



## Legislation Details (With Text)

|                        |   |                     |          |                    |  |
|------------------------|---|---------------------|----------|--------------------|--|
| <b>File #:</b>         | Int 0395-2006   | <b>Version:</b>     | A        | <b>Name:</b>       | Creation and implementation of a comprehensive environmental sustainability action plan for NYC. |
| <b>Type:</b>           | Introduction  | <b>Status:</b>      | Enacted  | <b>In control:</b> | Committee on Environmental Protection  |
| <b>On agenda:</b>      | 7/19/2006   |                     |          |                    |  |
| <b>Enactment date:</b> | 5/6/2008  | <b>Enactment #:</b> | 2008/017 |                    |  |
| <b>Title:</b>          | A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the office of operations, the office of environmental coordination and an office of long-term planning and sustainability.   |                     |          |                    |  |
| <b>Sponsors:</b>       | James F. Gennaro, Gale A. Brewer, Helen D. Foster, Sara M. Gonzalez, Letitia James, G. Oliver Koppell, Rosie Mendez, Michael C. Nelson, Larry B. Seabrook, David I. Weprin, Melissa Mark-Viverito, Jessica S. Lappin, Michael E. McMahon, John C. Liu, Thomas White, Jr., Peter F. Vallone, Jr., James Vacca, Miguel Martinez, Eric N. Gioia, Daniel R. Garodnick, Joel Rivera, Hiram Monserrate, Leroy G. Comrie, Jr., Mathieu Eugene, Helen Sears, Darlene Mealy, Vincent Ignizio |                     |          |                    |  |
| <b>Indexes:</b>        |   |                     |          |                    |  |
| <b>Attachments:</b>    | 1. Int. No. 395 - 7/19/06, 2. Committee Report 9/26/06, 3. Hearing Transcript 9/26/06, 4. Committee Report 4/29/08, 5. Hearing Transcript 4/29/08, 6. Press Release, 7. Letter from Mayor, 8. Hearing Transcript - Stated Meeting 4/30/08, 9. Message of Necessity, 10. Fiscal Impact Statement, 11. Local Law  |                     |          |                    |  |

| Date      | Ver. | Action By                             | Action                       | Result |
|-----------|------|---------------------------------------|------------------------------|--------|
| 7/19/2006 | *    | City Council                          | Introduced by Council        |        |
| 7/19/2006 | *    | City Council                          | Referred to Comm by Council  |        |
| 9/26/2006 | *    | Committee on Environmental Protection | Hearing Held by Committee    |        |
| 9/26/2006 | *    | Committee on Environmental Protection | Laid Over by Committee       |        |
| 4/29/2008 | *    | Committee on Environmental Protection | Hearing Held by Committee    |        |
| 4/29/2008 | *    | Committee on Environmental Protection | Amendment Proposed by Comm   |        |
| 4/29/2008 | *    | Committee on Environmental Protection | Amended by Committee         |        |
| 4/29/2008 | A    | Committee on Environmental Protection | Approved by Committee        | Pass   |
| 4/30/2008 | A    | City Council                          | Approved by Council          | Pass   |
| 4/30/2008 | A    | City Council                          | Sent to Mayor by Council     |        |
| 5/6/2008  | A    | Mayor                                 | Hearing Held by Mayor        |        |
| 5/6/2008  | A    | Mayor                                 | Signed Into Law by Mayor     |        |
| 5/6/2008  | A    | City Council                          | Recved from Mayor by Council |        |

Int. No. 395-A

By Council Members Gennaro, Brewer, Foster, Gonzalez, James, Koppell, Mendez, Nelson, Seabrook, Weprin, Mark-Viverito, Lappin, McMahon, Liu, White Jr., Recchia Jr., Vallone Jr., Vacca, Martinez, Gioia, Garodnick,

Rivera, Monserrate, Comrie, Eugene, Sears, Mealy and Ignizio.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the office of operations, the office of environmental coordination and an office of long-term planning and sustainability.

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 15 of the New York city charter, as added by vote of the electors on November 7, 1989, is amended to read as follows:

b. The director of the office of operations shall have the power and the duty to:

1. plan, coordinate and oversee the management of city governmental operations to promote the efficient and effective delivery of agency services;

2. review and report on the city's management organization including productivity and performance functions and systems;

3. maintain for the mayor a management, planning and reporting system and direct the operation of such system; [and]

4. review the city's operations and make recommendations, where appropriate, for improving productivity, measuring performance and reducing operating expenses; and

5. perform the functions of an office of environmental coordination and provide assistance to all city agencies in fulfilling their environmental review responsibilities for proposed actions by the city subject to such review.

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

§20. Office of long-term planning and sustainability. a. The mayor shall establish an office of long-term planning and sustainability. Such office may, but need not, be established in the executive office of the mayor and may be established as a separate office or within any other office of the mayor or within any department the head of which is appointed by the mayor. Such office shall be headed by a director who shall be appointed by the mayor or by the head of such department. For the purposes of this section only, "director" shall mean the

director of long-term planning and sustainability.

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

1. develop and coordinate the implementation of policies, programs and actions to meet the long-term needs of the city, with respect to its infrastructure, environment and overall sustainability citywide, including but not limited to the categories of housing, open space, brownfields, transportation, water quality and infrastructure, air quality, energy, and climate change; and regarding city agencies, businesses, institutions and the public;

2. develop measurable sustainability indicators, which shall be used to assess the city's progress in achieving sustainability citywide; and

3. take actions to increase public awareness and education regarding sustainability and sustainable practices.

c. Sustainability indicators. No later than December thirty-first, two thousand eight and annually thereafter, the director shall identify a set of indicators to assess and track the overall sustainability of the city with respect to the categories established pursuant to paragraph one of subdivision b of this section and any additional categories established by the director, and prepare and make public a report on the city's performance with respect to those indicators. Such report may be prepared and presented in conjunction with the mayor's management report required pursuant to section twelve of this chapter. The report shall include, at a minimum:

1. the city's progress in achieving sustainability citywide, which shall be based in part on the sustainability indicators developed pursuant to paragraph two of subdivision b of this section; and

2. any new or revised indicators that the director has identified and used or will identify and use to assess the city's progress in achieving sustainability citywide, including, where an indicator has been or will be revised or deleted, the reason for such revision or deletion.

d. Population projections. No later than April twenty-second, two thousand ten, and every four years

thereafter, the department of city planning shall release or approve and make public a population projection for the city that covers a period of at least twenty-one years, with intermediate projections at no less than ten year intervals. Where feasible, such projections shall include geographic and demographic indicators.

e. Long-term sustainability plan. 1. The director shall develop and coordinate the implementation of a comprehensive, long-term sustainability plan for the city. Such plan shall include, at a minimum:

i. an identification and analysis of long-term planning and sustainability issues associated with, but not limited to, housing, open space, brownfields, transportation, water quality and infrastructure, air quality, energy, and climate change; and

ii. goals associated with each category established pursuant to paragraph one of subdivision b of this section and any additional categories established by the director, and a list of policies, programs and actions that the city will seek to implement or undertake to achieve each goal by no later than April twenty-second, two thousand thirty.

2. No later than April twenty-second, two thousand eleven, and no later than every four years thereafter, the director shall develop and submit to the mayor and the speaker of the city council an updated long-term sustainability plan, setting forth goals associated with each category established pursuant to paragraph one of subdivision b of this section and any additional categories established by the director, and a list of policies, programs and actions that the city will seek to implement or undertake to achieve each goal by no later than twenty years from the date each such updated long-term sustainability plan is submitted. Such updated plan shall take into account the population projections required pursuant to subdivision d of this section. An updated plan shall include, for each four-year period beginning on the date an updated plan is submitted to the mayor and the speaker of the city council, implementation milestones for each policy, program and action contained in such plan. An updated plan shall report on the status of the milestones contained in the immediately preceding updated plan. Where any categories, goals, policies, programs or actions have been revised in, added to or deleted from an updated plan, or where any milestone has been revised in or deleted from an updated plan, the

plan shall include the reason for such addition, revision or deletion. The director shall seek public input regarding an updated plan and its implementation before developing and submitting such plan pursuant to this paragraph. The director shall coordinate the implementation of an updated long-term sustainability plan.

f. Review and reporting. 1. No later than April twenty-second, two thousand nine, and no later than every April twenty-second thereafter, the director shall prepare and submit to the mayor and the speaker of the city council a report on the city's long-term planning and sustainability efforts. In those years when an updated long-term sustainability plan is submitted pursuant to paragraph two of subdivision e of this section, such report may be incorporated into the updated long-term sustainability plan. The report shall include, at a minimum:

i. the city's progress made to implement or undertake policies, programs and actions included in the sustainability plan or updated sustainability plan required by subdivision e of this section, since the submission of the most recent plan or updated plan or report required by this paragraph; and

ii. any revisions to policies, programs or actions in the previous long-term sustainability plan, including the reason for such revision.

g. There shall be a sustainability advisory board whose members, including, at a minimum, representatives from environmental, environmental justice, planning, labor, business and academic sectors, shall be appointed by the mayor. The advisory board shall also include the speaker of the city council or a designee and the chairperson of the council committee on environmental protection or a designee. The advisory board shall meet, at a minimum, twice per year and shall provide advice and recommendations to the director regarding the provisions of this section.

h. The director shall post on the city's website, a copy of each sustainability plan required by subdivision e of this section, and all reports prepared pursuant to this section, within ten days of their completion.

§3. Subdivision b of section 197-a of the New York city charter, as added by vote of the electors on November 7, 1989, is amended to read as follows:

b. The city planning commission shall adopt rules establishing minimum standards for the form and content of plans pursuant to this section within a reasonable time period after the first day of July, nineteen hundred ninety. Upon receipt of a plan proposed pursuant to this section by a community board, borough board or borough president, the city planning commission shall, within a reasonable time period, determine whether such plan satisfies the standards established in such rules and is consistent with sound planning policy. If the commission makes such determinations with respect to a plan submitted by a community board, [the office of environmental coordination established pursuant to subdivision e of section one hundred ninety-two, together with such other city agency or entity as may be required pursuant to law or rule,] it shall prepare or cause to be prepared any environmental analysis of such plan required by law to enable the city planning commission and the council to act on the plan pursuant to subdivision d of this section. If the city planning commission makes the determinations provided for in this subdivision with respect to a plan, such plan shall be referred to the department of city planning for circulation and review pursuant to subdivisions c and d of this section.

§ 4. Paragraph 5 of subdivision b of section 24-527 of the administrative code of the city of New York, as amended by local law number 36 for the year 2006, is amended to read as follows:

(5) a protocol for coordination with the office of [environmental coordination] operations that ensures that environmental assessments and reviews of projects within the Jamaica bay watershed/sewershed address potential impacts to Jamaica bay and are conducted pursuant to all applicable federal, state and city environmental quality review laws and regulations;

§5. This local law shall take effect immediately, provided, however, that PlaNYC, issued on April 22, 2007, shall be deemed to constitute the first long-term sustainability plan as required by paragraph one of subdivision e of section 20 of the New York city charter, as added by section two of this local law.

4-29-08 10:00am