the DOC's practices of use of force every six months; and

Whereas, The Special Report of the Nunez Monitor Steve J. Martin detailed imminent risk of harm to both incarcerated individuals and city jail staff noting DOC's failure to implement reforms outlined in the September 2021 remedial order and that the staffing crisis was ongoing; and

Whereas, According to the *New York Post*, at the peak of the ongoing staffing crisis, one in five correction workers did not show up for work because they claimed to be sick which created dangerous and chaotic conditions under which incarcerated individuals assaulted each other and fatally overdosed; and

Whereas, Manhattan US Attorney Damien Williams representing the United States as a plaintiff-intervenor in *Nunez* stated in a legal filing to federal court in 2022 that previous attempts to fix the notorious lockup have failed miserably and that aggressive relief through a federal receiver with independent authority to implement reforms in compliance with the consent judgement, remedial orders, and monitor recommendations could be needed; and

Whereas, The DOC submitted a 30 page action plan proposal in defense of itself being best suited to revamp its troubled jail system in opposition to being placed under the control of a federal receiver to presiding Chief Laura Taylor Swain; and

Whereas, the DOC proposal outlines timelines for restructuring DOC's leadership, cracking down on absenteeism, expediting disciplinary cases of uniformed officers, and dealing with other issues plaguing NYC lockups; and

Whereas, *Nunez* monitor Martin, and the Legal Aid Society represented to Judge Swain that the proposal was still filled with holes and especially took exception with NYC's refusal to look outside the DOC for better candidates to run its jails; and

Whereas, Martin, in a letter to Judge Swain noted that decades of mismanagement still raise serious concerns about whether the DOC is capable of fully and faithfully implementing its Action Plan with integrity by addressing the danger, violence, and chaos that continue to occur daily; and

Whereas, The Legal Aid Society expressed to Judge Swain they are worried the city plan will not address the ongoing harm caused by the dysfunctional jails and that they plan to formally move for contempt, asserting that officials who came up through the system aren't equipped to fix it, and request a federal receivership take control of Rikers Island; and

Whereas, On June 15, 2022 Chief Judge Swain ruled that DOC's action plan was sufficient, citing the action plan as a way to move forward with concrete measures to address the ongoing crisis at Rikers Island taking federal receivership off the table until at least the fall of 2022; and

Whereas, Federal receivership is a designation that would give sweeping powers to an independent authority tasked with finally ending violence on Rikers Island as it has helped remedy entrenched problems at other lockups nationwide such prison systems for Alabama, The District of Columbia, Chicago, California, and Wayne County in Michigan; and

Whereas, Only a non-partisan receiver appointed by the Federal Court can suspend laws, regulations, and contracts, including a collective bargaining agreement, that interfere with the implementation of the consent decree, and in correcting the things that the court determined are in need of correction; and

Whereas, A federal receiver answers only to the Court and must publish their findings to ensure transparency and at sustained success turn over power back to the city; and now, therefore, be it

Resolved, That the Council of the City of New York calls on the President of the United States to immediately place New York City jails in federal receivership.

Referred to the Committee on Criminal Justice.

Res. No. 670

Resolution calling on the New York State Legislature to pass and the Governor to sign Senate Bill S.5755/A.699, which would ensure all people in custody have the right to vote and require the Department of Corrections and Community Supervision to collaborate state and local board of elections to facilitate voter registration and voting among all incarcerated people.

By the Public Advocate (Mr. Williams) and Council Members Cabán, Farías, Riley, Richardson Jordan, Ossé, Hanif and Restler.

Whereas, A 2016 report from *The Sentencing Project* estimated that 6.1 million Americans are ineligible to vote as a result of felony disenfranchisement laws; and

Whereas, Even as a number of states have moved to extend voting rights to individuals on parole or probation and to those who have completed their sentence, people convicted of a felony remain disenfranchised while incarcerated; and

Whereas, New York is among the forty-eight states, as well as the District of Columbia, in which persons convicted of a felony lose their right to vote while incarcerated; and

Whereas, New York's felony disenfranchisement law has a disparate effects on Latinx and Black people as a result of their disproportionate felony arrest and conviction rates driven in part by the over-policing of their communities; and

Whereas, As a result, felony disenfranchisement reduces the scale of the Latinx and Black electorates and the political impact of those communities; and

Whereas, Vermont and Maine remain the only two states where incarcerated people, no matter what their conviction is for, do not lose their vote; and

Whereas, The right to vote is a fundamental tenet of democracy and should not be denied to any incarcerated individuals; and

Whereas, S.5755/A.699 introduced by State Senator Kevin Parker would repeal section 5-106 of New York Election Law, which disenfranchises incarcerated people convicted of a felony, and would require the Department of Corrections and Community Supervision, in collaboration with the state and county board of election, to establish a program to facilitate voter registration and voting among all incarcerated people, which includes access and assistance with voter registration forms and a mechanism for voting, including absentee ballots; and

Whereas, Maine, Vermont and the District of Columbia allow incarcerated individuals to retain their voting rights while in custody; and

Whereas, A survey published by *Laleh Ispahani* in 2009 examining disenfranchisement in Europe found that seventeen European nations imposed no bar on incarcerated people voting; and

Whereas, The right of incarcerated people to vote has been affirmed in constitutional court decisions in Canada, South Africa, Israel, Australia, and Kenya; and

Whereas, Permitting incarcerated people to participate in the electoral process improves their chances of successful reentry as it allows them to foster meaningful and positive connections with institutions in their community; and, now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, S.5755/A.699, which would ensure all people in custody have the right to vote and require the Department of Corrections and Community Supervision to collaborate state and local board of elections to facilitate voter registration and voting among all incarcerated people.

Referred to the Committee on Criminal Justice.

Res. No. 671

Resolution calling on the New York Legislature to pass, and the Governor to sign, S00313/A04183, which would eliminate court, probation, and parole surcharges & fees as well as prohibit mandatory minimum fines for penal and vehicle & traffic laws.

By Council Members Restler, Rivera, Riley, Ossé and Hanif.

Whereas, The State of New York imposes various fees and surcharges on individuals convicted of offenses under the penal law, vehicle and traffic law, and environmental conservation law; and

Whereas, These fees and surcharges are typically mandatory and applied irrespective of an individual's ability to pay or any other relevant factor; and

Whereas, Fines imposed by New York courts vary depending on the offense, with some offenses having mandatory minimum fines and others having a range of permissible fines; and

Whereas, The current legal framework in New York courts lacks a mechanism for the sentencing court to waive fees and surcharges, except for a limited exception enacted in the Laws of 2020, chapter 144, applicable to individuals under 21; and

Whereas, Current law does not require courts to inquire into or consider a defendant's ability to pay, financial resources, other financial obligations, or any other relevant factor when determining fines; and

Whereas, The lack of consideration for defendants' financial circumstances can have devastating consequences for working-class or individuals in poverty, leading to insurmountable debt and greater barriers to meeting basic needs, exacerbating existing inequalities and perpetuating cycles of poverty; and

Whereas, While courts may allow for payment deferrals, such deferrals result in civil judgments against defendants, adversely affecting their credit reports and impeding their ability to obtain loans, purchase homes, and in some cases secure employment, creating a cycle of financial instability; and

Whereas, Under the current criminal justice system, consequences for nonpayment of financial penalties can include the suspension of the defendant's driver's license, and if a defendant is sentenced to incarceration as a penalty for their conviction, funds are withheld from their inmate funds account and their wages from work assignments are garnished; and

Whereas, The consequences for nonpayment of financial penalties can extend beyond incarceration, including the suspension of the defendant's driver's license and further periods of incarceration; and

Whereas, The current system of mandatory fees and surcharges is widely acknowledged by organizations to be harmful, disproportionately affecting certain racial groups, and ultimately counterproductive; and

Whereas, According to the Brennan Center for Justice "*The Steep Cost of Criminal Justice Fees and Fines*", a 2019 report found that generating revenue through levying fees and fines on criminal defendants is costly, inefficient, and wasteful as fees often cost more to collect than they generate in revenue; and

Whereas, According to the NYC Bar "*New York Should Re-Examine Mandatory Court Fees Imposed on Individuals Convicted of Criminal Offenses and Violations*", The Bar Association recommends simply eliminating mandatory surcharges and fees as tying convictions to revenue raising is inherently problematic and fines imposed by criminal courts should be imposed only when they are tied directly to the criminal act, such as for restitution; and

Whereas, The U.S. Department of Justice issued a Dear Colleague Letter to Courts in April 2023 that cautioned against fines and fees practices and noted that they are often unlawful, discriminatory, and generate little or no net revenue; and

Whereas, S00313, sponsored by State Senator Julia Salazar, and A04183, sponsored by State Assemblymember Kenny Burgos, seek to eliminate court, probation, and parole surcharges and fees as well as prohibit mandatory minimum fines for penal and vehicle and traffic laws and eliminate incarceration as a penalty for failing to pay a fine, surcharge, or fee; and

Whereas, S00313/A04183 is supported by the No Price on Justice Coalition, a coalition of economic and racial justice advocates, grassroots organizations, and impacted people working to end New York's predatory court fines and fees; and

Whereas, The Council of the City of New York supports S00313/A04183 as a means of addressing financial burdens and reforms in the legal system, including the elimination of certain fees, the prohibition of mandatory minimum fines, individualized assessments of financial capability, and the elimination of incarceration as a consequence for non-payment; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, S00313/A04183, which would eliminate court, probation, and parole surcharges & fees as well as prohibit mandatory minimum fines for penal and vehicle & traffic laws.

Referred to the Committee on Criminal Justice.

Preconsidered Int. No. 1094

By Council Members Rivera, Brewer, Restler, Barron, Williams, Krishnan, Richardson Jordan and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to recording alleged refusals to attend court appearances, the appointment of a court production liaison, and reporting on court appearance transportation

Be it enacted by the Council as follows:

Section 1. Section 9-146 of the administrative code of the city of New York is amended by adding new subdivisions d, e, and f to read as follows:

d. The department shall record, via body-worn or handheld camera, video, including audio, of all interactions between incarcerated individuals and correction officers in which an incarcerated individual allegedly refuses to attend a court appearance and shall maintain a database with the video files created pursuant to this subdivision.

e. The commissioner shall appoint a court production liaison within the department. The commissioner shall post the court production liaison's email address and telephone number on the department's website. The court production liaison shall:

- 1. Establish a system at each housing facility to resolve complaints related to court production from judges, district attorneys, and incarcerated individual's defense attorneys;*
- 2. Ensure compliance with the video recording requirement pursuant to subdivision d of this section;*
- 3. Establish and maintain the database required pursuant to subdivision d of this section;*
- 4. Upon receipt of a signed written request from an incarcerated individual's defense attorney, provide the video file of an alleged refusal to attend a court appearance to that incarcerated individual and their defense attorney within 7 business days; and*
- 5. Make recommendations to the commissioner with respect to how court production can be improved.*

f. No later than 30 days after the effective date of the local law that added this section, and monthly thereafter, the commissioner, in consultation with the relevant agencies, shall submit to the mayor and the speaker of the council and shall post conspicuously on the department's website a report on court production. Such report shall include, but need not be limited to:

- 1. The number of incarcerated individuals with a scheduled court appearance in the previous month, disaggregated by housing facility, venue of the scheduled court appearance, and whether the individual was delivered to court prior to the time of their scheduled appearance;*
- 2. The number of incarcerated individuals with a scheduled court appearance in the previous month who were not delivered to court prior to the time of time of their scheduled appearance, disaggregated by housing facility, venue of the scheduled court appearance, and whether the department alleges that the individual refused to attend the court appearance; and*
- 3. The number of incarcerated individuals with a scheduled court appearance in the previous month who were not delivered to court prior to the time of their scheduled appearance who the department alleges refused to attend the court appearance, disaggregated by housing facility, venue of the scheduled court appearance, and whether the alleged refusal was recorded on video.*

§ 2. This local law takes effect immediately.

Referred to the Committee on Criminal Justice (preconsidered but laid over by the Committee on Criminal Justice).

Int. No. 1095

By Council Members Schulman, Cabán, Menin, Ossé, Louis and Hanif.

A Local Law in relation to requiring at least one mental health coordinator at any location where refugees, asylees, and migrants receive services from city agencies or providers upon their arrival in the city of New York

Be it enacted by the Council as follows:

Section 1. a. Definitions. As used in this local law:

Agency. The term “agency” means a city, county, borough, or other office, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid in whole or in part from the city treasury.

City. The term “city” means the city of New York.

Emergency congregate housing. The term “emergency congregate housing” means any location operated by an agency or a provider under contract or similar agreement with an agency, except for any location operated by the department of social services or provider under contract or similar agreement with the department of social services, where individuals and families reside for more than 96 hours where such individuals and families sleep in a congregate setting with shared facilities including, but not limited to, sleeping quarters and bathrooms.

Mental health coordinator. The term “mental health coordinator” means an agency employee or a contracted employee who can provide resources on trauma-informed, language accessible mental health services in the city.

Resource center. The term “resource center” means a centralized location where services are provided to refugees, asylees, and migrants, including, but not limited to, legal services, healthcare services, benefit enrollment services or school enrollment services.

Provider. The term “provider” means a community-based organization or not-for-profit organization under contract or similar agreement with the department.

Shelter. The term “shelter” means a facility operated by the department of social services or a provider under contract or similar agreement with the department of social services.

b. The office of community mental health shall station at least one mental health coordinator at each location where refugees, asylees, and migrants receives services from agencies or providers upon their arrival in the city. The locations shall be determined by the office of immigrant affairs and shall include but not be limited to emergency congregate housing, shelters, resource centers, and any other systems established to provide housing to refugees, asylees, and migrants.

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

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

Int. No. 1096

By Council Members Stevens, Cabán, Ossé, Louis and Williams.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of homeless services to designate eligibility specialists at shelters

Be it enacted by the Council as follows:

Section 1. Section 21-325 of the administrative code of the city of New York, as added by local law number 124 for the year 2021, is redesignated section 21-325.1.

§ 2. Section 21-325 of the administrative code of the city of New York, as added by local law number 143 for the year 2021, is redesignated section 21-325.2.

§ 3. Chapter 3 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-333 to read as follows:

§ 21-333 *Eligibility specialists. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Adult. The term “adult” means any person 18 years of age or older.

Benefits. The term “benefits” means public assistance benefits as such benefits are defined by the commissioner.

Eligibility specialist. The term “eligibility specialist” means a case manager or other staff employed by the department, or by a provider under contract or similar agreement with the department, who is assigned to work in a shelter to help clients in such shelter understand their eligibility for benefits, and who is distinct from a housing specialist described by section 21-303.

Shelter. The term “shelter” means temporary emergency housing provided by the department or by a provider under contract or similar agreement with the department.

b. The commissioner shall ensure that eligibility specialists are available at each shelter and shall maintain a ratio at each shelter of at least 1 full-time eligibility specialist for up to every 25 adult residents.

c. The commissioner shall establish a training program for eligibility specialists that shall include, but not be limited to, a focus on establishing expertise in benefits available to shelter residents.

d. The commissioner shall develop definite program goals by which the commissioner shall assess the performance of eligibility specialists in matching as expeditiously as possible eligible shelter residents with available benefits.

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

Referred to the Committee on General Welfare.

Int. No. 1097

By Council Members Ung, Moya and Restler.

A Local Law to amend the administrative code of the city of New York, in relation to limiting the parking of motor vehicles by dealers.

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is hereby amended to add a new section 19-170.3 to read as follows:

§ 19-170.3 *Limitation on parking of motor vehicles by dealers. a. It shall be unlawful for any dealer, as defined in section four hundred fifteen of the vehicle and traffic law, to park, store or otherwise maintain a motor vehicle upon any street of the city for the purpose of:*

(i) displaying such motor vehicle for sale, or (ii) greasing or repairing such motor vehicle, except in the case of an emergency repair.

b. It shall be unlawful for any dealer, as defined in section four hundred fifteen of the vehicle and traffic law, to park, store, or otherwise maintain on any street a motor vehicle that is in the dealer's possession while awaiting repair or subsequent return to the owner or lessee of such motor vehicle. Any dealer in possession of a motor vehicle awaiting repair or subsequent return to the owner or lessee of such motor vehicle shall, at all times, display a placard, clearly legible through the motor vehicle's forward windshield, indicating the name, address, license number and telephone contact information of such dealer.

c. Each violation of this section shall be punishable by a fine of not less than two hundred fifty dollars and not more than four hundred dollars. For purposes of this section, every day that any single motor vehicle is parked illegally shall be considered a separate violation.

d. If an owner or lessee of a motor vehicle receives a summons for a parking violation on the date and time such motor vehicle was in the possession of a dealer awaiting repair or subsequent return to such owner or lessee, it shall be an affirmative defense that such motor vehicle was in the possession of such dealer at the time of the violation alleged in the summons. If such defense is successful, the commissioner is authorized to issue a

summons, violation, or to otherwise prosecute the dealer in possession of such motor vehicle on the date and time of the offense alleged in the original summons.

e. Any motor vehicle parked in violation of subdivision a of this section shall be subject to impoundment. Any motor vehicle impounded pursuant to this subdivision shall not be released until all applicable towing and storage fees have been paid. The commissioner may promulgate rules concerning the procedure for the impoundment and release of motor vehicles pursuant to this subdivision.

f. If a motor vehicle is impounded or receives a summons while in the possession of a dealer who is not the owner or lessee of such motor vehicle, such owner or lessee shall have a private cause of action against any dealer who was in possession of the motor vehicle at the time of such impoundment or the issuance of such summons.

g. The penalties and fees provided for in this section shall be in addition to any other penalties, fees or remedies provided by law or regulation.

§2. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Preconsidered L.U. No. 212

By Council Member Brannan:

Duncan Genns, Block 3446, Lot 1, Brooklyn, Community District No. 4, Council District No. 37.

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

Preconsidered L.U. No. 213

By Council Member Brannan:

West 148th Street Heighliner Portfolio.HPO.FY23, Block 2034, Lot 29, Manhattan, Community District No. 10, Council District No. 9.

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

Preconsidered L.U. No. 214

By Council Member Brannan:

Paradise Management Cluster 1.HPO.FY23, Block 2014, Lots 14, 16, and 18, Manhattan, Community District No. 10, Council District No. 9.

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

Preconsidered L.U. No. 215

By Council Member Brannan:

Paradise Management Cluster 2.HPO.FY23, Block 2002, Lots 19, 21, 22, 24, and 26, Manhattan, Community District No. 9, Council District No. 7.

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

Preconsidered L.U. No. 216

By Council Member Brannan:

Paradise Management Cluster 3.HPO.FY23, Block 3054, Lot 6, Block 3287, Lot 43, Bronx, Community District Nos. 6 and 7, Council District No. 15.

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

Preconsidered L.U. No. 217

By Council Member Brannan:

Paradise Management Cluster 5.HPO.FY23, Block 3134, Lots 14 and 20, Bronx, Community District No. 6, Council District No. 15.

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

Preconsidered L.U. No. 218

By Council Member Brannan:

Paradise Management Cluster 7.HPO.FY23, Block 2947, Lot 40, Block 3129, Lots 1 and 4, Bronx, Community District No. 6, Council District No. 15.

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

Preconsidered L.U. No. 219

By Council Member Brannan:

Paradise Management Cluster 8.HPO.FY23, Block 3118, Lots 36, 39, and 56, Bronx, Community District No. 6, Council District No. 17.

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

Preconsidered L.U. No. 220

By Council Member Brannan:

Paradise Management Cluster 9.HPO.FY23, Block 2506, Lot 121, Block 2514, Lot 50, Bronx, Community District No. 4, Council District No. 16.

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

Preconsidered L.U. No. 221

By Council Member Brannan:

Paradise Management Cluster 10.HPO.FY23, Block 2506, Lot 33, Block 2800, Lot 68, Bronx, Community Districts No. 4 and 5, Council Districts No. 15 and 16.

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

Preconsidered L.U. No. 222

By Council Member Brannan:

Paradise Management Cluster 11.HPO.FY23, Block 2529, Lot 63, Bronx, Community District No. 4, Council District No. 16.

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

Preconsidered L.U. No. 223

By Council Member Brannan:

Paradise Management Cluster 12.HPO.FY23, Block 2504, Lot 105, Bronx, Community District No. 4, Council District No. 8.

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

Preconsidered L.U. No. 224

By Council Member Brannan:

Paradise Management Cluster 13.HPO.FY23, Block 2784, Lot 10, Bronx, Community District No. 4, Council District No. 16.

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

Preconsidered L.U. No. 225

By Council Member Brannan:

Paradise Management Cluster 16.HPO.FY23, Block 2603, Lot 1002, Bronx, Community District No. 2, Council District No. 8.

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

Preconsidered L.U. No. 226

By Council Member Brannan:

290 East 149th Street, Block 2330, Lot 16, Bronx, Community District No. 1, Council District No. 17.

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

Preconsidered L.U. No. 227

By Council Member Brannan:

1500-1502 Hone Ave.HPO.FY23, Block 4068, Lot 1, Bronx, Community District No. 11, Council District No. 13.

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

Preconsidered L.U. No. 228

By Council Member Brannan:

Bronx Park East Apartments, Block 4506, Lots 1 and 40, Bronx, Community District No. 11, Council District No. 15.

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

Preconsidered L.U. No. 229

By Council Member Brannan:

Hamilton Heights Cluster, Block 2071, Lot 56, Block 2073, Lot 43, Block 2074, Lots 25 and 30, Block 2077, Lots 12 and 13, Manhattan, Community District No. 9, Council District No. 7.

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

L.U. No. 230

By Council Member Salamanca:

Application number C 220218 ZMQ (189-10 Northern Boulevard Commercial Overlay) submitted by Prince St. 606, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 10d, changing from an R3X District to an R3-2 District and establishing within the existing and proposed R3-2 District a C2-3 District, Borough of Queens, Community District 11, Council District 19.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

L.U. No. 231

By Council Member Salamanca:

Application number C 210323 MMQ (43rd Avenue Demapping) submitted by Anthony Lim, pursuant to Sections 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving: the elimination, discontinuance and closing of a portion of 43rd Avenue between 222nd Street and 223rd Street; the adjustment of grades and block dimensions necessitated thereby; and authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5036 dated June 21, 2022, and signed by the Borough President, Borough of Queens, Community District 11, Council District 19.

Referred to the Committee on Land Use and the Subcommittee on Zoning and Franchises.

NEW YORK CITY COUNCIL**A N N O U N C E M E N T S****Friday, June 9, 2023**

Committee on Oversight and Investigations jointly with the
Committee on Public Safety

Gale A. Brewer, Chairperson
 Kamillah Hanks, Chairperson

Oversight - Examining the Impact of the NYPD Erie Basin Storage Facility Fire.

Proposed Int 1001-A - By Council Members Schulman, Menin, Yeger, Richardson Jordan, Velázquez, Hudson, Joseph, Brooks-Powers, Brannan, Louis, Feliz, Marte, Ossé, Ung, Gennaro, Powers, Hanks, Lee, Narcisse, Abreu, Brewer, Bottcher, Dinowitz, Avilés, Paladino, Ariola and Vernikov - **A Local Law** to amend the administrative code of the city of New York, in relation to prohibiting owners of commercial premises from knowingly leasing commercial premises to unlicensed sellers of controlled substances or tobacco products and requiring the sheriff to produce a monthly report on enforcement relating to such unlicensed sellers.
 Council Chambers – City Hall.....10:00 a.m.

Monday, June 12, 2023

Committee on Health jointly with the
Committee on Women and Gender Equity

Lynn C. Schulman, Chairperson
 Tiffany Cabán, Chairperson

Oversight - The Current State of Access to Healthcare for LGBTQIA+ Individuals.

Int 66 - By the Public Advocate (Mr. Williams) and Council Members Hanif, Cabán, Won, Louis, Restler, Bottcher, Menin, Hudson, Avilés, Ossé, Nurse, Gutiérrez and Richardson Jordan - A Local Law to amend the administrative code of the city of New York, in relation to signage regarding transgender rights and services at hospitals.

Res 256 - By Council Members Cabán, Hanif, Joseph, Menin, Nurse, Gutiérrez and Sanchez - **Resolution** calling upon the United States Congress to pass, and the President to sign, the COVID-19 Long Haulers Act.

Res 555 - By Council Members Hudson, Menin, Cabán, Ossé, Richardson Jordan, Schulman, Bottcher, Farías, Restler, Hanif, Ung and Brewer - **Resolution** calling on the New York State Legislature to pass, and the Governor to sign, S.2475, to protect access to gender-affirming care in New York State and combat policies of other states that attempt to ban gender-affirming care.

Res 591 - By Council Members Schulman, Lee, Louis, Restler, Hudson and Ung - **Resolution** calling on the New York State Legislature to pass, and the Governor to sign, legislation to protect New York State's safety net providers and Special Needs Plans by eliminating the Medicaid pharmacy carve-out.

Council Chambers – City Hall.....10:00 a.m.

Tuesday, June 13, 2023

Committee on Parks and Recreation

Shekar Krishnan, Chairperson

Oversight - The State of the City's Tree Canopy.

Int 1065 - By Council Members Bottcher, Krishnan, Brewer and Louis - **A Local Law** to amend the administrative code of the city of New York, in relation to an urban forest master plan.

Int 1066 - By Council Members Brewer, Krishnan, Bottcher and Louis - **A Local Law** to amend the New York city charter, in relation to the role of trees, tree canopy, and vegetation with respect to the city's long-term sustainability planning.

Preconsidered Int ____ - By Council Members Krishnan, Abreu, Avilés, Ayala, Borelli, Brannan, Brewer, Brooks-Powers, Cabán, Carr, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Richardson Jordan, Joseph, Kagan, Lee, Louis, Marte, Moya, Nurse, Ossé, Paladino, Powers, Restler, Riley, Rivera, Salamanca, Jr., Sanchez, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Won and The

Speaker (Council Member Adams) - **A Local Law** in relation to the naming of 109 thoroughfares and public places, S.W.A.M. Way, Borough of Queens, Tom DeMott Way, Borough of Manhattan, DJ Jinx Paul Way, Borough of Manhattan, Margarita “Margot” Correa Santana Way, Borough of Manhattan, Daniel Defonte Way, Borough of Brooklyn, Nancy Kearsse Gooding Way, Borough of Brooklyn, Andy Varela Way, Borough of Brooklyn, Giuseppina “Josie” Santo Way, Borough of Manhattan, Coach Herbert “Chuck” Griffin Way, Borough of Manhattan, DJ Kay Slay Way, Borough of Manhattan, Angel Luis Colon Way, Borough of Manhattan, Kristal Bayron-Nieves Way, Borough of Manhattan, Paseo Boricua, Borough of Manhattan, Ciro Pappalardo Avenue, Borough of Staten Island, Priscilla R. Carollo Drive, Borough of Staten Island, Joseph DiGiovanni Purple Heart Way, Borough of Staten Island, Joanne Seminara Way, Borough of Brooklyn, Margaret Sandra Casatelli Way, Borough of Brooklyn, Joseph P. Lombardo, Sr. Memorial Way, Borough of Brooklyn, DiDi Ford Way, Borough of Manhattan, Rayquon M. Elliott “Stack Bundles” Way, Borough of Queens, Detective Anastasios Tsakos Way, Borough of Queens, Yianni Colombos Way, Borough of Queens, Saviour “Sammy” Borg Way, Borough of Queens, Ismail Qemali Way, Borough of Staten Island, Betty and Lloyd Adams Way, Borough of the Bronx, Disco King Mario Way, Borough of the Bronx, Roxanne Reid Way, Borough of the Bronx, Hon. Paul Victor Way, Borough of the Bronx, Uma SenGupta Way, Borough of Queens, Rabbi Simcha Krauss Way, Borough of Queens, Barry Commoner Way, Borough of Queens, Pedro Albizu Campos Way, Borough of Brooklyn, Thomas Marrinan Way, Borough of Brooklyn, Jimmy Romano Way, Borough of Staten Island, Lisa Pollari Way, Borough of Staten Island, Pfc. Peter Dorgas Way, Borough of Staten Island, Notre Dame Academy Way, Borough of Staten Island, Ronald Vincent Waite Way, Borough of Staten Island, Eric E. Garvin Way, Borough of Staten Island, Martha Catuogno Way, Borough of Staten Island, Leon Wallace Way, Borough of Staten Island, Stanislaw Kozikowski Way, Borough of Queens, Joseph Schmidt Way, Borough of Queens, Patrolman Joseph Jockel Way, Borough of Queens, Lieutenant Charles Kemmer Way, Borough of Queens, Patrolman Henry E.A. Meyer Way, Borough of Queens, Edward A. Carter Way, Borough of Brooklyn, Tomchei Temimim Way, Borough of Brooklyn, Gen. Colin Powell Way, Borough of Manhattan, The Rev. Dr. Frank J. Blackshear Way, Borough of Manhattan, The Black Panther Party Way, Borough of Manhattan, Bishop William Yancy Bell Sr. Way, Borough of Manhattan, Darius Elijah Roache Way, Borough of Brooklyn, Rev. Dr. Honore Augustin Jacques Way, Borough of Brooklyn, Rachel Sutton Way, Borough of Brooklyn, Rev Sylvester & Georgia McEaddy Way, Borough of Brooklyn, Janet Kelly ‘Knitting Teacher’ Way, Borough of Queens, Mike Crowley 1st Pres. JHBG, Borough of Queens, Marc Haken Way, Borough of Queens, Elenora P. Bernard Way, Borough of Brooklyn, Corky Lee Way 李揚國路, Borough of Manhattan, Danny Jared Mendoza Amador Street, Borough of Queens, Julien “Big Ju” Arnold Way, Borough of Brooklyn, Detective Peter J. Figoski Way, Borough of Brooklyn, Max Roach Way, Borough of Brooklyn, DJ Lance Way, Borough of Brooklyn, Reggie “Combat Jack” Ossé Place, Borough of Brooklyn, Associazione Sacchesi D’America Way, Borough of Queens, Police Officer Thomas G. Brophy Way, Borough of Queens, PIX Plaza, Borough of Manhattan, Patrolman William McAuliffe Way, Borough of Manhattan, Ralph Mercado Way, Borough of Brooklyn, The Irene Klementowicz Way, Borough of Brooklyn, Mary Evans Way, Borough of Brooklyn, Rabbi Joseph Webber Way, Borough of Brooklyn, Earl Moodie’s Way, Borough of the Bronx, Emma Miller’s Place, Borough of the Bronx, Frances Goldin Way, Borough of Manhattan, WE STAY/Nos Quedamos Way, Borough of the Bronx, Thessalonía Baptist Church Way, Borough of the Bronx, Casa Boricua Way, Borough of the Bronx, African Jazz Art Society & Studio Way, Borough of the Bronx, Kyhara Tay Way, Borough of the Bronx, Mothers on the Move Way, Borough of the Bronx, Reverend Father Thomas A. Lynch Way, Borough of the Bronx, Shri Tulsi Mandir Way, Borough of Queens, Jan Fenster Way, Borough of Queens, Gavriel Davidov Corner, Borough of Queens, Murray & Carol Berger Way, Borough of Queens, Dr. Karl Neumann Way, Borough of Queens, Danny “Wepa Man” Vargas Way, Borough of the Bronx, José Ángel Hernández Way, Borough of the Bronx, Rev. Albert & Lady Betty Sutton Way, Borough of the Bronx, John Henry Byas, Sr. Way, Borough of Queens, Olde Towne Burial Ground Lane, Borough of Queens, Jim McQuade Way, Borough of the Bronx, Paulina Nrecaj Way, Borough of the Bronx, Sylvia Lask Way, Borough of the Bronx, Joe “Captain’s” Way, Borough of the Bronx, Police Officer Richard Lopez Way, Borough of the Bronx, La Jara Band Way, Borough of the Bronx, Dr. Paula Neyman Way, Borough of the Bronx, Ruth Bader Ginsburg Way, Borough of Brooklyn, Gabriel Rice Way, Borough of Queens, A Tribe Called Quest Boulevard, Borough of Queens, John Vogt Place, Borough of Queens, Dolma Naadhun Way, Borough of Queens, Dr. B. R. Ambedkar Way, Borough of Queens and the repeal of sections 6, 10, 15, 20, 36, 43, 50, 54, 94, 114, 118 and 124 of local law number 44 for the year 2023 and sections 49 and 175 of local law number 54 for the year 2022.

Committee Room – City Hall.....10:00 a.m.

[Subcommittee on Zoning & Franchises](#)

Kevin C. Riley, Chairperson

See Land Use Calendar

Committee Room – 250 Broadway, 14th Floor10:00 a.m.

[Committee on Immigration](#) jointly with the
[Committee on Women and Gender Equity](#)

Shahana K. Hanif, Chairperson

Tiffany Cabán, Chairperson

Oversight - PromiseNYC and Access to Child Care for Immigrants.

Committee Room – City Hall.....1:00 p.m.

[Committee on Public Housing](#)

Alexa Avilés, Chairperson

Oversight - Summer Preparedness in NYCHA Developments.

Council Chambers – City Hall.....1:00 p.m.

Wednesday, June 14, 2023

[Committee on Higher Education](#)

Eric Dinowitz, Chairperson

Oversight - Serving Justice-Involved College Students in NYC.

Council Chambers – City Hall.....10:00 a.m.

Thursday, June 15, 2023

[Environmental Protection,
Resiliency and Waterfronts](#)

James F. Gennaro, Chairperson

Oversight - The City's new sustainability plan pursuant to Local Law 84 of 2013.

Int 286 - By Council Members Rivera, Stevens, Velázquez, Brewer, Restler, Abreu, Nurse, Bottcher, Marte, Joseph, Schulman, Powers, Hudson and Richardson Jordan - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring alternating high and low, two-toned signal devices on emergency vehicles.

Int 611 - By Council Members Brannan, Hanif, Won, Nurse, Gutiérrez, Joseph, Restler, Ossé, Cabán, Richardson Jordan and Louis (by request of the Queens Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to carbon accounting.

Int 898 - By Council Members Avilés, Cabán, Hanif, Restler, Dinowitz, Farías, Brannan, Velázquez, Abreu, Krishnan, Hudson, Nurse, Williams, Riley, Brewer, Richardson Jordan, Stevens, Louis, Schulman, Narcisse, Won, Sanchez, Marte, Bottcher, Gutiérrez, Menin, Joseph, Ung, Hanks, Barron, Ossé, Salamanca, Moya and De La Rosa - **A Local Law** to amend the administrative code of the city of New York, in relation to translating the citizen's air complaint program portal into the designated citywide languages.

Int 983 - By Council Members Brannan, Restler, Hudson, Hanif, Ung, Cabán, Louis and Avilés (by request of the Queens Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to mandating the construction of solar canopies in certain parking lots

Res 605 - By Council Members Avilés, Gennaro, Cabán, Restler, Richardson Jordan, Brewer, Hanif, Krishnan, De La Rosa, Ung, Hudson and Louis - **Resolution** calling upon the New York State Legislature to pass, and the Governor to sign, A5338/S5181, in relation to prohibiting the discharge of any radiological agent into the waters of New York State.

Council Chambers – City Hall.....1:00 p.m.

Tuesday, June 20, 2023

[Committee on Civil Service and Labor](#) jointly with the
[Committee on Consumer and Worker Protection](#)

Carmen De La Rosa, Chairperson
 Marjorie Velázquez, Chairperson

Int 78 - By Council Members Brewer, Hanif, Cabán, Won, Restler, Dinowitz, Avilés, Nurse, Bottcher, Narcisse, Hudson, Ossé, Schulman, Hanks, Williams, Riley and Louis (by request of the Manhattan Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to creating an informational campaign concerning workers' rights under the earned safe and sick time act.

Int 563 - By Council Members Brewer, Hanif, Cabán, Joseph, Nurse, Gutiérrez, Sanchez and Louis - **A Local Law** to amend the administrative code of the city of New York, in relation to the provision of sick time earned by employees.

Int 617 - By Council Members Hanif, De La Rosa, Cabán, Riley, Velázquez, Brooks-Powers, Restler, Krishnan, Nurse, Ossé, Avilés, Won, Hudson, Schulman, Joseph, Abreu, Sanchez, Gutiérrez, Narcisse, Ayala, Menin, Bottcher, Marte, Brannan, Brewer, Richardson Jordan and Louis (in conjunction with the Brooklyn Borough President) - **A Local Law** to amend the administrative code of the city of New York, in relation to the expansion of worker coverage under the Earned Safe and Sick Time Act.

Council Chambers – City Hall.....1:00 p.m.

Wednesday, June 21, 2023

[Committee on Immigration](#) jointly with the
[Committee on General Welfare](#)

Shahana K. Hanif, Chairperson
 Diana I. Ayala, Chairperson

Oversight - Emergency Shelters and Humanitarian Emergency Response and Relief Centers in New York City.

Int 942 - By Council Members Hanif, Ayala, Avilés, Sanchez, Cabán, Restler, Gutiérrez, De La Rosa, Rivera, Krishnan, the Public Advocate (Mr. Williams), Richardson Jordan, Brewer, Hudson, Farías, Riley, Ung, Won, Narcisse and Narcisse - **A Local Law** to amend the New York city charter, in relation to minimum standards for emergency congregate housing.

Int 943 - By Council Members Hanif, Ayala, Avilés, Sanchez, Cabán, Restler, Gutiérrez, De La Rosa, Rivera, Krishnan, the Public Advocate (Mr. Williams), Richardson Jordan, Hudson, Farías, Riley and Narcisse - **A Local Law** to amend the New York city charter, in relation to notification of the right to be placed in shelter.

Council Chambers – City Hall.....10:00 a.m.

[Committee on Education](#)

Rita Joseph, Chairperson

Int 121 - By Council Members Salamanca, Dinowitz, Riley, Stevens, Brannan, Bottcher, Sanchez and Louis - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of education to report annually on the number of teachers, administrators and school staff who have completed therapeutic crisis intervention in schools training.

Int 857 - By Council Members Joseph, Hudson, Abreu, Ossé, Schulman, Williams, Cabán, Krishnan, Avilés, Ayala, Brooks-Powers, Louis, Sanchez, Riley, Menin, Restler, Barron, Nurse, Richardson Jordan and De La Rosa - **A Local Law** to amend the administrative code of the city of New York, in relation to expanding disaggregated data in department of education reporting including metrics on students in foster care.

Int 928 - By Council Members Hanks, Hudson, Ayala, Restler, Williams, Avilés, Louis, Narcisse, Barron, Krishnan, Brewer, Riley and Ung - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring the department of education to report on funding for restorative justice programming and services.

Res 422 - By Council Members Paladino, Louis, Yeger, Stevens, Richardson Jordan, Lee, Holden, Riley, Brooks-Powers, Menin, Williams, Krishnan, Hudson, Hanks, Kagan, Abreu, Ung, Brannan, Dinowitz, Feliz, Gennaro, Won, Powers, Narcisse, Velázquez, Schulman, Moya, Salamanca, De La Rosa, Farías, Ariola, Carr, Borelli and Vernikov - **Resolution** calling upon the New York City Department of Education to expand career-connected learning programs and opportunities at all public high schools.

Res 444 - By Council Members Joseph, Louis, Hanif, Restler, Richardson Jordan, Barron, Stevens and Schulman - **Resolution** calling upon the New York State Legislature to pass, and the Governor to sign, S.7275/A.8210 requiring all district leadership teams to operate under open meetings law requirements.

Res 445 - By Council Members Joseph, Louis, Hanif, Restler, Hudson, Richardson Jordan, Barron and Stevens - **Resolution** calling upon the New York State Legislature to pass, and the Governor to sign, S.7279/A.8196, requiring District Leadership Teams and School Leadership Teams to include student representatives.

Res 446 - By Council Members Joseph, Louis, Richardson Jordan, Barron and Stevens - **Resolution** calling upon the New York State Legislature to pass, and the Governor to sign, S.7280/A.8194, establishing the citywide leadership team.

Committee Room – City Hall.....1:00 p.m.

Thursday, June 22, 2023

Stated Council Meeting

Council Chambers – City Hall.....Agenda – 1:30 p.m

The following comments were among the remarks made by the Speaker (Council Member Adams) during the Communication from the Speaker segment of this meeting:

The Speaker (Council Member Adams) acknowledged and mourned the recent death of Joshua Valles at Rikers Island. She noted that the Department of Correction had decided it would no longer provide public information when someone dies in its custody. The Speaker (Council Member Adams) reiterated that it was the Council's role to help hold the Department of Correction accountable for its actions in such matters.

The Speaker (Council Member Adams) spoke of traveling recently with a number of Council colleagues to Washington, D.C. to meet with the New York Congressional Delegation and members of the Biden-Harris Administration. The purpose of the trip was to request Federal funding and support to help meet the needs of asylum seekers as well as the needs of all New Yorkers. The Speaker (Council Member Adams) expressed her gratitude to U.S. Senate Majority Charles Schumer, House Democratic Leader Hakeem Jeffries, and to all of the city's Federal partners for helping secure a critical FEMA allocation of \$104 million which would help cover the costs of providing services to individuals who were seeking asylum.

Editor's Note: For the transcript of these proceedings, please refer to the respective attachment section of items introduced or adopted at this Stated Meeting of June 8, 2023 on the New York City Council website at <https://council.nyc.gov>.

Whereupon on motion of the Speaker (Council Member Adams), the Majority Leader and Acting President Pro Tempore (Council Member Powers) adjourned these proceedings to meet again for the Stated Meeting of Thursday, June 22, 2023.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Local Law Note: Int. Nos. 209-A, adopted by the Council at the May 11, 2023 Stated Meeting, was signed into law by the Mayor on May 26, 2023 as Local Law No. 61 of 2023.

Int. Nos. 190-A, 679-A, 704-A, 805-A, 854-A, 984-A, 986-A, and 1004-A, adopted at the April 27, 2023 Stated Meeting, were returned unsigned by the Mayor on May 30, 2023. These items had become law on May 29, 2023 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 62 to 69 of 2023, respectively,

