

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 1996**

No. 81

Introduced by Council Members Robles, Clarke, Malave-Dilan, Eristoff, Stabile, Warden and Rosado (by the request of the Mayor); also Council Members Fisher and Pinkett.

A LOCAL LAW

To amend the New York City charter and the administrative code of the city of New York, in relation to creating the department of youth and community development.

Be it enacted by the Council as follows:

Section 1. Chapter 30 of the New York city charter, as added by local law number 18 for the year 1989, is amended to read as follows:

Chapter 30

Department of Youth [Services] *and Community Development*

§731. Department; commissioner. There shall be a department of youth [services] *and community development*, the head of which shall be the commissioner of youth [services] *and community development*.

§732. Deputies. The commissioner shall appoint at least one deputy *for youth services who shall be responsible for youth services programs and one deputy for community services who shall be responsible for community development programs*.

§733. Powers and duties. *a.* The department shall have all the powers and duties of a youth bureau as prescribed in article nineteen-a of the executive law and the regulations promulgated thereunder, and shall in addition have the following powers and duties:

[a] 1. to advise and assist the mayor and the city council in developing policies designed to meet the needs of youth;

[b] 2. to initiate youth programs and coordinate youth programs and activities sponsored by other city agencies and responsible organizations in the private sector;

[c] 3. to plan for and coordinate neighborhood youth services in conjunction with community boards and youth services planning committees;

[d] 4. to stimulate community interest in the problems of youth;

[e] 5. to promote public awareness of resources available for youth, and to refer the public to appropriate departments, agencies and organizations for advice, assistance and services available to youth;

[f] 6. to make such studies and reports regarding needs of youth as the commissioner, the city council or the mayor may deem appropriate;

[g] 7. to serve as the central source of information relating to services and programs available to youth;

[h] 8. to enter into contracts with individuals, organizations and institutions as may be necessary to implement policies and programs consistent with the provisions of this chapter;

[i] 9. to disburse available city, state and federal funds to programs throughout the city and, when practical, coordinate such funds with available funding from the private sector;

[j] 10. to maintain, operate and control such programs and facilities as may be necessary or required for the proper administration of the department; and

[k] 11. to promulgate rules [and regulations] for the operation of facilities, services and programs under the department's jurisdiction.

b. The department shall have all the powers and duties of a designated community action agency for the community services block grant program established pursuant to chapter 106 of title 42 of the United States code (the "omnibus budget reconciliation act of 1981"; 42 U.S.C. §§9901-9912), and any amendments thereto.

§734. Youth board. a. There shall be in the department a youth board, which shall serve as a forum for representatives of disciplines directly concerned with the welfare of youth.

b. The youth board shall be representative of the community, and shall include persons representing the areas of social service, health care, education, business, industry and labor.

c. The youth board shall consist of up to twenty-eight members, appointed by the mayor, fourteen of whom shall be appointed upon recommendation of the city council.

d. The mayor shall designate one of the members of the youth board to be chair.

e. The members of the youth board shall serve without compensation.

f. The youth board shall meet at least quarterly.

§735. Interagency coordinating council. a. There shall be an interagency coordinating council established by the mayor which shall consist of representatives of each city agency providing services to youth, representatives from the youth board established pursuant to section seven hundred thirty-four of this chapter and a representative of the city council [of the city of New York] who shall be appointed by the speaker of the city council. The mayor, or his or her designee, shall serve as chairperson of the interagency coordinating council and shall preside over all meetings. The commissioner [of the department of youth services] shall serve as director of the interagency coordinating council.

b. The interagency coordinating council shall:

1. [compile] *prepare and include in the report required by paragraph ten of this subdivision an annual breakdown for the immediately preceding fiscal year of each member agency's allocations for services to youth [in the current fiscal year's budget,] and the number of youth served [and include such information in its annual report];*

2. recommend, in consultation with the office of operations, means for improving member agencies' delivery, management and supervision of services to youth;

3. recommend means by which the duplication and fragmentation of service delivery to youth may be reduced and the efficiency, effectiveness and economy of service delivery may be enhanced;

4. consider proposals from member agencies, the city council and the youth board for the improvement of service delivery to youth;

5. recommend to the mayor joint agency projects or programs which could make more efficient use of existing resources;

6. plan and develop a comprehensive information service for the benefit of youth, their families, service providers and school and government personnel, which shall include

citywide, boroughwide and community board program directories, hotlines and other such services designed to facilitate public accessibility to such information;

7. conduct [a] *an annual* comprehensive youth services needs assessment on a citywide, boroughwide and community [board] *district* basis;

8. formulate an integrated, comprehensive plan for the delivery of community-based services to youth;

9. compile, collect and develop periodically, and make available, information and data relating to youth and youth services in New York city; and

10. issue an annual report, in October of each year, to the city council and the mayor summarizing its activity during the previous fiscal year and detailing recommendations for improving service delivery and coordination, reducing duplication and fragmentation and facilitating the more efficient use of existing resources. Such report shall also include an annual breakdown of member agencies' allocations for services to youth *and the number of youth served* as prescribed in [this section] *paragraph one of this subdivision, an annual comprehensive youth services needs assessment as prescribed in paragraph seven of this subdivision*, and a two-year proposed agenda consisting of specific issues that the interagency coordinating council plans to address during the current and subsequent fiscal years.

c. The interagency coordinating council shall meet at least quarterly and shall hold at least one public hearing annually, at which public testimony shall be taken.

§736. Community action board. There shall be in the department a community action board which shall be constituted so as to assure that it is in compliance with applicable federal and state requirements.

§2. Title 21 of the administrative code of the city of New York is hereby amended by adding a new chapter 4 to read as follows:

Chapter 4

Department of Youth and Community Development

§21-401 Definitions. Whenever used in this chapter the following words shall have the following meanings:

a. "Commissioner" shall mean the commissioner of the department of youth and community development.

b. "Department" shall mean the department of youth and community development.

§21-402 Reporting requirements to the city council. a. The department shall submit to the city council two reports annually concerning the department's youth services programs, reported separately for community service block grants and other federal, state and city funding sources, respectively, providing indicators on the department's performance goals, actual performance and delivery of youth services within community districts and boroughs, to assist the city council in its oversight of the department's administration of funds and coordination of youth programs. The department shall present actual data for such indicators for the preceding fiscal year and for the current fiscal year, and shall project data for the following fiscal year. Information in the reports shall be presented in accordance with the following categories of indicators: financial indicators; department personnel indicators; performance goals and actual performance with respect to contract categories; and performance goals and actual performance with respect to individual programs. Provided, however, that such reports issued during the first calendar year following the effective date of this provision shall not be required to identify such information separately for each community district for those contracts previously awarded by the department for youth services.

A. Financial indicators. The department shall submit to the city council the following information on contracted services:

1. the number and dollar value of contracts with providers of youth services by community district and borough;

2. the number and dollar value of contracts with providers of youth services for contracts terminated prior to the expiration of the contract and for contracts withdrawn prior to the starting date of such contract by community district and borough; and

3. for contracts with providers of youth services having a dollar value of more than twenty-five thousand dollars for which programmatic and/or fiscal reviews were conducted, the number and dollar value of such contract by community district and borough.

B. Personnel indicators. The department shall submit to the city council the following information on department personnel:

1. the number of employees funded by city, state, community service block grants and other federal funds, respectively, and for each funding source the number of employees who are in each compensation category, such as, full-time, part-time, salaried, hourly or other, and the criteria utilized by the department to establish each category;

2. the number of personnel in administrative positions and the proportion of time spent on administrative functions.

C. Contract categories. The department shall assign to each contract a category from one of the following:

1. BEACON programs;

2. youth development programs;

3. services for runaway and homeless youth; and

4. any additional category deemed necessary by the commissioner.

D. Performance goals and actual performance reporting requirements with respect to contract categories. The department shall submit to the city council the following indicators on the performance goals and actual performance of services for each of the contract categories established pursuant to paragraph C of this subdivision:

1. the number and dollar value of contracts with providers of youth services; and

2. the allocation of funds by community services block grants and other federal, city, state and private funding sources, respectively.

E. Performance goals and actual performance reporting requirements with respect to individual programs. For every program it coordinates the department shall submit to the city council the following indicators:

1. the program sites for each contract with a provider of youth services by community district and borough;

2. the number of youth served pursuant to each such contract;

3. any outcomes required under the terms of each such contract and the final evaluation with respect to such outcomes; and

4. any other indicator required under the terms of each such contract deemed necessary by the commissioner to measure a program's performance.

F. One of the two annual reports containing the information described in paragraph A through E of this subdivision shall be submitted to the city council concurrent with the issuance of the mayor's management report, and the other annual report containing such information shall be submitted concurrent with the issuance of the preliminary mayor's management report. The period of reporting for the report issued concurrent with the issuance of the mayor's management report shall be the most recent fiscal year ended, and the period of reporting for the report issued concurrent with the issuance of the preliminary mayor's management report shall be the first four months of the fiscal year in which such report is issued.

b. The commissioner shall submit to the city council copies of the following reports, and any revisions, updates or modifications to such reports, at the same time that

each is submitted to the appropriate New York state agency or officer, or any successor thereto, elected official or other governmental body pursuant to any applicable statute, law, regulation or rule:

i. the community services block grant management plan required to be submitted to the department of state;

ii. the community services block grant program report required to be submitted to the governor and state legislature; and

iii. the comprehensive planning report required to be submitted to the New York state division for youth within the executive department.

§3. Any agency or officer to whom are assigned by this local law any powers and duties shall have the power to continue any business, proceeding or other matter commenced by the agency or officer by which such powers and duties were heretofore exercised. Any provision in any law, rule, regulation, contract, grant or other document relating to the subject matter of such powers and duties shall, so far as not inconsistent with the provisions of this local law, apply to the agency or officer to which such powers and duties are assigned by this local law. Any rule in force upon the effective date of this local law and promulgated by an agency or officer whose power to promulgate such rule is assigned to another agency or officer by this local law, including any rule or regulation previously adopted pursuant to provisions of federal or state law relating to the community services block grant program, shall continue in force as the rule of the agency or officer to whom such power is assigned, unless and until such rule is superseded, amended or repealed.

§4. No action or proceeding, civil or criminal, pending at the time when this local law shall take effect, brought by or against the city or any agency or officer, shall be affected or abated by the adoption of this local law or by anything herein contained; but all such actions or proceedings may be continued notwithstanding that functions, powers and duties of any agency or officer party thereto may by this local law be assigned or transferred to another agency or officer, but in the event the same may be prosecuted or defended by the agency to which such functions, powers and duties have been assigned by this local law.

§5. No existing right or remedy of any character accruing to the city shall be lost, impaired or affected by reason of adoption of this local law. Any lease, license, permit or contract in force upon the effective date of this local law, and entered into or issued by an agency or officer whose power to enter into such type of lease, license, permit or contract is assigned by this local law to another agency or officer shall continue in force according to its terms and applicable law.

§6. All records, property and equipment relating to a function, power or duty that is transferred pursuant to this local law shall be transferred and delivered to the agency to which such function, power or duty is transferred.

§7. Whenever, pursuant to this local law, functions, powers or duties are transferred to any agency which have been heretofore exercised by any other agency, officers and employees in the classified city civil service who are engaged in the performance of such powers or duties may be transferred to the agency to which such powers or duties have been transferred, without further examination or qualification, and shall retain their respective civil service classifications and civil service status.

§8. This local law shall take effect thirty days after enactment.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of the City of New York, passed by the Council on September 11, 1996, and approved by the Mayor on September 26, 1996.

CARLOS CUEVAS, City Clerk, Clerk of the Council

CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 81 of 1996, Council Int. No. 790-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on September 11, 1996: 48 for, 0 against, 1 not voting.

Was approved by the Mayor on September 26, 1996.

Was returned to the City Clerk on September 26, 1996.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel