

THE COUNCIL

Minutes of the Proceedings for the
STATED MEETING
of
Thursday, July 14, 2022, 2:20 p.m.
(held in a hybrid meeting format)

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

Council Members

Adrienne E. Adams, *Speaker*

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

Absent: Council Members Bottcher, Hanks, and Mealy.

The Majority Leader (Council Member Powers) assumed the chair as the Acting President Pro Tempore and Presiding Officer for these hybrid 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 48 Council Members marked present at this Stated Meeting held in the Council Chambers at City Hall, New York, N.Y.

INVOCATION

The Invocation was delivered by Rev. Luisa Martinez, St. Stephen's English United Methodist Church, located at 144 West 228th Street, Bronx, N.Y. 10463.

Let us pray.

Precious God, we have come this far by faith and we praise you.
And we invite you, Holy Spirit, to be with us in this place.

Eternally Yours.

(Invocation as submitted in Spanish:)

*Eterno Dios
te damos gracias por la oportunidad
que nos brindas de poder congregarnos
en este lugar, donde un grupo de hombres y mujeres,
lideres de entre nosotros,
deseosos y comprometidos
en ayudar a sus comunidades,
donde tantas familias reciben
su apoyo y velan por sus intereses.
Derrama tu santo espíritu en este lugar
y permite que todo lo tratado en esta asamblea,
tenga el sello de tu gracia y tu bendición.
Como tú nos enseñaste, oramos por los lideres
que están en eminencia
para que así podamos
vivir en paz los unos con los otros.
En tu nombre oramos bendito padre celestial.
Amen.*

(Invocation as submitted in English:)

Eternal God,
we thank you for the opportunity you give us
to be able to congregate in this place,
where a group of men and women,
leaders among us,
willing and committed

to helping their communities,
where so many families receive their support
and watch over their interests.
Pour out your holy spirit in this place
and allow everything discussed in this assembly
to have the seal of your grace and your blessing.
As you taught us, we pray
for the leaders who are in eminence
so that we can live in peace with each other.
In your name we pray blessed heavenly father.
Amen.

It's in the name of the Father, the Son
and the Holy Spirit, we pray.
Amen.

Thank you.

Council Member De La Rosa moved to spread the Invocation in full upon the record.

During the Communication from the Speaker segment of this meeting, the Speaker (Council Member Adams) acknowledged the deaths of ten individuals who lost their lives at Rikers Island this year. She noted that the violence and dysfunction on Rikers Island represented an abject failure of our city. The Speaker (Council Member Adams) spoke of the recent death of Elijah Muhammed who was kept in isolation for more than thirty hours and had reportedly been dead for several hours before his body was discovered by staff members. She emphasized that conditions needed to change and that the Council would have to take significant action to help end the current state of affairs.

The Speaker (Council Member Adams) asked for a moment of silence to remember the ten individuals whose lives were lost that year due to the violence and neglect on Rikers Island: Tarz Youngblood, George Pagan, Herman Diaz, Dashawn Carter, Mary Yehudah, Emmanuel Sullivan, Anibal Carrasquillo, Albert Drye, Antonio Bradley, and Elijah Muhammad.

At this point, a Moment of Silence was observed in the Chambers.

* * *

ADOPTION OF MINUTES

Council Member Dinowitz moved that the Minutes of the Stated Meetings of May 26, 2022, June 2, 2022 and June 13, 2022 be adopted as printed.

COMMUNICATION FROM CITY, COUNTY & BOROUGH OFFICES

M-79

Communication from the Office of Management and Budget – Submitting the Declaration of Capital Financing Need, pursuant to Section 2799-ff of the New York City Transitional Finance Authority Act.

July 8, 2022

Hon. Eric L. Adams
Mayor
City Hall
New York, NY 10007

Hon. Adrienne Adams
Speaker of the Council
City Hall
New York, NY 10007

Hon. Thomas F. O'Mara
Ranking Minority Member Senate Finance Committee
The Capitol
Albany, NY 12247

Hon. Liz Krueger
Chair, Senate Finance Committee
428 Capitol
Albany, NY 12248

Hon. Thomas P. DiNapoli
Office of the State Comptroller
110 State Street
Albany, NY 12236

Hon. Kathy Hochul
Governor
The Executive Chamber, Capitol
Albany, NY 12224

Hon. Brad Lander
Comptroller
Municipal Bldg., 1 Centre St.
New York, NY 10007

Hon. Edward P. Ra
Ranking Minority Member
Assembly Ways & Means Committee
The Capitol
Albany, NY 12248

Hon. Helene Weinstein
Chair, Assembly Ways & Means Committee
The Capitol, LOB 923
Albany, NY 12248

Michelle McManus
NYS Financial Control Board
80 Maiden Lane, Suite 402
New York, NY 10038-3833

Re: Declaration of Need

Enclosed, please find the declaration of capital financing need, pursuant to Section 2799-ff of the New York City Transitional Finance Authority Act.

Very Truly Yours,

Jacques Jiha, Ph.D.
Director of Management and Budget

ATTACHMENT:

THE CITY OF NEW YORK

DECLARATION OF NEED

and

PROPOSED TRANSITIONAL CAPITAL PLAN

I, Jacques Jiha, Director of Management and Budget of the City of New York (the "City"), a municipal corporation of the State of New York, acting pursuant to Section 2799-ff of the Public Authorities Law, added by Chapter 16 of the Laws of 1997 (the "Act"), HEREBY DETERMINE AND CERTIFY as follows:

1. In order to finance projects within its Capital Budget, the City currently has a capital financing need of up to \$9.1 billion, \$10.2 billion, \$11.6 billion, and \$12.0 billion in fiscal years 2023 through 2026, respectively. To the extent that General Obligation Bonds are issued to finance such projects, the capital financing need to be met by the New York City Transitional Finance Authority (the "Authority") would be reduced accordingly. The City currently expects to issue General Obligation Bonds to provide funding for approximately half of such financing program

2. A Transitional Capital Plan, as contemplated by the Act, is hereby proposed as follows:

Pursuant to the Act, this Transitional Capital Plan and the Financing Agreement entered into between the City and the Authority, the Authority is requested to finance, in whole or in part, capital projects that are designated "CN" (indicating projects that are not exempt from the limitation on indebtedness imposed by Article VIII, Section 4 of the New York State Constitution) in the City's Capital Budget as in effect from time to time. In no event shall the amount of such financing during fiscal years 2023 through 2026 exceed the lesser of the amount of the Capital Financing Need, as defined in the Act, for such period, as it may be amended from time to time by an amended Declaration of Need, or the amount of debt the Authority is authorized to incur during such period.

3. This certification, request and plan is hereby submitted to the Authority, the Comptroller, the Speaker of the Council, the Governor and the State Comptroller, the Chair and Ranking Minority Member of the

Senate Finance Committee, the Chair and Ranking Minority Member of the Assembly Ways and Means Committee, and the New York State Financial Control Board for the City of New York. In addition, (a) notice of the plan and the availability of digests thereof in at least one newspaper of general circulation within the City, which notice shall also state that a public hearing will be held to consider the plan at the Office of Management and Budget at 11:00 am on September 16, 2022 (b) a public hearing shall be held pursuant to such notice; (c) any person shall have the opportunity to present written comments on the plan through the Office of Management and Budget within 30 days after the date of the public hearing; and (d) after due consideration of such testimony and comments, if any, I shall affirm, modify or withdraw the plan.

4. The plan shall take effect as and when affirmed or modified. The statement of intention in paragraph 1 hereof is effective immediately, subject to modification in accordance with the plan.

IN WITNESS WHEREOF, I have set my hand this 8th day of July 2022.

Jacques Jiha, Ph.D.
Director of Management and Budget of
The City of New York

Received, Ordered, Printed and Filed.

Preconsidered M-80

Communication from the Brooklyn Borough President - Submitting the name of Juan Camilo Osorio to the Council for its advice and consent regarding his appointment to the City Planning Commission, pursuant to Section 192 of the New York City Charter.

June 29, 2022

Honorable Adrienne E. Adams
Speaker of the New York City Council
City Hall
New York, NY 10007

Re: Appointment of Juan Camilo Osorio as the Brooklyn Borough President's Appointed
Member of the New York City Planning Commission

Speaker Adams:

Pursuant to Section 192 of the New York City Charter, I hereby appoint Juan Camilo Osorio, Assistant Professor at the Pratt Institute's Graduate Center for Planning and the Environment, as the Brooklyn Borough President's appointed member of the New York City Planning Commission, succeeding Joseph Douek. Mr. Osorio's eleven years of service as a planning professor, preceded by ten years of professional urban planning practice, including time as Director of Research at the New York City Environmental Justice Alliance, speak to his independence, integrity, and civil commitment. He does not hold any city office.

Thank you for your courtesy in the matter.

Sincerely,

Antonio Reynoso
Brooklyn Borough President

cc: The Hon. Michael McSweeney, City Clerk and Clerk of the Council

Referred to the Committee on Rules, Privileges and Elections.

Preconsidered M-81

Nicole Yearwood, Council candidate for appointment to the Equal Employment Practices Commission.

(For text of the report, please see the Report of the Committee on Rules, Privileges and Elections for Preconsidered M-81 & Res. No. 268 printed in the Report of the Committee on Standing Committees section of these Minutes)

Referred to the Committee on Rules, Privileges and Elections.

Preconsidered M-82

Ngozi Okaro, Council candidate for appointment to the Equal Employment Practices Commission.

(For text of the report, please see the Report of the Committee on Rules, Privileges and Elections for Preconsidered M-82 & Res. No. 269 printed in the Report of the Committee on Standing Committees section of these Minutes)

Referred to the Committee on Rules, Privileges and Elections.

REPORTS OF THE STANDING COMMITTEES

Report of the Committee on Civil and Human Rights

Report for Int. No. 474-A

Report of the Committee on Civil and Human Rights in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to a public information and outreach campaign regarding safe access to reproductive health care.

The Committee on Civil and Human Rights, to which the annexed proposed amended local law was referred on June 2, 2022 (Minutes, page 1314), respectfully

REPORTS:

I. INTRODUCTION

On July 13, 2022, the Committee on Civil and Human Rights (the Committee), chaired by Council Member Nantasha Williams, held a vote on Proposed Introduction Number 474-A (Int. 474-A) which would require the City Commission on Human Rights (CCHR) to conduct an outreach campaign about the reproductive health care facilities access law and Proposed Resolution Number 242-B (Res. 242-B), a resolution congratulating the State Legislature for approving S.15002/A.41002, a resolution proposing an amendment to the New York State Constitution in relation to equal protection, and calling on the Legislature to approve this amendment again next session so that it may be submitted to the voters of New York State for approval. Int. 474-A passed with 4 votes in the affirmative, 0 votes in the negative, and no abstentions. Res. 242-B passed with 4 votes in the affirmative, 0 votes in the negative, and no abstentions.

II. BACKGROUND

a. Historic Federal Protections

In the half century since the Supreme Court's decision in *Roe v. Wade*¹, the issues of abortion and reproductive care have been contentious across the United States. Across the country, reports surfaced of over 1,000 violent acts against abortion providers and blockades at over 6,000 clinics between 1977 and early 1993.² While protest is a fundamental component of the right to free speech guaranteed by the First Amendment,³ due to inadequate laws and enforcement of protections for people seeking reproductive care, such people were subject to physical and verbal attacks by protestors when accessing reproductive health care facilities.⁴ This

¹ The Supreme Court ruled in *Roe v. Wade* 93 S.Ct. 705 (1973), that a person has a right to privacy primarily pursuant to the Due Process Clause of the Fourteenth Amendment, but the roots of this right could also be found in previous decisions concerning the First Amendment, Fourth and Fifth Amendments, and the Ninth Amendment. The *Roe* court held that this right encompassed a person's decision to terminate a pregnancy, but was subject to some state regulation based on a compelling interest. The decision in *Roe* and the trimester regulatory scheme it recognized was subsequently revisited in *Planned Parenthood of Southeastern Pennsylvania v. Casey*, 112 S.Ct. 2791 (1992). The Court in *Casey* reexamined the trimester schedule proposed by *Roe* and while acknowledging the right to privacy, created an undue burden test to examine restrictions on abortion before the point of fetal viability. Viability means the ability to live outside the womb, which usually happens between 24 and 28 weeks after conception. In the ensuing fifty years, numerous parties have litigated the meaning of "undue burden" and have had a measure of success in restricting abortion access until the Court's decision in *Dobbs v. Jackson Women's Health Org.*, 19-1392, 2022 WL 2276808 (US June 24, 2022).

² 134 A.L.R. Fed. 507 (Originally published in 1996).

³ US Const amend. I.

⁴ Bennet, James. *Council Considers Penalties for Abortion Clinic Violence*, N. Y. TIMES (Apr. 22, 1993) at B8. Available at <https://www.nytimes.com/1993/04/22/nyregion/council-considers-penalties-for-abortion-clinic-violence.html>.

harassment was not limited to patients but also extended to clinic workers.⁵ Congress responded to these attacks by enacting the Freedom of Access to Clinic Entrances (FACE) Act in 1994.⁶

The FACE Act prohibits the use of force, threat of force, or physical obstruction to intentionally injure, intimidate, or interfere with a person seeking or providing reproductive health care services.⁷ The Act also prohibits causing or attempting to cause damage or destruction of a reproductive health care facility.⁸ People who violate this law are subject to a fine, imprisonment, or both.⁹ The law also allows a person to bring a civil action based on a violation of the FACE Act.¹⁰ Additionally, the U.S. Attorney General or a state attorney general can bring an action if there is reasonable cause to believe a person or group violated the FACE Act.¹¹

FACE has been challenged numerous times since its passage, primarily based on claims that it violates the First Amendment.¹² However, courts have continued to uphold the law, reasoning that the Act is content-neutral or viewpoint-neutral. Some courts have found that FACE furthers substantial government interests by preventing violence while not unduly burdening more speech than necessary.¹³ Additionally, as recently as 2014, the U.S. Supreme Court reflected favorably on the FACE Act compared to other buffer zone laws passed at the state level.¹⁴

b. New York State Protections for Reproductive Access

While many states have attempted to use buffer zones to balance a protestor's right to express opposition to abortion with the government's interest in protecting privacy rights, the results have been mixed based on the specific parameters of each law.¹⁵ In New York, judicial decisions extended a 15-foot fixed buffer zone around clinic doorways, driveways and driveway entrances necessary to ensure access while the State also criminalized interference with health services in its Clinic Access Act.¹⁶ Enacted in 1999, the Clinic Access and Anti-Stalking Act included the crime of "criminal interference with health care services. . ."¹⁷ The State law largely mimics the language of the FACE Act and was intended to supplement the federal law by empowering state and local officials to combat violence and vandalism at health care facilities among other institutions.¹⁸

⁵ Bennet, James. *Council Considers Penalties for Abortion Clinic Violence*, N. Y. TIMES (Apr. 22, 1993) at B8. Available at <https://www.nytimes.com/1993/04/22/nyregion/council-considers-penalties-for-abortion-clinic-violence.html>.

⁶ 18 U.S.C.A. § 248 (2003).

⁷ 18 U.S.C.A. § 248 (2003).

⁸ 18 U.S.C.A. § 248 (2003).

⁹ 18 U.S.C.A. § 248 (2003).

¹⁰ 18 U.S.C. § 248(c)(1)(A).

¹¹ 18 U.S.C. § 248(c)(2), (3).

¹² Compare *United States v. Gregg*, 226 F.3d 253 (3d Cir. 2000) (Upholding FACE based on Congress' Commerce Clause power and First Amendment), *cert. denied*, 532 U.S. 971 (2001), and *Am. Life League, Inc. v. Reno*, 47 F.3d 642, 648 (4th Cir. 1995) (Upholding FACE against challenges based on First Amendment, Tenth Amendment, and Religious Freedom Restoration Act), with *Hoffman v. Hunt*, 923 F. Supp. 791, 822 (W.D.N.C. 1996) (Finding FACE invalidate according to First Amendment and Tenth Amendment (relying on *United States v. Lopez*, 514 U.S. 549 (1995) (Holding that Gun-Free School Zones Act exceeded congressional power under Commerce Clause))) *rev'd*, 126 F.3d 575, 587-88 (4th Cir. 1997) (Pursuant to the Commerce Clause Congress had the power to enact FACE because it had "a direct and profound effect on the interstate commercial market in reproductive health services" (relying on *Am. Life League, Inc. v. Reno*, 47 F.3d 642)).

¹³ See *Gregg*, 226 F.3d at 267 ("FACE is not viewpoint-based."), *cert. denied*, 532 U.S. 971 (2001); *Dinwiddie*, 76 F.3d at 921-22 ("[T]here is not disparate-impact theory in First Amendment law. The fact that a statute, whether through a motive requirement or some other mechanism, disproportionately punishes those who hold a certain viewpoint does not 'itself render the [statute] content or viewpoint based.'" (quoting *Madsen v. Women's Health Ctr., Inc.*, 512 U.S. 753, 763 (1994))). See also, *Terry v. Reno*, 101 F.3d 1412, 1419 (D.C. Cir. 1996) (sustained FACE); *Am. Life League, Inc.*, 47 F.3d at 651 (sustained FACE); see also *United States v. Weslin*, 156 F.3d 292, 297 (2d Cir. 1998) (per curiam) (upheld FACE).

¹⁴ *McCullen v. Coakley*, 573 U.S. 464, 491, 134 S.Ct 2518, 2537, 189 L.Ed. 2d 502 (2014).

¹⁵ Compare *Hill v. Colorado*, 530 U.S. 703 (2000) and *McGuire v. Reilly*, 260 F.3d 36, 38 (1st Cir 2001), *affirmed* 386 F3d 45, 48 [1st Cir 2004] *cert. denied*, 125 S.Ct. 1827 (2005) with *McCullen v Coakley*, 573 U.S. 464 (2014).

¹⁶ *Schenck v. Pro-Choice Network of W. New York*, 519 U.S. 357, 380, 117 S.Ct. 855, 868, 137 L.Ed.2d 1 (1997); Clinic Access Act, N.Y. Penal Law §§ 240.70-240.71.

¹⁷ Clinic Access Act, N.Y. Penal Law §§ 240.70-240.71

¹⁸ Clinic Access Act, N.Y. Penal Law §§ 240.70; L.1999, c. 635, § 2.

III. ISSUES AND CONCERNS

a. *Supreme Court and Roe v. Wade*

Prior to the decision in *Roe v. Wade*, the anti-abortion movement was significantly smaller as most states had laws in place on abortion. Accordingly, anti-abortion efforts focused predominantly on individual state legislatures.¹⁹ A post-*Roe* America brought this issue to a national level, and the strategy of the movement adjusted to follow suit.²⁰ Anti-abortion activists pushed for the passage of the Hyde Amendment, a Congressional budget amendment which would prohibit federal funding of abortions through Medicaid,²¹ and in 1976 the amendment was passed,²² emboldening further efforts, including a push for a constitutional amendment to ban abortion in the United States.²³ Though the movement's original efforts to pass this amendment failed, its efforts to end abortion continued, largely targeting the court system as an alternative route to a legislative abortion ban.²⁴

On May 4, 2022, a leaked draft of a Supreme Court opinion showed that it was poised to overturn *Roe*.²⁵ The Court confirmed the authenticity of the draft, and stated, "Although the document described in yesterday's reports is authentic, it does not represent a decision by the Court or the final position of any member on the issues in the case."²⁶ On June 24, 2022, the Supreme Court voted to overturn *Roe v. Wade* in a decision that was largely unchanged from the leaked draft.²⁷ Now, clinics that provide reproductive health services in states where abortion is banned are no longer providing the service while others in less restrictive states are bracing for protests by anti-abortion advocates.²⁸

b. *Current Events and Clinic Access*

A report released by the National Abortion Federation (NAF) shows an increase in intimidation tactics, vandalism, and other activities aimed at disrupting services such as harassing providers and blocking patients' access to abortion care.²⁹ The report also states:

Emboldened by the passage and enforcement of abortion restrictions in several states, anti-abortion individuals and groups continued to harass abortion providers this year. A January 2020 unclassified report from the FBI outlined an ongoing increase in anti-abortion threats, disruption, and violence, stating, "The FBI assesses the increase in abortion-related violent extremist threats and criminal activity, including violations of the Freedom of Access to Clinic Entrances (FACE) Act, against targets including

¹⁹ Holland, Jennifer L. *Abolishing Abortion: The History of the Pro-Life Movement in America*. Org. of Am. Historians. Available at <https://www.oah.org/tah/issues/2016/november/abolishing-abortion-the-history-of-the-pro-life-movement-in-america/>.

²⁰ Holland, Jennifer L. *Abolishing Abortion: The History of the Pro-Life Movement in America*. Org. of Am. Historians. Available at <https://www.oah.org/tah/issues/2016/november/abolishing-abortion-the-history-of-the-pro-life-movement-in-america/>.

²¹ Holland, Jennifer L. *Abolishing Abortion: The History of the Pro-Life Movement in America*. Org. of Am. Historians. Available at: <https://www.oah.org/tah/issues/2016/november/abolishing-abortion-the-history-of-the-pro-life-movement-in-america/>.

²² Salganicoff, Alina, et al. *The Hyde Amendment and Coverage for Abortion Services*, Kaiser Family Found. (Mar. 05, 2021) Available at <https://www.kff.org/womens-health-policy/issue-brief/the-hyde-amendment-and-coverage-for-abortion-services/>

²³ Holland, Jennifer L. *Abolishing Abortion: The History of the Pro-Life Movement in America*. Org. of Am. Historians. Available at: <https://www.oah.org/tah/issues/2016/november/abolishing-abortion-the-history-of-the-pro-life-movement-in-america/>.

²⁴ Holland, Jennifer L. *Abolishing Abortion: The History of the Pro-Life Movement in America*. ORG. OF AM. HISTORIANS. Available at <https://www.oah.org/tah/issues/2016/november/abolishing-abortion-the-history-of-the-pro-life-movement-in-america/>.

²⁵ *Decision to Overturn Roe v. Wade Leaked*, NBC NEWS. (May 4, 2022) Available at <https://www.nbcnews.com/news/us-news/live-blog/roe-v-wade-supreme-court-decision-overturn-leaked-rcna27067>.

²⁶ Press Release, Supreme Court of the United States. (May 3, 2022) Available at <https://www.documentcloud.org/documents/21846543-2022-050322-press-release>.

²⁷ Totenberg, Nina and Sarah McCamon. *Supreme Court Overturns Roe v. Wade, Ending Right to Abortion Upheld for Decades*. NPR NEWS. (June 24, 2022) Available at <https://www.npr.org/2022/06/24/1102305878/supreme-court-abortion-roe-v-wade-decision-overturn>.

²⁸ Schuppe, Jon. *Abortion Clinics are Bracing for Protests, Harassment and Violence if Roe Falls*, NBC NEWS. (May 4, 2022) Available at <https://www.nbcnews.com/news/us-news/abortion-clinics-protests-security-rcna27270>.

²⁹ *2020 Violence and Disruption Statistics*. NATIONAL ABORTION FED'N. (Dec. 16, 2021) Available at https://5aa1b2xfmfh2e2mk03kk8rsx-wpengine.netdna-ssl.com/wp-content/uploads/2020_NAF_VD_Stats.pdf.

reproductive healthcare facilities (RHCFs) likely is driven in part by the recent rise in state legislative activities related to abortion services and access.”³⁰

The report includes various categories of anti-abortion related disruptions that have shown an increase in frequency.³¹ The different categories include hoax devices and suspicious packages, arson, assault and battery, death threats and/or threats of harm, stalking, attempted bombing or arson, vandalism, hate email and/or internet harassment, and hate mail and/or harassing calls.³² Assault and battery and threats of harm or death showed the most significant increase, more than doubling between 2019 and 2020.³³ The NAF reports that the majority of the assault and battery incidents involved anti-abortion protesters engaging in altercations with clinic escorts, patient companions, and patients.³⁴ Pushing, tripping, and spitting on clinic escorts and staff were amongst the reported incidents.³⁵ The latest 2021 report shows a continued upward trend in incident numbers across all categories, with assault and battery incidents more than doubling yet again.³⁶ The 2021 report found increases in pushing, shoving, slapping, kicking, physically fighting, and use of pepper spray against clinic escorts, staff, and others outside of clinics.³⁷

Additionally, anti-abortion protesters increasingly rely on fetus-focused tools, such as graphic images of aborted fetuses in an attempt to make people view fetuses as babies,³⁸ establishing the idea of “fetal personhood.”³⁹ Notably, much of this imagery is inaccurate and is designed to intimidate or emotionally manipulate people seeking abortions.⁴⁰

In 2017, former Attorney General Eric Schneiderman filed a federal lawsuit seeking an injunction and civil penalties against a group of anti-abortion protesters.⁴¹ According to the lawsuit, these anti-abortion protesters were harassing and threatening staff and patients at the Choices Women’s Medical Center in Queens.⁴² The lawsuit named 14 men and women as the instigators of a “barrage of unwanted physical contact, as well as verbal abuse, threats of harm, and lies about the clinic’s hours and its services.”⁴³ Other tactics included slow-walking in front of visitors and obstructing the building entrance with signs.⁴⁴

³⁰ 2020 Violence and Disruption Statistics. NATIONAL ABORTION FED’N. (Dec. 16, 2021) Available at https://5aa1b2xfmfh2e2mk03kk8rsx-wpengine.netdna-ssl.com/wp-content/uploads/2020_NAF_VD_Stats.pdf.

³¹ 2020 Violence and Disruption Statistics. NATIONAL ABORTION FED’N. (Dec. 16, 2021) Available at https://5aa1b2xfmfh2e2mk03kk8rsx-wpengine.netdna-ssl.com/wp-content/uploads/2020_NAF_VD_Stats.pdf.

³² 2020 Violence and Disruption Statistics. NATIONAL ABORTION FED’N. (Dec. 16, 2021) Available at https://5aa1b2xfmfh2e2mk03kk8rsx-wpengine.netdna-ssl.com/wp-content/uploads/2020_NAF_VD_Stats.pdf.

³³ 2020 Violence and Disruption Statistics. NATIONAL ABORTION FED’N. (Dec. 16, 2021) Available at https://5aa1b2xfmfh2e2mk03kk8rsx-wpengine.netdna-ssl.com/wp-content/uploads/2020_NAF_VD_Stats.pdf.

³⁴ 2020 Violence and Disruption Statistics. NATIONAL ABORTION FED’N. (Dec. 16, 2021) Available at https://5aa1b2xfmfh2e2mk03kk8rsx-wpengine.netdna-ssl.com/wp-content/uploads/2020_NAF_VD_Stats.pdf.

³⁵ 2020 Violence and Disruption Statistics. NATIONAL ABORTION FED’N. (Dec. 16, 2021) Available at https://5aa1b2xfmfh2e2mk03kk8rsx-wpengine.netdna-ssl.com/wp-content/uploads/2020_NAF_VD_Stats.pdf.

³⁶ 2021 Violence & Disruption Statistics. NATIONAL ABORTION FED’N. (May 19, 2022) Available at https://5aa1b2xfmfh2e2mk03kk8rsx-wpengine.netdna-ssl.com/wp-content/uploads/2021_NAF_VD_Stats_Final.pdf.

³⁷ 2021 Violence & Disruption Statistics. NATIONAL ABORTION FED’N. (May 19, 2022) Available at https://5aa1b2xfmfh2e2mk03kk8rsx-wpengine.netdna-ssl.com/wp-content/uploads/2021_NAF_VD_Stats_Final.pdf.

³⁸ Holland, Jennifer L. *Abolishing Abortion: The History of the Pro-Life Movement in America*. ORG. OF AM. HISTORIANS. Available at <https://www.oah.org/tah/issues/2016/november/abolishing-abortion-the-history-of-the-pro-life-movement-in-america/>

³⁹ Ziegler, Mary and Robert L. Tsai, *How the Anti-Abortion Movement Used the Progressive Playbook to Chip Away at Roe v. Wade*. POLITICO MAGAZINE, POLITICO. (June 13, 2021) Available at <https://www.politico.com/news/magazine/2021/06/13/anti-abortion-progressive-roe-v-wade-supreme-court-492506>.

⁴⁰ Peterson, Pia. *Many Abortion Images Are Misleading Or Manipulative. These Photos Show The Reality*. BuzzFeedNews. (April 28, 2022) Available at <https://www.buzzfeednews.com/article/piapeterson/photos-abortion-reality>.

⁴¹ Klasfeld, Adam. *New York Cracks Down on Abortion Clinic Harassment*, COURTHOUSE NEWS. (June 20, 2017) Available at <https://www.courthousenews.com/n-y-ag-cracks-abortion-clinic-harassment/>.

⁴² Klasfeld, Adam. *New York Cracks Down on Abortion Clinic Harassment*, COURTHOUSE NEWS. (June 20, 2017) Available at <https://www.courthousenews.com/n-y-ag-cracks-abortion-clinic-harassment/>.

⁴³ Klasfeld, Adam. *New York Cracks Down on Abortion Clinic Harassment*, COURTHOUSE NEWS. (June 20, 2017) Available at <https://www.courthousenews.com/n-y-ag-cracks-abortion-clinic-harassment/>.

⁴⁴ Pollano, Nina. *2nd Circuit Flags ‘True Threats’ in NYC Abortion Clinic Protests*. COURTHOUSE NEWS. (Mar. 10, 2021) Available at <https://www.courthousenews.com/2nd-circuit-flags-true-threats-in-nyc-abortion-clinic-protests/>.

In 2018, a Brooklyn federal judge cleared the harassment charges and denied the injunction. During an appeals process, U.S. Circuit Judge Rosemary Pooler cited that the protestors' tactics violated the FACE Act.⁴⁵ In 2021, the Second U.S. Circuit Court of Appeals rejected the protestors' claim that laws protecting abortion providers and patients from attacks and threats violated their constitutional right to freedom of speech and remanded the case back to the lower court for reexamination.⁴⁶ Following the decision, Choices Women's Medical Center Founder and CEO, Merle Hoffman, stated that they were bracing for an influx of out-of-state patients after the overturning of *Roe*.⁴⁷ Melissa Fowlers, Chief Program Officer for the NAF, stated that, "we know from experience, it's not like the people protesting clinics in banned states just pack up and go home," highlighting the trend that protestors move on to states where abortion is legal.⁴⁸

c. New York City Reproductive Health Access

In 1994, the New York City Council passed a law known as the Access to Reproductive Health Services Act.⁴⁹ The legislative findings at the time noted that some groups may exceed "the boundaries of lawful First Amendment expression" by physically preventing access to reproductive health care facilities or harassing people that are attempting to access those facilities.⁵⁰ The Council found that the law at the time did not provide adequate protections and enact additional legislation to ensure that people could access necessary care and services.⁵¹

In 2009, the 1994 law was amended to become the Access to Reproductive Health Care Facilities (ARHCF) Act.⁵² Part of this amendment included more specifically tailoring the protections for people accessing the premises of a reproductive health care facility, creating a 15-foot protected area around the facility, and specifying a standard of knowingly acting to obstruct access to a facility or interfering in its operation (or any attempt to do so) as violations of the Act.⁵³ Notably, the 2009 amendments to the law did not require that protestors act knowingly when taking unlawful actions within 15-feet of a facility, striking a balance between preserving access to reproductive health care facilities and First Amendment activities. Violations of the 1994 law resulted in a misdemeanor and a civil cause of action; however, in explaining the more recent amendment, the 2009 Civil Rights Committee Report noted that police may find it difficult to determine whether the prohibited conduct was illegal due to the intent component.⁵⁴ The law was once again amended in 2018, although not substantively, as part of a greater restructuring of the Administrative Code to reorganize and clarify New York City's Human Rights Law. As part of this reorganization, the ARHCF Act was moved to title 10 of the New York City Administrative Code, clarifying that the law would be enforced by the NYPD.⁵⁵ Notably, the

⁴⁵ Pollano, Nina. *2nd Circuit Flags 'True Threats' in NYC Abortion Clinic Protests*. COURTHOUSE NEWS. (Mar. 10, 2021) Available at <https://www.courthousenews.com/2nd-circuit-flags-true-threats-in-nyc-abortion-clinic-protests/>.

⁴⁶ Stempel, Jonathan. *Court Rules Against Anti-abortion Protesters in New York*. REUTERS. (Mar. 10, 2021) Available at <https://www.reuters.com/article/us-new-york-abortion-protests/court-rules-against-anti-abortion-protesters-in-new-york-idUSKBN2B22CU>.

⁴⁷ Vergari, Mark. *Choices Women's Medical Center in Queens Braces for Influx of Out-of-State Patients*. THE JOURNAL NEWS. (June 23, 2022) Available at <https://www.lohud.com/videos/news/local/2022/06/23/roe-v-wade-nyc-abortion-clinic-preps-wave-out-state-patients/7692465001/>.

⁴⁸ Burnett, Sara. *Heightened Alert: Abortion Providers Brace for Ruling*, ABC NEWS. (June 24, 2022) Available at <https://abcnews.go.com/Health/wireStory/heightened-alert-abortion-providers-brace-ruling-85632597>.

⁴⁹ LL 3/1994.

⁵⁰ LL 3/1994.

⁵¹ LL 3/1994.

⁵² LL 24/2009.

⁵³ LL 24/2009

⁵⁴ According to the Committee Report, "The requirement in the [1994] law that a person act with the intent . . . can make it difficult to arrest and prosecute those who step outside the boundaries of appropriate expression and violate the Human Rights Law. [LL 24/2009] would remove this intent requirement, facilitating arrest and prosecution for illegal conduct." When eliminating the intent requirement, the law established a nexus between the clinics and the unlawful behavior to justify the penalties in the law. Accordingly, the legislation amended the law to penalize only violation of certain provisions within 15 feet of the premises of a reproductive health care facility. Committee Report for the Committee on Civil Rights. NYC COUNCIL. (Nov. 18, 2008) Available at <https://legistar.council.nyc.gov/View.ashx?M=F&ID=676767&GUID=B137D06F-298D-4879-A874-BF478CCBC796>.

⁵⁵ LL 63/2018.

2018 amendment maintained the civil cause of action and continued to hold that the penalties and remedies provided in the law are cumulative and not exclusive.⁵⁶

In addition to the existing ARHCF, the New York City Human Rights Law (NYCHRL) continues to provide protections from discriminatory harassment or violence.⁵⁷ The NYCHRL specifically provides that the corporation counsel, at the request of the CCHR commissioner or at their own initiative, may bring a civil action to protect the rights guaranteed by federal, state, or local laws, including protections based on gender, and sexual or reproductive health decisions.⁵⁸

IV. LEGISLATIVE ANALYSIS

- a. Int. 474-A – A Local Law to amend the administrative code of the city of New York, in relation a public information and outreach campaign regarding safe access to reproductive health care.*

This bill would require the city to conduct a public education program to inform the public about the protections available to people and providers accessing reproductive health care facilities that are included in ARHCF. The Mayor would designate an agency or agencies to administer the public education program, though any agency selected would be required to coordinate with the Commission on Human Rights, the Department of Health and Mental Hygiene, and the Department of Consumer and Worker Protection. The public education program would also be required to provide information about the protections available in the NYCHRL related to reproductive health decisions and stopping discriminatory harassment. The public education program would also provide information about a person’s right to bring a civil action for violating the ARHCF and remedies for violations of the NYCHRL, as well as how to access resources to find comprehensive reproductive health care and privacy protections for people accessing reproductive health care. The bill would also require a media campaign to inform the public about reproductive health care in the city.

Int. 474-A would take effect 90 days after it becomes law.

- b. Res. 242-B – Resolution congratulating the State Legislature for approving S.15002/A.41002, a resolution proposing an amendment to the New York State Constitution in relation to equal protection, and calling on the Legislature to approve this amendment again next session so that it may be submitted to the voters of New York State for approval.*

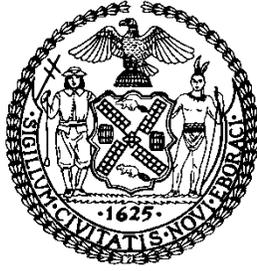
The proposed resolution would support S.15002/A.41002, sponsored by Senate Majority Leader Andrea Stewart-Cousins and Assembly Member Rebecca Seawright, respectively, which seeks to amend Article 1 of the New York State Constitution, in relation to equality of rights and protection against discrimination. The amendment would add an equal rights provision that would expand the list of protected classes to include ethnicity, national origin, age, disability, or sex, including sexual orientation, gender identity, gender expression, pregnancy, pregnancy outcomes, and reproductive healthcare and autonomy. The amendment was recently approved by the Legislature, and must be approved again by the Legislature next session in order to be submitted to the voters of New York State for approval.

(The following is the text of the Fiscal Impact Statement for Int. No. 474-A:)

⁵⁶ LL 63/2018.

⁵⁷ N.Y.C. Ad. Code § 8-602(a).

⁵⁸ N.Y.C. Ad. Code § 8-602(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
FISCAL IMPACT STATEMENT**

PROPOSED INTRO. NO: 474-A

COMMITTEE: Civil and Human Rights

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to a public information and outreach campaign regarding safe access to reproductive health care.

SPONSOR(S): Council Members Hanif, the Public Advocate (Mr. Williams) and Council Members Williams, Hudson, Cabán, Avilés, Powers, Krishnan, Brannan, Joseph, Nurse, Dinowitz, Ung, Menin, Brooks-Powers, Schulman, Gutiérrez, Richardson Jordan, Abreu, Louis, Restler, Brewer, Won, Velázquez, Riley, Farías, Ossé, De La Rosa, Narcisse, Sanchez and The Speaker (Council Member Adams).

SUMMARY OF LEGISLATION: This bill would require the City to conduct a public education program to inform the public about the protections available to people and providers accessing reproductive health care facilities. It would also be required to provide information about the protections available in the City Human Rights Law (HRL) related to reproductive health decisions and stopping discriminatory harassment. The public education program would also provide information about a person’s right to bring a civil action for violating the HRL and the access to reproductive health care facilities law, as well as how to access resources to find comprehensive reproductive health care and privacy protections for people accessing reproductive health care.

EFFECTIVE DATE: This local law would take effect 90 days after it becomes a 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 Proposed Intro. 474-A because the relevant City agencies would utilize existing resources to fulfill the reporting requirements.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Crilhien R. Francisco, Unit Head, NYC Council Finance Division

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on June 2, 2022 as Intro. 474 and referred to the Committee on Civil and Human Rights. The legislation was considered by the Committee on Civil and Human Rights at a hearing held on June 30, 2022 and was subsequently amended, and the amended version Proposed Intro. 474-A will be considered by the Civil and Human Rights on July 13, 2022. Upon successful vote by the Committee on Civil and Human Rights, Proposed Intro. No. 474-A will be submitted to the full Council for a vote on July 14, 2022.

DATE PREPARED: July 11, 2022.

(For text of Res. No. 242-B, please see the Report of the Committee on Civil and Human Rights for voice-vote item Res. No. 242-B printed in the voice-vote Resolutions calendar of these Minutes)

Accordingly, this Committee recommends the adoption of Int. No. 474-A and Res. No. 242-B.

(The following is the text of Int. No. 474-A:)

Int. No. 474-A

By Council Member Hanif, the Public Advocate (Mr. Williams) and Council Members Williams, Hudson, Cabán, Avilés, Powers, Krishnan, Brannan, Joseph, Nurse, Dinowitz, Ung, Menin, Brooks-Powers, Schulman, Gutiérrez, Richardson Jordan, Abreu, Louis, Restler, Brewer, Won, Velázquez, Riley, Farías, Ossé, De La Rosa, Narcisse, Sanchez, Salamanca, Lee and The Speaker (Council Member Adams).

A Local Law to amend the administrative code of the city of New York, in relation to a public information and outreach campaign regarding safe access to reproductive health care

Be it enacted by the Council as follows:

Section 1. Title 3 of the administrative code of the city of New York is amended by adding a new section 3-119.6 to read as follows:

§ 3-119.6 Public Education on Reproductive Health Care. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Access to reproductive health care facilities law. The term “access to reproductive health care facilities law” means the provisions contained in chapter 10 of title 10 of this code.

Administering agency. The term “administering agency” means the agency that the mayor designates to administer the reproductive health care public education program established by this section.

b. Public education. The mayor shall designate an agency to administer a public education program that informs the public regarding reproductive health care in the city. The administering agency shall, in coordination with the commission on human rights, the department of health and mental hygiene, the department of consumer and worker protection, and such other relevant agencies as the mayor may designate, as appropriate, develop materials in furtherance of such public education program and shall post such materials on the city’s website in the designated citywide languages as defined in section 20-1101. Such public education program shall include information regarding the following:

(1) Protections for those seeking services or working at a reproductive health care facility as defined in section 10-1002 under the access to reproductive health care facilities law;

(2) Title 8 protections related to sexual and reproductive health decisions, including protections from discrimination and harassment;

(3) The remedies under title 8 available to individuals who have experienced discrimination on the basis of sexual or reproductive health decisions;

(4) The right of an individual to bring a civil action for violations of the access to reproductive health care facilities law and for actual damages based on such law;

(5) The range of reproductive care options that are legal and available in the city, including abortion, pregnancy counseling, and preventative and emergency contraception;

(6) *Resources on how to find comprehensive reproductive health care services in the city;*

(7) *Guidance regarding privacy of protected health information for those seeking reproductive health care services;*

(9) *Any other rights related to reproductive health care that the administering agency deems appropriate.*

§ 2. The mayor shall designate one or more agencies to engage in a media campaign that informs the public regarding reproductive health care in the city. Such campaign may include, but need not be limited to, the categories of information to be included in the public education program operated pursuant to section 3-119.6 of the administrative code of the city of New York.

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

NANTASHA M. WILLIAMS, *Chairperson*; RAFAEL SALAMANCA, Jr., RITA C. JOSEPH, CHRISTOPHER MARTE; 4-0-0; *Absent*: Kristin Richardson Jordan and Inna Vernikov; Committee on Civil and Human Rights, July 13, 2022 (Hybrid Hearing). *Other Council Members Attending: Council Members Menin and 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 Consumer Affairs and Worker Protection

Report for Int. No. 372-A

Report of the Committee on Consumer Affairs and Worker Protection in favor of approving and adopting, as amended, a Local Law to amend the New York city charter, in relation to the creation of an office of the utility advocate.

The Committee on Consumer Affairs and Worker Protection, to which the annexed proposed amended local law was referred on May 19, 2022 (Minutes, page 1051), respectfully

REPORTS:

I. INTRODUCTION

On July 13, 2022, the Committee on Consumer and Worker Protection, chaired by Council Member Marjorie Velázquez, held a vote on the following bills: (1) Proposed Introduction Number 372-A (Prop. Int. 372-A), in relation to the creation of an office of the utility advocate; (2) Proposed Introduction Number 506-A (Prop. Int. 506-A), in relation to requiring the department of consumer and worker protection to implement an outreach and education campaign on facilities that deceptively advertise or are otherwise misleading when offering reproductive health services; (3) Resolution Number 162 (Res. 162), calling on the New York State Legislature to pass, and the Governor to sign, amendments to article 4 of the Public Service Law to prevent a utility's rate case from exceeding a certain percentage each year; (4) Resolution Number 172 (Res. 172), calling on New York State to increase the number of Commissioners on the Public Service Commission and permit New York City to appoint two of its Commissioners; (5) Proposed Resolution Number 173-A (Prop Res. 173-A), calling upon the Governor and New York State Legislature to expand financial relief programs to assist City residents struggling to pay their utility bills; and (6) Proposed Resolution Number 174-A (Prop. Res. 174-A), calling upon

Consolidated Edison to improve communication with City residents about increases in utility costs. At the vote, the Committee voted 6 in favor, 0 opposed and 0 abstentions.

The Committee previously heard testimony on these bills from the Department of Consumer and Worker Protection (DCWP), advocacy organizations, and other interested parties.

II. CON EDISON

Founded in 1823, Consolidated Edison Company of New York, Inc. (ConEd), formerly known as the New York Gas Light company, is one of the world's largest energy delivery systems providing energy in the form of electric, gas, and steam services to about 10 million people within the New York City and Westchester County areas.¹ ConEd is an investor-owned utility (IOU), so the company prioritizes sufficient net earnings to provide a return to investors and attract additional capital investment. In 2020, ConEd reported \$10.647 billion in operating revenues, with total assets amounting to \$50.967 billion.² As ConEd is an energy company that provides utility services to millions of people, there is strict regulation and oversight of the company at the federal, state, and municipal levels.³

ConEd's rates and terms of service are governed by the New York State Public Service Commission (PSC), which regulates the state's electric, gas, and steam utilities, while federally, ConEd complies with the provisions set forth by the Federal Energy Regulatory Commission (FERC) Standards of Conduct.⁴ The FERC, among other things, regulates the transmission and wholesale sales of electricity in interstate commerce, the transmission and sale of natural gas for resale in interstate commerce, and has the authority to impose penalties.⁵ ConEd's rates for services are determined through a public rate making process.⁶ ConEd files their rate proposal with the PSC, supported by expert witnesses, testimony and exhibits.⁷ Within 11 months, a decision on the proposal is required by Public Service Law.⁸ During those 11 months, interested parties and interveners can ask ConEd questions regarding their proposal, provide expert witnesses to counter ConEd's claims and requests, and ultimately settle or litigate the case.⁹

a. ConEd's Billing System

For customers, ConEd's bill is split into three categories of costs.¹⁰

1. *Supply Charge* – The supply charge reflects the amount power generators charge ConEd to supply electricity to its customers. Most of the electricity consumed in New York City is generated by the burning of natural gas. When the price of natural gas increases, the cost to generate power increases, which increases the supply cost on customers' bills. The supply charge on a ConEd bill reflects the price charged by power generating companies without any markup from ConEd. A customer's supply charge is the cost of the electricity (measured as MWh¹¹) multiplied by the amount that was used by the

¹ Consolidated Edison Company of New York, Inc. (hereafter ConEd) About. *Company Information*. Retrieved from: <https://www.coned.com/en/about-us/company-information>.

² Page 8 of 213. ConEd. *2020 Annual Report*. Retrieved from: <https://investor.conedison.com/static-files/869d77f5-296e-4a73-815e-61c1024bdd79>.

³ ConEd. *Regulatory Guidance and Oversight*. Retrieved from: <https://www.coned.com/en/about-us/regulatory-guidance>.

⁴ *Id.*

⁵ Page 26 of 200. ConEd. *2018 Annual Report*. Retrieved from: <https://investor.conedison.com/static-files/a8641489-b9bf-492a-ae46-5ac52085d483>.

⁶ EnergyWatch. *ConEd Files Rate Case for 2020-Seeks 8.6% and 14.5% Increases for Electric and Gas*. Retrieved from: <https://energywatch-inc.com/con-ed-files-rate-case-for-2020-seeks-8-6-and-14-5-increases-for-electric-and-gas/>.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ "How to Read Your Bill", Con Edison, available at: <https://www.coned.com/en/accounts-billing/your-bill/how-to-read-your-bill>

¹¹ Megawatts per hour

customer during the bill period. Customer supply costs are also affected by ConEd’s hedging program, the purpose of which is to mitigate supply price fluctuations.¹²

2. *Delivery Charge* - This portion of the bill reflects the operation of the energy system, investments in energy efficiency, reliability, resiliency, and public improvement projects requested by government entities. ConEd pays \$2.5 billion in property taxes annually to municipal and state entities, a cost that ConEd passes through to consumers.¹³ It is within this category that ConEd earns a regulated rate of return that is approved by the NYS Public Service Commission. In January 2022, as a result of the NYPSC approved 2019 investment filing, a 4% increase in the electric delivery portion of the bill (for a typical residential customer) went into effect.¹⁴
3. *Taxes* –A small portion of a customer’s bill is from taxes, including sales tax, gross receipt taxes, and other tax surcharges.¹⁵

b. January 2022 Utility Bill Increases

In January 2022, City residents experienced dramatic and unexpected increases in their ConEd bills. The central cause for the increase in customers’ bills was an increase in the cost of energy (the supply charge portion of a resident’s bill), which may have been exacerbated by the shutdown of the Indian Point nuclear power plant, once a provider of 25% of the City’s electricity at a stable price.¹⁶ According to ConEd, the average energy price charged by power generators increased from \$50 per MWh in December 2021 to \$140 per MWh in January of 2022.¹⁷ This increase, coupled with the 10% increase in customer usage in January, resulted in large monthly increases for some customers.¹⁸ Natural gas prices have spiked worldwide for a myriad of reasons, including due to the increased demand for heating during the coldest winter months, and the impact of the Russian invasion of Ukraine on energy markets.¹⁹ NYC’s electric grid is especially vulnerable to this price shock because 70 percent of the City’s electricity is generated by power plants that burn fossil fuels, as opposed to renewable energies like wind, solar, and hydroelectric power that are more insulated from volatile spikes.²⁰

The increase in residents’ January 2022 bills caused a public outcry, as many City residents were shocked at the increase in their ConEd bills. Many City residents are still struggling due to the economic impact of the pandemic, and are unable to afford the increase in their utility bills. According to New York State Comptroller Thomas DiNapoli, the restaurant and retail industry are each employing over 30,000 fewer employees in March 2022 than in March 2020.^{21,22} The NYC Independent Budget Office predicts that New York City will not recover

¹² Information ConEd provided to Committee Staff

¹³ “Improvements Would Prepare Systems For A Low-Carbon Future With Renewables, Energy Efficiency, EVs and Building Electrification” Con Edison, January 27, 2022, available at: <https://investor.conedison.com/news-releases/news-release-details/con-edison-submits-investment-plan-clean-energy-reliability>

¹⁴ Information ConEd provided to Committee Staff

¹⁵ “Sample Bill – Residential”, available at: <https://www.coned.com/en/accounts-billing/your-bill/how-to-read-your-bill/sample-bill-residential>

¹⁶ Herschel Specter, Isuru Senaviratne and Leonard Rodberg, “Time to Bring Back Indian Point?”, NY Daily News, February 12, 2022, <https://www.nydailynews.com/opinion/ny-oped-new-york-electricity-reliability-crisis-20220212-5caahcrr2zhltbqg6yhjvsuezy-story.html>; and Daily News Editorial Board, “Fighting the power: Con Edison price spikes are unsurprising after the shutdown of Indian Point nuclear plant,” NY Daily News, February 15, 2022, <https://www.nydailynews.com/opinion/ny-edit-con-edison-20220215-fc751k7dvjd4roc4bs26ls3smq-story.html>

¹⁷ Information ConEd Supplied to City Council Staff.

¹⁸ *Id.*

¹⁹ Elizabeth Yeamplerre, Justin Wood and Daniel Chu, “Opinion: To Bring Down Energy Bills, NY Must Invest in Clean Energy Production,” City Limits, March 3, 2022, available at: <https://citylimits.org/2022/03/03/opinion-to-bring-down-energy-bills-ny-must-invest-in-clean-energy-production/>

²⁰ *Id.*

²¹ “Restaurant Sector” Office of the New York State Comptroller Thomas P. DiNapoli, available at: <https://www.osc.state.ny.us/osdc/reports/nyc-sectors/restaurant>

²² “Retail Sector” Office of the New York State Comptroller Thomas P. DiNapoli, available at: <https://www.osc.state.ny.us/osdc/reports/nyc-sectors/retail>

all of the jobs lost in 2020 until 2025.²³ Over 410,000 New Yorkers are 60 days or more behind on ConEd payments, totaling over \$800,000 million.²⁴ The increase of hundreds of dollars in utility bills may therefore force New Yorkers into greater debt. According to Richard Berkley, executive director of the Public Utility Project (PULP), “We’ve never had a level of unpaid utility debt like this... These are unpaid bills that the people owe them have no reasonable likelihood of being able to handle so where we’re creating a multi-generational debt... It’s a massive crisis.”²⁵ Utility arrears in NYS have increased by over \$1 billion since the start of the COVID-19 pandemic.²⁶

In the spring 2020, NYS enacted a utility shut-off moratorium to protect customers unable to pay their utility bills. The moratorium expired on December 21, 2021,²⁷ however, and as of April 15, 2022, utilities are allowed to shut off heat and electricity.²⁸ According to David Sprunge, executive director of the National Association of State Utility Consumer Advocates, “People end up unable to keep their home or apartment or dwelling because they lose electricity or they lose water, they end up homeless.”²⁹

c. Existing Financial Relief Programs

There are a number of NYS financial relief programs available to New Yorkers that are struggling to pay their utility bills. The Home Energy Assistance Program (HEAP) helps qualifying low-income New Yorkers pay their heating bills³⁰. Qualifying applicants to HEAP can receive up to \$751 in heating assistance, but eligible customers must be receiving SNAP, Temporary Assistance for Needy Families, or Supplementary Security Income.³¹ From October 1, 2021 through February 23, 2022, NYS has issued over 1.4 million regular benefits totaling \$212 million through HEAP.³² An Emergency HEAP program was additionally created to help New Yorkers at risk of a utility shutoff.³³ The \$90 million program was federally funded, and as of February 23, 2022, nearly \$25 million has been disbursed to around 28,000 New Yorkers.³⁴ The HEAP Regular Arrears Supplement benefit helps residents pay for gas and electric utility arrears. The Regular Arrears Supplement is a one-time benefit funded by the federal American Rescue Plan Act of 2021.³⁵ The supplement is a benefit based on the actual amount of a customer’s current utility arrears, up to a maximum of \$10,000 per applicant household. Benefits are paid directly to the household’s gas and/or electric utility vendor. Despite the existence of these programs, however, it can be difficult for New Yorkers to qualify and access aid. According to Megan Sergi,

²³ New York City Independent Budget Office, “Modest Budget Shortfalls Projected, but Risks to Outlook Increase as Infections Surge”, January 2022, available at: <https://ibo.nyc.ny.us/iboreports/a-forecast-in-uncertain-times-modest-budget-shortfalls-projected-but-risks-to-outlook-increase-as-infections-surge-january-2022.pdf>

²⁴ Samantha Maldonado, “Utility Debt Mounting for New Yorkers Looking for Current Help,” The City, February 17, 2022, available at: [the city.nyc/economy/2022/2/17/22940015/utility-debt-mounting-for-new-yorkers-looking-for-current-help](https://www.thecity.nyc/economy/2022/2/17/22940015/utility-debt-mounting-for-new-yorkers-looking-for-current-help)

²⁵ Samantha Maldonado, “Utility Debt Mounting for New Yorkers Looking for Current Help”, The City, February 17, 2022, available at: <https://www.thecity.nyc/economy/2022/2/17/22940015/utility-debt-mounting-for-new-yorkers-looking-for-current-help>

²⁶ “AARP and PULP: Governor Hochul Must Address Utility Arrears Crisis in Budget Amendment” AARP, available at: <https://states.aarp.org/new-york/aarp-pulp-hochul-must-address-utility-arrears-crisis>

²⁷ “COVID-19 Moratorium on Utility and Municipal Shutoffs” New York State Public Service Commission, available at: <https://www3.dps.ny.gov/W/AskPSC.nsf/All/D3BB77AFE92D6FFF852585EE0051A13E?OpenDocument#:~:text=The%20moratorium%20on%20utility%20service,and%20pay%20down%20their%20arrears.>

²⁸ Associated Press, “New York Is Urged to Pay Public’s Ballooning Utility Debt”, US News, March 11, 2022, available at: <https://www.usnews.com/news/business/articles/2022-03-11/new-york-is-urged-to-pay-publics-ballooning-utility-debt>

²⁹ Marina Villeneuve, “New York is urged to pay public’s ballooning utility debt,” Brooklyn Eagle, March 11, 2022, available at: <https://brooklyneagle.com/articles/2022/03/11/new-york-is-urged-to-pay-publics-ballooning-utility-debt/#:~:text=%E2%80%9CPeople%20end%20up%20unable%20to,of%20State%20Utility%20Consumer%20Advocates.>

³⁰ New Yorkers meeting certain income requirements can qualify for the program. For more information on eligibility, see: <https://access.nyc.gov/programs/home-energy-assistance-program-heap/#determine-your-eligibility>

³¹ Samantha Maldonado, “Utility Debt Mounting for New Yorkers Looking for Current Help,” The City, February 17, 2022, available at: [the city.nyc/economy/2022/2/17/22940015/utility-debt-mounting-for-new-yorkers-looking-for-current-help](https://www.thecity.nyc/economy/2022/2/17/22940015/utility-debt-mounting-for-new-yorkers-looking-for-current-help)

³² “Governor Hochul Announces Availability of \$65 Million in Federal Emergency Home Heating Aid”, February 23, 2022, available at: <https://www.governor.ny.gov/news/governor-hochul-announces-availability-65-million-federal-emergency-home-heating-aid>

³³ “Governor Hochul Urges Con Ed to Review Billing Practices and Announces Actions to Continue Addressing Surging Energy Prices”, February 11, 2022, available at: <https://www.governor.ny.gov/news/governor-hochul-urges-con-ed-review-billing-practices-and-announces-actions-continue>

³⁴ “Governor Hochul Announces Availability of \$65 Million in Federal Emergency Home Heating Aid”, February 23, 2022, available at: <https://www.governor.ny.gov/news/governor-hochul-announces-availability-65-million-federal-emergency-home-heating-aid>

³⁵ “Energy Assistance”, NYC Human Resources Administration, available at: <https://www1.nyc.gov/site/hra/help/energy-assistance.page>

program director at the Center for Urban Community Services, “We’ve seen some people who have been given a lot of assistance if they fit in all the right buckets and checkmarks... You have to meet a lot of criteria to fit the right profile.”³⁶

To meet the increased utility debt New Yorkers are experiencing, the Association for the Advancement of Retired Persons (AARP) and Public Utility Law Project wrote a letter to Governor Hochul requesting \$1.25 billion be allocated to address energy utility arrears from funding NYS received through the American Rescue Plan.³⁷ According to AARP’s New York State Director Beth Finkel, “any amount short of \$500 million to address utility arrears will leave New Yorkers in the dark.”³⁸ On April 9, 2022, Governor Hochul announced that the NYS Fiscal Year 2023 State Budget would include \$250 million in funding to eliminate pandemic-related utility arrears for low-income households.³⁹

On June 16, 2022, Governor Hochul announced a new state program that will allocate a total of \$557 million to help low-income electric and gas utility customers pay off past utility bills.⁴⁰ Under the Electric and Gas Utility Bill Credit Program, the PSC is utilizing the \$250 million from the Fiscal Year 2023 Enacted State Budget to provide a one-time credit to customers enrolled in the Energy Affordability Program that will eliminate unpaid utility bills that accrued through May 1, 2022.⁴¹ NYS predicts that over 327,000 low-income New Yorkers will directly benefit from the program. The one-time bill credit will be applied to affected customers’ bills by the utilities, requiring no action by existing customers to receive the benefit.⁴²

d. Further Utility Price Increases

In January 2022, Con Ed submitted a new rate case to the PSC. The utility requested permission to raise residents’ electric bills by 11.2 percent and gas bills by 18.2 percent in 2023.⁴³ According to ConEd, this proposed rate case increase will enable the utility to ensure safe, reliable and resilient electric and gas systems, fund investments to bring large-scale clean energy resources to customers, and support economic growth in NYC.⁴⁴ According to Richard Berkley of PULP,

Con Edison’s recent request of a \$1.7 billion increase in rates is almost three times the size of their 2019 case, with delivery rates increasing at three times the rate of inflation or the social security increase fixed income households received before this winter’s massive bill surge...More than 400,000 of Con Ed’s residential customers were already deep in debt to the utility before these excessive new charges that will worsen the continuing economic harms of COVID-19. This is a time for the Company to stand with its customers and share some of this financial burden, not exacerbate it.⁴⁵

ConEd’s 2023 rates are currently going through the public rate making process, and the final rates for the utility have not yet been confirmed.

³⁶ Samantha Maldonado, “Utility Debt Mounting for New Yorkers Looking for Current Help,” The City, February 17, 2022, available at: <https://thecity.nyc/economy/2022/2/17/22940015/utility-debt-mounting-for-new-yorkers-looking-for-current-help>

³⁷ “AARP and PULP: Governor Hochul Must Address Utility Arrears Crisis in Budget Amendment” AARP, available at: <https://states.aarp.org/new-york/aarp-pulp-hochul-must-address-utility-arrears-crisis>

³⁸ Nick Resiman, New York advocates urge aid for energy bill payments,” Spectrum Local News, April 5, 2022, available at: <https://spectrumlocalnews.com/nys/central-ny/ny-state-of-politics/2022/04/05/advocates-urge-aid-for-energy-bill-payments#:~:text=%E2%80%9CAny%20amount%20short%20of%20%24500,York%20State%20Director%20Beth%20Finkel>.

³⁹ “Governor Hochul Announces \$2 Billion in Reserve Pandemic Recovery Funding in the FY 2023 Budget” Governor Kathy Hochul, April 9, 2022, available at: <https://www.governor.ny.gov/news/governor-hochul-announces-2-billion-reserve-pandemic-recovery-funding-fy-2023-budget>

⁴⁰ “Governor Hochul Announces Electric and Gas Utility Bill Credit Program for Low-Income Families” Governor Kathy Hochu, June 16, 2022, available at: <https://www.governor.ny.gov/news/governor-hochul-announces-electric-and-gas-utility-bill-credit-program-low-income-families#:~:text=Under%20the%20bill%20credit%20program,accrued%20through%20May%201%2C%202022>.

⁴¹ *Id.*

⁴² *Id.*

⁴³ “About Our Pending Rate Case”, ConEdison, available at: <https://www.coned.com/es/accounts-billing/your-bill/public-statement-hearings-notice?language=es>

⁴⁴ *Id.*

⁴⁵ Ximena Del Cerro, “Another month of high Con Ed bills on the horizon, company warns”, Brooklyn Paper, March 30, 2022, available at: <https://www.brooklynpaper.com/con-ed-bills-unpleasant-surprise/>

The PSC has also predicted that City residents will experience an increase in their utility bills in the Summer of 2022. According to the PSC, “Overall, the statewide average residential full-service commodity rate is expected to be about 12 percent higher than last summer, but may vary depending on the customer’s location in the state.”⁴⁶ ConEd has stated that City customers may see an increase of 11.5 percent this summer due to higher energy supply prices and delivery chargers.⁴⁷

e. Accountability for Customers

In October 2020, Governor Cuomo appointed a Special Counsel for Ratepayer Protection, a state watchdog for utility customers. This position – a consumer advocate and watchdog over utilities – had already existed in 43 other states before a position was established in New York.⁴⁸ The position was to include representing the interests of residential and commercial customers, and to hold hearings, conduct investigations, and participate in PSC proceedings.⁴⁹ The Special Counsel was given subpoena power to compel testimony or obtain necessary records, ensuring utilities were responding honestly and adequately to customers.⁵⁰ The Special Counsel, former NYC Council Member Rory Lancman, is now stepping down, and a spokesperson for the Governor has said his replacement would more closely model a traditional ratepayer advocate.⁵¹ State Senator Diane Savino and Assembly Member Jeff Dinowitz passed legislation to create a consumer public advocate on the PSC, but the Governor vetoed the legislation, saying it was unnecessary and duplicative.⁵²

III. PREGNANCY SERVICE CENTERS

Pregnancy Service Centers (PSCs), also known as Crisis Pregnancy Centers (CPCs), advertise pregnancy related services and typically offer free pregnancy tests, while several offer ultrasounds.⁵³ Providing these tests and ultrasounds helps foster an impression among women who visit these centers that PSCs are medical facilities; however, they are not actually licensed medical facilities. How PSCs hold themselves out to the public makes it difficult to recognize that unlike medical providers, which treat pregnant women and are subject to rigorous oversight by the State Department of Health, PSCs are not regulated by the government.⁵⁴ PSCs also generally do not formally disclose to their clients whether they do or do not provide abortion or referrals for abortion; provide FDA-approved emergency contraception or referrals to organizations who provide emergency contraception; or provide prenatal care or referrals for prenatal care.

While PSCs allude to providing comprehensive reproductive care, they often engage in counseling that is misleading or false.⁵⁵ The counseling services provided on abortion and contraception falls outside of accepted medical standards and guidelines for providing evidence-based information and treatment options to patients.⁵⁶ PSCs have been found to suggest a link between abortion and subsequent serious mental health problems, despite multiple studies invalidating this assertion.⁵⁷ PSCs cite debunked medical literature showing an association

⁴⁶ Carl Campanile, “NY electric bills expected to jump 12% this summer”, NYPost, Mar 12, 2022, available at:

<https://nypost.com/2022/05/12/ny-electric-bills-expected-to-jump-12-this-summer/>

⁴⁷ “About Con Edison’s Rates”, available at: <https://www.coned.com/en/accounts-billing/your-bill/about-con-edisons-rates>

⁴⁸ Janon Fisher, “Amid Skyrocketing Costs, Cuomo’s Utility Watchdog Mostly Just Watched”, Gothamist, March 9, 2022, available at:

<https://gothamist.com/news/amid-skyrocketing-costs-cuomos-utility-watchdog-mostly-just-watched>

⁴⁹ “GOVERNOR CUOMO ANNOUNCES NEWLY CREATED STATEWIDE SPECIAL COUNSEL FOR RATEPAYER PROTECTION”, October 30, 2020, available at:

[https://www3.dps.ny.gov/pscweb/WebFileRoom.nsf/ArticlesByCategory/514E1FD56701885B85258611006E1776/\\$File/gov_announces_new_created_special_counsel_ratepayer_protectn_103020%20.pdf?OpenElement](https://www3.dps.ny.gov/pscweb/WebFileRoom.nsf/ArticlesByCategory/514E1FD56701885B85258611006E1776/$File/gov_announces_new_created_special_counsel_ratepayer_protectn_103020%20.pdf?OpenElement)

⁵⁰ Janon Fisher, “Amid Skyrocketing Costs, Cuomo’s Utility Watchdog Mostly Just Watched”, Gothamist, March 9, 2022, available at:

<https://gothamist.com/news/amid-skyrocketing-costs-cuomos-utility-watchdog-mostly-just-watched>

⁵¹ *Id.*

⁵² *Id.*

⁵³ NARAL Pro-Choice N.Y. Found. & Nat’l Inst. for Reproductive Health, *She Said Abortion Could Cause Breast Cancer: A Report on the Lies, Manipulations, and Privacy Violations of Crisis Pregnancy Centers* (2010), available at <https://www.nirhealth.org/wp-content/uploads/2015/09/cpreport2010.pdf>

⁵⁴ Press Release, N.Y. State Att’y Gen’l Eliot Spitzer, *Spitzer Reaches Agreement with Upstate Crisis Pregnancy Center* (Feb. 28, 2002).

⁵⁵ Amy G. Bryant, and Jonas Swartz, “Why Crisis Pregnancy Centers are Legal but Unethical” *AMA Journal of Ethics*, March 2018, Volume 20, Number 3: available: <https://journalofethics.ama-assn.org/sites/journalofethics.ama-assn.org/files/2018-04/pfor1-1803.pdf>

⁵⁶ *Id.*

⁵⁷ *Id.*

between abortion and breast cancer, and portray abortion as dangerous or even deadly.⁵⁸ Notably, it's been reported that PSCs outnumber licensed abortion clinics in the nation three to one.⁵⁹

In 2011, the City Council enacted Local Law 17 of 2011 ("LL 17/2011") which regulated Pregnancy Service Centers (PSCs). Prior to the enactment of LL 17/2011, the Council heard from several witnesses about the harmful and deceptive practices at PSCs. An abortion counselor testified:

"There have been accounts . . . from my clients about these misrepresentations being taken even a step further, where some girls are set up for procedures with appointments, only to have these appointments canceled and rescheduled time and time again, in an attempt to prolong the process past a point when a woman can have access to a real and safe abortion procedure by a licensed provider."⁶⁰

At a Council hearing in November of 2017 on the Administration's enforcement of LL 17/2011, a healthcare educator from Harlem provided testimony detailing the experience of a seventh grade student who received services at a PSC across the street from a Planned Parenthood:

"At the center, she was 'counseled' by a staff person who told her [an] abortion would kill her unborn baby by ripping it apart and she was shown a video of a fetus in a more advance stage of development inside the womb and then another of dismembered fetuses. She was made to feel shamed for feeling that abortion was an answer to her unplanned pregnancy."⁶¹

PSCs often choose to locate in close proximity to hospitals or reproductive health clinics that do have a licensed medical provider on staff.⁶² PSCs in New York City are often located in the same building, across the street, or within walking distance from Planned Parenthood clinics,⁶³ and a PSC mobile facility has been known to operate outside a reproductive healthcare clinic in the Bronx.⁶⁴

PSCs also may confuse potential clients through branding and marketing. Many of the PSCs in New York City have names that sound like certified reproductive health clinics, such as Expectant Mother Care and Pregnancy Resource Services.⁶⁵ Additionally, PSCs have previously been listed in the Yellow Pages under categories titled "abortion" or "medical."⁶⁶ Employees working at PSCs, while not licensed clinicians, often wear white coats and see women in exam rooms to further give the false appearance that they are legitimate medical facilities.⁶⁷

Furthermore, PSCs are not required to abide by confidentiality rules applicable to licensed medical facilities,

⁵⁸ *Id.*

⁵⁹ Kari Paul, "Google misdirects one in 10 searches for abortion to 'pregnancy crisis centers'" *The Guardian*, June 9, 2022, available at: <https://www.theguardian.com/world/2022/jun/09/google-searches-abortion-clinics-pregnancy-crisis-centers>

⁶⁰ N.Y.C. Council Hearing, November 16, 2010, *Introduction. No. 371*: testimony of Center for Reproductive Rights at 75-76, available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=777861&GUID=F7F0B7D7-2FE7-456D-A7A7-1633C9880D92&Options=ID|Text|&Search=371>

⁶¹ N.Y.C. Council Hearing, November 15, 2017, "Oversight - Enforcement of Local Law 17 of 2011 and the Regulation of Pregnancy Service Centers," testimony of Maria Lopez-Bernstein, available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3195624&GUID=DA958D68-7AC8-41A3-BEF9-EBBF534DBC&Options=&Search=>

⁶² Amy G. Bryant, and Jonas Swartz, "Why Crisis Pregnancy Centers are Legal but Unethical" *AMA Journal of Ethics*, March 2018, Volume 20, Number 3: available: <https://journalofethics.ama-assn.org/sites/journalofethics.ama-assn.org/files/2018-04/pfor1-1803.pdf>; NARAL Pro-Choice N.Y. Found., *supra* note 1.

⁶³ Laiuren Evans, New Law Hasn't Stopped Anti-Abortion "Pregnancy Centers" From Misleading Women, *Village Voice* (Sept. 13, 2017), <https://www.villagevoice.com/2017/09/13/562988/>

⁶⁴ N.Y.C. Council Hearing, November 16, 2010, *Introduction. No. 371*: testimony of Center for Reproductive Rights at 75-76.

⁶⁵ Lifecall Resources for Pregnant Women & their Babies, *Crisis Pregnancy Centers: New York*, http://www.lifecall.org/cpc/new_york.html (last visited June 13, 2022).

⁶⁶ NARAL Pro-Choice N.Y. Found., *supra* note 1.

⁶⁷ Amy G. Bryant, and Jonas Swartz, "Why Crisis Pregnancy Centers are Legal but Unethical" *AMA Journal of Ethics*, March 2018, Volume 20, Number 3: available at: <https://journalofethics.ama-assn.org/sites/journalofethics.ama-assn.org/files/2018-04/pfor1-1803.pdf>

such as those contained in the federal Health Insurance Portability and Accountability Act (HIPAA).⁶⁸ PSCs often request personal information, such as date of birth and employment information, and have used this information to harass women. In some cases, PSC employees have turned up at patient workplaces.⁶⁹ This breach of confidentiality is of particular concern for women in abusive relationships who are often subject to attempts by their partners to control their reproductive decisions.⁷⁰

a. Local Law 17 of 2011

In 2011, the City Council enacted LL 17/2011 which regulated PSCs. PSCs are defined in the law as “...a facility, including a mobile facility, the primary purpose of which is to provide services to women who are or may be pregnant, that either: (1) offers obstetric ultrasounds, obstetric sonograms or prenatal care; or (2) has the appearance of a licensed medical facility.”⁷¹ The law does not apply to a PSC “...that is licensed by the state of New York or the United States government to provide medical or pharmaceutical services or where a licensed medical provider is present to directly provide or directly supervise the provision of all services.”⁷² The law lists several factors to help identify whether a facility has “the appearance of a licensed medical facility”:⁷³

The pregnancy services center:

- (a) offers pregnancy testing and/or pregnancy diagnosis;
- (b) has staff or volunteers who wear medical attire or uniforms;
- (c) contains one or more examination tables;
- (d) contains a private or semi-private room or area containing medical supplies and/or medical instruments;
- (e) has staff or volunteers who collect health insurance information from clients; and
- (f) is located on the same premises as a licensed medical facility or provider or shares facility space with a licensed medical provider.

The law further states that “it shall be prima facie evidence that a facility has the appearance of a licensed medical facility if it has two or more of the factors,” listed above. Under the law, PSCs are required to make a number of disclosures to patients, including:

- (a) that the New York City Department of Health and Mental Hygiene encourages women who are or who may be pregnant to consult with a licensed medical provider;
- (b) whether the PSC does or does not have a licensed medical provider on staff who provides or directly supervises the provision of all of the services at such pregnancy services center;
- (c) whether the PSC does or does not provide referrals for abortion;
- (d) whether the PSC does or does not provide referrals for emergency contraception; and
- (e) whether the PSC does or does not provide referrals for prenatal care.

Following the passage of LL 17/2011, the constitutionality of the law was challenged in the Court of Appeals for the Second Circuit.⁷⁴ The Court held that only the disclosure regarding the presence of licensed medical providers survived First Amendment scrutiny. The United States Supreme Court denied the City’s petition for review of the decision.⁷⁵

During a Council hearing in 2017 on the Administration’s enforcement of LL17/2011, the Department of Consumer Affairs (now the Department of Consumer and Worker Protection) testified that they received 23

⁶⁸ Office of Civil Rights, U.S. Dep’t of Health & Human Servs., *Health Information Privacy: For Covered Entities*, <http://www.hhs.gov/ocr/privacy/hipaa/understanding/coveredentities/index.html> (last visited June 13, 2027).

⁶⁹ N.Y.C. Council Hearing, November 16, 2010, *Introduction. No. 371*: testimony of Planned Parenthood at 88-89, Available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=777861&GUID=F7F0B7D7-2FE7-456D-A7A7-1633C9880D92&Options=ID|Text|&Search=371>

⁷⁰ *Id.*

⁷¹ Administrative Code (“ADC”) § 20-815(g).

⁷² *Id.*

⁷³ *Id.*

⁷⁴ *Pregnancy Care Center Of New York et al v. The City of New York et al [2011] (Court of Appeals for the Second Circuit)*.

⁷⁵ Lawrence Hurley, “U.S. top court leaves intact New York City pregnancy center rule”, Reuters, November 3, 2014, available at: <https://www.reuters.com/article/us-usa-court-abortion/u-s-top-court-leaves-intact-new-york-city-pregnancy-center-rule-idUSKBN0IN1A720141103>

complaints about nine purported PSC locations failing to post the licensed medical provider disclosure.⁷⁶ The Department conducted 21 inspections, and two inspections resulted in the issuance of violations for the PSC failing to post the required license medical provider disclosure.⁷⁷ However, the majority of facilities the city investigated did not meet the legal definition of a PSC and were therefore not required to post the disclosure.⁷⁸

b. NYS Legislation

In May 2022, a draft opinion of the Supreme Court’s plan to strike down *Roe v. Wade* was leaked to the press.⁷⁹ The opinion is a repudiation of the 1973 *Roe v. Wade* decision, which guaranteed federal constitutional protections for abortion rights.⁸⁰ In response to the impending overturning of *Roe*, the New York State legislature passed a package of bills to further enhance abortion protections in New York. On May 31, 2022, the NYS Senate passed S.470, sponsored by NYS Senator Brad Hoylman.⁸¹ The Assembly version of the bill, A.5499, had previously passed in April 2022.⁸² The bill authorizes the Commissioner of Health to conduct a study and issue a report examining the unmet health and resources needs facing pregnant women in New York, and the impact of limited services pregnancy centers on the ability of women to obtain accurate health care information. As part of this report, the Commissioner will gather information about the services provided by PSCs. This will include, but is not limited to, what services clients most frequently seek at PSCs, the number of women who access such services, whether PSCs collect medical information and how they handle collected medical information, and how PSCs advertise their services. On June 13, 2022, Governor Hochul signed A.5499/S.470 into law.⁸³

c. Other Relevant Legislation

In 2015, California enacted AB775, the Reproductive FACT (Freedom, Accountability, Comprehensive Care, and Transparency) Act.⁸⁴ The Act requires both licensed and unlicensed facilities providing family planning or pregnancy-related services to disseminate public notices. Licensed facilities are required to post the following notice: “California has public programs that provide immediate free or low-cost access to comprehensive family planning services (including all FDA-approved methods of contraception), prenatal care, and abortion for eligible women. To determine whether you qualify, contact the county social services office at [insert the telephone number].”⁸⁵ Unlicensed covered health facilities were required to disseminate a notice to clients stating, “This facility is not licensed as a medical facility by the State of California and has no licensed medical provider who provides or directly supervises the provision of services.”⁸⁶ In response to the enactment the FACT Act, The National Institute of Family and Life Advocates (NIFLA) and two other religiously-affiliated pro-life PSCs sued the state of California, seeking to enjoin enforcement. NIFLA argued that the Act violates their free speech and free exercise rights under the First Amendment.⁸⁷ The U.S. District Court for the Southern District of California denied NIFLA’s motion for a preliminary injunction.⁸⁸ The Ninth Circuit court subsequently affirmed the District Court’s ruling, confirming that the District Court had not abused its discretion

⁷⁶ N.Y.C. Council Hearing, November 15, 2017, *Oversight - Enforcement of Local Law 17 of 2011 and the Regulation of Pregnancy Service Centers*, Testimony of Department of Consumer Affairs, available at:

<https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3195624&GUID=DA958D68-7AC8-41A3-BEF9-EBBF534DBCB&Options=&Search=>

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ Josh Gerstein and Alexander Ward, “Supreme Court has voted to overturn abortion rights, draft opinion shows”, Politico, May 2, 2022, available at: <https://www.politico.com/news/2022/05/02/supreme-court-abortion-draft-opinion-00029473>

⁸⁰ *Id.*

⁸¹ NYS Senate Bill S.470, available at: <https://www.nysenate.gov/legislation/bills/2021/S470>

⁸² NYS Assembly Bill A.5499, available at: <https://www.nysenate.gov/legislation/bills/2021/a5499>

⁸³ *Id.*

⁸⁴ Assembly Bill No. 775, Reproductive FACT ACT (2015-2016), available at:

https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201520160AB775

⁸⁵ *Id.*

⁸⁶ *Id.*

⁸⁷ *National Institute of Family and Life Advocates v. Becerra*, Oyez, available at: <https://www.oyez.org/cases/2017/16-1140>

⁸⁸ *Id.*

by denying the injunction.⁸⁹ NIFLA filed a petition for the Supreme Court to hear the case. In *NIFLA, et al., v. Xavier Becerra, Attorney General of California, et al.*, the Supreme Court ruled in a 5-4 decision that the notices required by the FACT Act violated the First Amendment.⁹⁰ The Supreme Court reversed the Ninth Circuit's decision and remanded the case.⁹¹

IV. LEGISLATIVE ANALYSIS

Int. 372-A, to amend the New York city charter, in relation to the creation of an office of the utility advocate

This bill would establish an Office of the Utility Advocate, to be created in the Office of the Mayor or any other department or office that has a mayorally-appointed head. The Office would be charged with receiving feedback from City customers on their electric, gas, and steam utility providers; advocating for utility customers at public hearings; assisting utility customers with accessing financial help to pay their utility bills; and educating utility customers on their rights and methods to lower their utility bills. The bill would take effect on September 1, 2023.

Int. 506-A, in relation to requiring the department of consumer and worker protection to implement an outreach and education campaign on facilities that deceptively advertise or are otherwise misleading when offering reproductive health services

This bill would require the city to undertake a public education program about deceptive advertisements and misleading information provided by facilities that represent that they provide reproductive health services. It would be required to include information on what services these facilities typically provide, how they advertise their services, how these facilities can impact timely and safe access to pregnancy care, and how a person can file a complaint about deceptive practices by such facilities. This bill would take effect on the same date as Proposed Int. No. 474-A, which is in the Committee on Civil and Human Rights. That bill would take effect in 90 days.

Res. 162

This resolution calls on the New York State Legislature to pass amendments to prevent a utility's rate case from exceeding a certain percentage each year. Beyond the Public Service Commission rejecting a rate case proposal, there are no mechanisms to prevent a utility from proposing an exorbitantly high rate case. To further enhance consumer protections, the resolution calls on NYS legislators to set a percentage cap an annual rate case cannot exceed.

Res. 172

This resolution calls on New York State to increase the number of Commissioners on the Public Service Commission, and permit New York City to appoint two of the Commissioners. The Public Service Commission approves rate increases for utilities and ensures New Yorkers receive adequate service. While ConEd holds a near monopoly over the electricity market in NYC, the City does not have the power to appoint any Commissioners to the PSC. By granting the City the power to appoint Commissioners, the City would gain greater oversight over the PSC, and utilities would become more accountable to the City.

⁸⁹ *Id.*

⁹⁰ *Id.*

⁹¹ *Id.*

Res. 173-A

This resolution calls on the Governor and New York State Legislature to expand financial relief programs to assist City residents struggling to pay their utility bills. Outstanding utility debt could impair City residents' credit and the City's economic recovery from the pandemic. While advocates called for the State to allocate \$1.25 billion to address energy utility arrears, the recently adopted budget included only \$250 million. Further state funding should be allocated to assist New Yorkers unable to pay their utility costs.

Res. 174-A

This resolution calls on Consolidated Edison to improve communication with City residents about increases in utility costs. Many City residents were shocked to find the dramatic rise in their utility bills in January 2022. The resolution calls for improved communication to ensure all residents are aware of impending price increases.

(The following is the text of the Fiscal Impact Statement for Int. No. 372-A:)



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

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

FISCAL IMPACT STATEMENT

PROPOSED INT. NO.: 372-A

**COMMITTEE: Consumer Affairs and Worker
Protection**

TITLE: A Local Law to amend the New York city charter, in relation to the creation of an office of the utility advocate.

SPONSOR(S): By The Speaker (Council Member Adams) and Council Members Yeger, Louis, Nurse, Krishnan, Narcisse, Abreu, Restler, Ossé, De La Rosa, Dinowitz, Williams, (by request of the Manhattan Borough President).

SUMMARY OF LEGISLATION: Proposed Int. No. 372-A would establish an Office of the Utility Advocate. This office would be charged with receiving feedback from City customers on their utility providers; advocating for utility customers at public hearings; assisting utility customers with accessing financial help to pay their utility bills; and educating City utility customers on their rights and methods to lower their utility bills.

EFFECTIVE DATE: This bill would take effect in September 1, 2023.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: FISCAL 2025

FISCAL IMPACT STATEMENT:

	Effective FY24	FY Succeeding Effective FY25	Full Fiscal Impact FY25
Revenues	\$0	\$0	\$0
Expenditures	\$0	\$0	\$0
Net	\$0	\$0	\$0

IMPACT ON REVENUES: It is estimated that the enactment of this legislation would have no impact on revenues.

IMPACT ON EXPENDITURES: It is estimated 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.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Florentine Kabore, Finance Analyst

ESTIMATE REVIEWED BY: Chima Obichere, Unit Head
Cirilhen Francisco, Unit Head
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: This legislation was introduced by the Council on May 19, 2022, as Int. No. 372 and was referred to the Committee on Consumer and Worker Protection (Committee). The Committee heard the legislation on June 30, 2022 and the legislation was laid over. The bill was subsequently amended, and the amended version, Proposed Int. No. 372-A, will be voted by the Committee on July 13, 2022. Upon a successful vote by the Committee, the bill will be submitted to the full Council for a vote on July 14, 2022.

DATE PREPARED: July 11, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 372-A:)

Int. No. 372-A

By The Speaker (Council Member Adams) and Council Members Yeger, Louis, Nurse, Krishnan, Narcisse, Abreu, Restler, Ossé, De La Rosa, Dinowitz, Williams, Avilés, Lee, Gennaro and Brooks-Powers (by request of the Manhattan Borough President).

A Local Law to amend the New York city charter, in relation to the creation of an office of the utility advocate

Be it enacted by the Council as follows:

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

§ 20-n. *Office of the utility advocate.* a. For the purposes of this section, the term “utility” means a provider of electric, gas, or steam service in the city.

b. The mayor shall establish an office of the utility advocate. Such office may be established within any office of the mayor or as a separate office of any department the head of which is appointed by the mayor. Such office shall be headed by an individual 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. Such office shall:

1. Establish a website, email address and telephone number to receive communications from utility customers on their utility services;

2. Advocate on behalf of utility customers by providing testimony for public hearings. Such public hearings shall include, but need not be limited to, rate cases conducted by the public service commission;

3. Conduct outreach and provide educational materials to the public on choosing, starting and stopping utility services; methods to lower the cost of their utility bills; and utility complaint procedures; and

4. Assist consumers with accessing and navigating financial aid available to cover utility costs.

c. In performing the duties of the office, the director shall regularly consult with 311; the department of social services; the office of financial empowerment at the department of consumer and worker protection; the mayor’s office of long-term planning and sustainability, or its successor office or agency; and any other agency or office the director deems necessary to further the duties of the office.

§ 2. This local law takes effect on September 1, 2023, except that the mayor shall take such measures as are necessary for the implementation of this local law, before such date.

MARJORIE VELÁZQUEZ, *Chairperson*; SHAUN ABREU, AMANDA FARIAS, SHEKAR KRISHNAN, JULIE MENIN, CHI A. OSSÉ; *Absent*: Erik D. Bottcher, Gale A. Brewer, and Julie Won; 6-0-0; Committee on Consumer and Worker Protection, July 13, 2022 (Hybrid Hearing). *Other Council Members Attending: Council Members Salamanca and Lee.*

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. 506-A

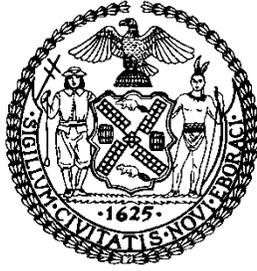
Report of the Committee on Consumer Affairs and Worker Protection in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of consumer and worker protection to implement an outreach and education campaign on facilities that deceptively advertise or are otherwise misleading when offering reproductive health services.

The Committee on Consumer Affairs and Worker Protection, to which the annexed proposed amended local law was referred on June 2, 2022 (Minutes, page 1360), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Consumer Affairs and Worker Protection for Int. No. 372-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 506-A:



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

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

FISCAL IMPACT STATEMENT

PROPOSED INT. NO.: 506-A

COMMITTEE: Consumer Affairs and Worker
Protection

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to requiring the Department of Consumer and Worker Protection to implement an outreach and education campaign on facilities that deceptively advertise or are otherwise misleading when offering reproductive health services.

SPONSOR(S): By Council Members Rivera, Louis, Hudson, Hanif, Brooks-Powers, Nurse, Abreu, Brewer, Narcisse, Restler, Won, Farías, Ossé, De La Rosa, Dinowitz, Krishnan, (by request of the Bronx Borough President).

SUMMARY OF LEGISLATION: Proposed Int. No. 506-A would require the city to undertake a public education campaign about deceptive advertisements and misleading information provided by facilities that represent that they provide reproductive health services. The city’s campaign would provide information on what services these facilities typically provide, how they advertise their services, how these facilities can impact timely and safe access to pregnancy care, and how a person can file a complaint about the deceptive practices.

EFFECTIVE DATE: This bill would take effect in 90 days.

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 the enactment of this legislation would have no impact on revenues.

IMPACT ON EXPENDITURES: It is estimated 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.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

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

ESTIMATE PREPARED BY: Florentine Kabore, Finance Analyst

ESTIMATE REVIEWED BY: Chima Obichere, Unit Head
 Crilhien Francisco, Unit Head
 Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: This legislation was introduced by the Council on June 2, 2022, as Int. No. 506 and was referred to the Committee on Consumer and Worker Protection (Committee). The Committee heard the legislation on June 21, 2022 and the legislation was laid over. The bill was subsequently amended, and the amended version, Proposed Int. No. 506-A, will be voted by the Committee on July 13, 2022. Upon a successful vote by the Committee, the bill will be submitted to the full Council for a vote on July 14, 2022.

DATE PREPARED: July 11, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 506-A:)

Int. No. 506-A

By Council Members Rivera, Louis, Hudson, Hanif, Brooks-Powers, Nurse, Abreu, Brewer, Narcisse, Restler, Won, Farias, Ossé, De La Rosa, Dinowitz, Krishnan, Cabán, Avilés, Lee, Sanchez and The Speaker (Council Member Adams) (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 the department of consumer and worker protection to implement an outreach and education campaign on facilities that deceptively advertise or are otherwise misleading when offering reproductive health services

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 3-119.6 of the administrative code of the city of New York, as added by a local law of the city of New York for the year 2022, relating to a public information and outreach campaign regarding safe access to reproductive health care, as proposed in introduction number 474-A for the year 2022, is amended by adding a new paragraph 8 to read as follows:

(8) (a) Facilities that deceptively advertise or are otherwise misleading when offering reproductive health services, including information related to: (i) services such facilities do and do not typically provide; (ii) how such facilities typically depict their services to the public; (iii) the effect such facilities have on timely and safe access to pregnancy related services; (iv) how to make a complaint regarding deceptive behaviors by such facilities.

(b) The information required by this paragraph shall be made available to the public and may be updated as necessary with relevant findings by the state of New York and organizations dedicated to providing comprehensive reproductive health services; and

§ 2. This local law takes effect on the same date that a local law amending the administrative code of the city of New York, relating to a public information and outreach campaign regarding safe access to reproductive health care, as proposed in introduction number 474-A for the year 2022, takes effect.

MARJORIE VELÁZQUEZ, *Chairperson*; SHAUN ABREU, AMANDA FARIAS, SHEKAR KRISHNAN, JULIE MENIN, CHI A. OSSÉ; *Absent*: Erik D. Bottcher, Gale A. Brewer, and Julie Won; 6-0-0; Committee on Consumer and Worker Protection, July 13, 2022 (Hybrid Hearing). *Other Council Members Attending: Council Members Salamanca and Lee.*

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

Report of the Committee on Finance

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

Report for Res. No. 255

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

The Committee on Finance, to which the annexed preconsidered resolution was referred on July 14, 2022, respectfully

REPORTS:

Introduction. The Council of the City of New York (the “Council”) annually adopts the City’s budget covering expenditures other than for capital projects (the “expense budget”) pursuant to Section 254 of the Charter. On June 30, 2020, the Council adopted the expense budget for fiscal year 2021 with various programs and initiatives (the “Fiscal 2021 Expense Budget”). On June 30, 2021, the Council adopted the expense budget for fiscal year 2022 with various programs and initiatives (the “Fiscal 2022 Expense Budget”). On June 13, 2022, the Council adopted the expense budget for fiscal year 2023 with various programs and initiatives (the “Fiscal 2023 Expense Budget”).

Analysis. In an effort to continue to make the budget process more transparent, the Council is providing a list setting forth new designations and/or changes in the designation of certain organizations receiving funding in accordance with the Fiscal 2023, Fiscal 2022 and Fiscal 2021 Expense Budgets, and amendments to the description for the Description/Scope of Services of certain organizations receiving funding in accordance with the Fiscal 2023 and Fiscal 2022 Expense Budgets.

This Resolution, dated July 14, 2022, approves the new designation and the changes in the designation of certain organizations receiving local, youth and anti-poverty discretionary funding and funding for certain initiatives in accordance with the Fiscal 2023 Expense Budget, approves the changes in designation of certain organizations receiving funding for certain initiatives in accordance with the Fiscal 2022 Expense Budget, approves the changes in designation of certain organizations receiving local, youth and aging discretionary funding and funding for certain initiatives in accordance with the Fiscal 2021 Expense Budget, and amends the description for the Description/Scope of Services of certain organizations receiving local and discretionary funding in accordance with the Fiscal 2023 and Fiscal 2022.

This Resolution sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2023 Expense Budget, as described in Chart 1; sets forth the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2023 Expense Budget, as described in Chart 2; sets forth the new designation and the changes in the designation of certain organizations receiving anti-poverty discretionary funding in accordance with the Fiscal 2023 Expense Budget, as described in Chart 3; sets forth the new designation and the changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2023 Expense Budget, as described in Chart 4; sets forth the new designation and

the changes in the designation of certain organizations receiving funding pursuant to certain initiatives pursuant to the Fiscal 2023 Expense Budget, as described in Charts 5-32; sets forth the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2022 Expense Budget, as described in Chart 34; sets forth the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2022 Expense Budget, as described in Chart 35; sets forth the changes in the designation of certain organizations receiving funding pursuant to certain initiatives pursuant to the Fiscal 2022 Expense Budget, as described in Charts 33 and 36-44; sets forth the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the fiscal 2021 Expense Budget, as described in Chart 45; sets forth the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget, as described in Chart 47; sets forth the changes in the designation of certain organizations receiving aging discretionary funding pursuant to the fiscal 2021 Expense Budget, as described in Chart 49; sets forth the changes in the designation of certain organizations receiving funding pursuant to certain initiatives pursuant the Fiscal 2021 Expense Budget, as described in Charts 46, 48 and 50-54; amends the description for the Description/Scope of Services of certain organizations receiving local discretionary funding in accordance with the Fiscal 2023 Expense Budget, as described in Chart 55; amends the description for the Description/Scope of Services of certain organizations receiving local discretionary funding in accordance with the Fiscal 2022 Expense Budget, as described in Chart 56.

Specifically, Chart 1 sets forth the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 2 sets forth the new designation and the changes in the designation of certain organizations receiving youth discretionary funding pursuant to the Fiscal 2023 Expense Budget.

Chart 3 sets forth the new designation and the changes in the designation of certain organizations receiving funding pursuant to the anti-poverty discretionary funding in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 4 sets forth the new designation and the changes in the designation of certain organizations receiving aging discretionary funding pursuant to the Fiscal 2023 Expense Budget.

Chart 5 sets forth the new designation and the changes in the designation of certain organizations receiving Boroughwide Needs Initiative funding pursuant to the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 6 sets forth the new designation of certain organizations receiving funding pursuant to Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 7 sets forth the new designation of certain organizations receiving funding pursuant to Community Safety and Victim's Services Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 8 sets forth the new designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these changes will be effectuated upon a budget modification.

Chart 9 sets forth the new designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 10 sets forth the new designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these designations will be effectuated upon a budget modification.

Chart 11 sets forth the new designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2022 Expense Budget. Some of these designations will be effectuated upon a budget modification.

Chart 12 sets forth the new designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 13 sets forth the new designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 14 sets forth the new designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these designations will be effectuated upon a budget modification.

Chart 15 sets forth the new designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these designations will be effectuated upon a budget modification.

Chart 16 sets forth the new designation of certain organizations receiving funding pursuant to the Legal Services for Low-Income New Yorkers Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these designations will be effectuated upon a budget modification.

Chart 17 sets forth the new designations of certain organizations receiving funding pursuant to the Construction Site Safety Training Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 18 sets forth the new designations of certain organizations receiving funding pursuant to Physical Education Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these designations will be effectuated upon a budget modification.

Chart 19 sets forth the new designation of certain organizations receiving funding pursuant to the LGBTQ Inclusive Curriculum Initiative in accordance with the Fiscal 2023 Expense Budget. Some of these designations will be effectuated upon a budget modification.

Chart 20 sets forth the new designation of certain organizations receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 21 sets forth the new designation of a certain organization receiving funding pursuant to the Autism Awareness Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 22 sets forth the new designation of a certain organization receiving funding pursuant to the Cancer Services Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 23 sets forth the new designation change of certain organizations receiving funding pursuant to the Ending the Epidemic Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 24 sets forth the new designation of certain organizations receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 25 sets forth the new designation of a certain organization receiving funding pursuant to the Opioid Prevention Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 26 sets forth the new designation of certain organizations receiving funding pursuant to the Financial Empowerment for New York City Renters Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 27 sets forth the new designation of certain organizations receiving funding pursuant to the Stabilizing New York City Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 28 sets forth the new designation of certain organizations receiving funding pursuant to the Alternatives to Incarceration Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 29 sets forth the new designation of certain organizations receiving funding pursuant to the Support for Victims of Human Trafficking Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 30 sets forth the new designation of certain organizations receiving funding pursuant to the Initiative to Combat Sexual Assault in accordance with the Fiscal 2023 Expense Budget.

Chart 31 sets forth the new designation of certain organizations receiving funding pursuant to the Supports for Persons Involved in the Sex Trade Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 32 sets forth the new designation of a certain organization receiving funding pursuant to the Access Health Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 33 sets forth the change in the designation of a certain organization receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 34 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Local Initiatives funding in accordance with the Fiscal 2022 Expense Budget.

Chart 35 sets forth the changes in the designation of certain organizations receiving funding pursuant to youth discretionary funding in accordance with the Fiscal 2022 Expense Budget.

Chart 36 sets forth changes in the designation of certain organizations receiving funding pursuant to the Greener NYC Initiative in accordance with the Fiscal 2023 Expense Budget.

Chart 37 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Cultural After School Adventure (CASA) Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 38 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 39 sets forth the change in the designation of a certain organization receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 40 sets forth the changes in the designation of a certain organizations receiving funding pursuant to the SUCASA Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 41 sets forth the changes in the designations of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 42 sets forth the changes in the designations of certain organizations receiving funding pursuant to the Support our Seniors Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 43 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Pandemic Support for Human Services Providers Initiative in accordance with the Fiscal 2022 Expense Budget.

Chart 44 sets forth the changes in designation of a certain organization receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs in accordance with the Fiscal 2022 Expense Budget.

Chart 45 sets forth the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2021 Expense Budget.

Chart 46 sets forth the changes in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 47 sets forth the changes in the designations of certain organizations receiving Local discretionary funding in accordance with the Fiscal 2021 Expense Budget.

Chart 48 sets forth the changes in the designation of a certain organization receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 49 sets forth the changes in the designation of certain organizations receiving funding pursuant to the aging discretionary funding in accordance with the Fiscal 2021 Expense Budget.

Chart 50 sets forth the changes in the designation of a certain organization receiving funding pursuant to the Support our Seniors Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 51 sets forth the changes in the designation of certain organizations receiving funding pursuant to the Food Pantry Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 52 sets forth the changes in the designation of a certain organization receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 53 sets forth the changes in the designation of a certain organization receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 54 sets forth the changes in the designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2021 Expense Budget.

Chart 55 amends the description for the Description/Scope of Services of certain organizations receiving local, youth, aging and anti-poverty discretionary funding and funding pursuant to the Boroughwide Needs Initiative pursuant to the Fiscal 2023 Expense Budget.

Chart 56 amends the description for the Description/Scope of Services of certain organizations receiving local discretionary funding and funding pursuant to the Speaker's and Boroughwide Needs Initiatives pursuant to the Fiscal 2022 Expense Budget.

It is to be noted that organizations identified in the attached Charts with an asterisk (*) have not yet completed or began the prequalification process conducted by the Mayor's Office of Contract Services (for organizations to receive more than \$10,000) by the Council (for organizations to receive \$10,000 or less total), or other government agency. Organizations identified without an asterisk have completed the appropriate prequalification review.

It should also be noted that funding for organizations in the attached Charts with a double asterisk (**) will not take effect until the passage of a budget modification.

Description of Above-captioned Resolution. In the above-captioned Resolution, the Council would approve the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2023, Fiscal 2022 and Fiscal 2021 Expense Budgets. Such Resolution would take effect as of the date of adoption.

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 255:)

Preconsidered Res. No. 255

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

By Council Member Brannan.

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

Whereas, On June 30, 2021, the Council of the City of New York (the “City Council”) adopted the expense budget for Fiscal Year 2022 with various programs and initiatives (the “Fiscal 2022 Expense Budget”); and

Whereas, On June 30, 2020 the Council adopted the expense budget for Fiscal Year 2021 with various programs and initiatives (the “Fiscal 2021 Expense Budget”); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2023, Fiscal 2022, and Fiscal 2021 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, youth, aging, and anti-poverty discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2023, Fiscal 2022, and Fiscal 2021 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local discretionary funding and funding pursuant to a certain initiative; now, therefore, be it

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2023 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the anti-poverty discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and the changes in designation of certain organization receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Community Safety and Victim Services Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Legal Services for Low-Income New Yorkers in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Construction Site Safety Training in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Physical Education and Fitness Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the LGBTQ Inclusive Curriculum in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Autism Awareness in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Cancer Services in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Ending the Epidemic in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Opioid Prevention Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Financial Empowerment for NYC's Renters in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Stabilizing NYC in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 27; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Alternatives to Incarceration Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 28; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Support for Victims of Human Trafficking in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 29; and be it further

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

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Supports for Persons Involved in the Sex Trade in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 31; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to Access Health Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 32; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 33; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2022 Expense Budget, as set forth in Chart 34 and be it further

Resolved, That the City Council approves the changes in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 35; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 36; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 37; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 38; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 39; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving funding pursuant to SU-CASA in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 40; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 41; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving funding pursuant to Support our Seniors in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 42; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving funding pursuant to Pandemic Support for Human Service Providers in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 43; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the Speaker's Initiative to Address Citywide Need in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 44; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 45; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to A Greener NYC in accordance with the Fiscal 2021 Expense Budget; as set forth in Chart 46; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 47; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 48; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 49; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to Support our Seniors in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 50; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving funding pursuant to Food Pantries in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 51; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 52; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 53; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 54; and be it further

Resolved, That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local, youth, aging, and anti-poverty discretionary funding, and funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 55; and be it further

Resolved, That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local discretionary funding, and funding pursuant to the Boroughwide Needs Initiative and the Speaker's Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 56.

(For text of the Exhibit Charts, please refer to the attachments section of the [Res. No. 255 of 2022](#) file in the legislation section of the New York City Council website at <https://council.nyc.gov>)

JUSTIN L. BRANNAN, *Chairperson*: KEITH POWERS, FARAH N. LOUIS, SELVENA N. BROOKS-POWERS, DAVID M. CARR, CHARLES BARRON, GALE A. BREWER, CRYSTAL HUDSON, ARI KAGAN, CHI. A. OSSÉ, PIERINA ANA SANCHEZ, MARJORIE VELÁZQUEZ, JULIE WON; 13-0-0; *Absent*: Council Members Diana I. Ayala, Amanda Farias, Kamillah Hanks, and Francisco P. Moya; Committee on Finance, July 14, 2022 (Hybrid Meeting).

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

Report of the Committee on General Welfare

Report for Int. No. 212-B

Report of the Committee on General Welfare in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to updating the report on utilization of and applications for multi-agency emergency housing assistance, exits from city-administered facilities and the financings, starts and completions of permanent housing for those exiting city-administered facilities.

The Committee on General Welfare, to which the annexed proposed amended local law was referred on April 28, 2022 (Minutes, page 749), respectfully

REPORTS:

I. Introduction

On July 13, 2022, the Committee on General Welfare, chaired by Deputy Speaker Diana Ayala, will consider Proposed Int. 212-B, sponsored by Deputy Speaker Ayala. The Committee previously held a hearing on Int. 212 on May 3, 2022. At the hearing on May 3, 2022, those who testified included representatives from the New York City Department of Social Services, impacted individuals who have formerly experienced or are currently experiencing homelessness, community-based organizations, service providers, and members of the public.

II. Bill Analysis

Proposed Int. 212-B – A Local Law to amend the administrative code of the city of New York, in relation to updating the report on utilization of and applications for multi-agency emergency housing assistance, exits from city-administered facilities and the financings, starts and completions of permanent housing for those exiting city-administered facilities

Local Law 37 of 2011 requires a monthly report on emergency housing assistance usage. Proposed Int. 212-B would require that report to be updated to include information on the total number of all individuals utilizing emergency housing in the City and the total number of families with children, adult families, single men, and single women utilizing temporary emergency housing. In addition, this bill would make related technical amendments. Since introduction, this bill has been amended to additionally require the Mayor's Office of Operations to report on the exits from various City-administered facilities, including Department of Youth and Community Development (DYCD), Department of Homeless Services (DHS), Department of Housing Preservation and Development (HPD) and Human Resources Administration (HRA) facilities. Since introduction, the bill was also amended to require the Mayor's Office of Operations (MOO) to report on the financings, starts and completions of permanent housing for those exiting City-administered facilities. Reporting pursuant to this bill would be required by July 1, 2023. If passed, the bill would take effect immediately.

(The following is the text of the Fiscal Impact Statement for Int. No. 212-B:)



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

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

FISCAL IMPACT STATEMENT

PROPOSED INT. NO. 212-B

COMMITTEE: General Welfare

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to updating the report on utilization of and applications for multi-agency emergency housing assistance, exits from city-administered facilities and the financings, starts and completions of permanent housing for those exiting city-administered facilities.

Sponsors: Council Members Ayala, Sanchez, Stevens, Williams, Restler, Krishnan, Nurse, Won, Louis, Hanif, De La Rosa, Ung, Schulman, Dinowitz, Cabán, Gutiérrez, Brewer, Abreu, Bottcher, Farías, and Narcisse.

SUMMARY OF LEGISLATION: Proposed Int. No. 212-B would require the Mayor’s Office of Operations (MOO) to amend the data it publishes on the NYCStat page of the city’s website regarding the utilization of city-administered shelter facilities starting on July 1, 2023, and by the first day of each month thereafter for each month, calendar year, and fiscal year. The updated report will include the daily overnight census and the number of unduplicated persons or families utilizing city-administered shelter facilities, broken out by the type of facility and disaggregated by single men, single women, total single adults, families with children, adult families, total families, total children, and total adults in families. The updated report will include application and entrance data for those seeking admission and entrance to the Department of Homeless Services (DHS) administered shelter facilities, the total number of persons utilizing all city-administered shelter facilities, and exits from city-administered shelter facilities, broken down by type of individual, the agency, and housing type. Additionally, the updated report will include reporting on financing, starts, and completions of permanent housing for individuals exiting city-administered facilities, broken down by permanent housing type and program.

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 FY23
Revenues (+)	\$0	\$0	\$0
Expenditures (-)	\$0	\$0	\$0
Net	\$0	\$0	\$0

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

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

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division
New York City Department of Social Services

ESTIMATE PREPARED BY: Julia K. Haramis, Senior Financial Analyst

ESTIMATE REVIEWED BY: Aliya Ali, Unit Head
Jim Caras, Special Counsel to the Speaker
Jonathan Rosenberg, Managing Deputy Director

LEGISLATIVE HISTORY: This legislation was introduced to the Council on April 28, 2022 as Int. No. 212 and was referred to the Committee on General Welfare (the Committee). A hearing was held by the Committee on May 3, 2022, and the legislation was laid over. The legislation was subsequently amended twice and the amended version, Proposed Int. No. 212-B, will be voted on by the Committee at a hearing on July 13, 2022. Upon a successful vote by the Committee, Proposed Intro. No. 212-B will be submitted to the full Council for a vote on July 14, 2022.

DATE PREPARED: July 7, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 212-B:)

Int. No. 212-B

By Council Members Ayala, Sanchez, Stevens, Williams, Restler, Krishnan, Nurse, Won, Louis, Hanif, De La Rosa, Ung, Schulman, Dinowitz, Cabán, Gutiérrez, Brewer, Abreu, Bottcher, Farías, Narcisse and Avilés.

A Local Law to amend the administrative code of the city of New York, in relation to updating the report on utilization of and applications for multi-agency emergency housing assistance, exits from city-administered facilities and the financings, starts and completions of permanent housing for those exiting city-administered facilities

Be it enacted by the Council as follows:

Section 1. Section 3-113 of the administrative code of the city of New York, as added by local law number 37 for the year 2011, is amended to read as follows:

[§ 3-113] § 3-119.6 *Reporting requirements regarding multi-agency emergency housing assistance.* a. Definitions. For the purposes of this section, the following terms [shall] have the following meanings:

[(1) "Adult" shall mean] *421-a affordable housing. The term "421-a affordable housing" means dwelling units in a multiple dwelling that is receiving real property tax exemption benefits pursuant to section 421-a of the real property tax law by meeting the affordability requirements of such section where such dwelling units, upon initial rental and upon each subsequent rental following a vacancy during the applicable restriction period, are affordable to and restricted to occupancy by individuals or families whose household income does not exceed the specified percent of the area median income, adjusted for family size, when such household initially occupies such dwelling unit;*

Adult. The term "adult" means an individual 18 years of age or older;

[(2) "Adult families" shall mean] *Adult families. The term "adult families" means families comprised of adults and no children under the age of 18;*

[(3) "Children" shall mean] *Children. The term "children" means individuals under the age of 18 physically accompanied by a parent or legal guardian;*

[(4) "City-administered facilities" shall mean] *City-administered facilities. The term "city-administered facilities" means hotels, shelters, stabilization beds, safe havens, veterans shelters, faith-based centers, short-term reentry housing, overnight drop-in centers and other accommodations or associated services, managed by or provided under contract or similar agreement with any city agency, provided to individuals or families who need temporary emergency housing or assistance finding or maintaining stable housing;*

City-financed homeless set-aside housing units. The term "city-financed homeless set-aside housing units" means affordable housing set aside for formerly homeless households that is financed with city funds in accordance with section 26-2802;

[(5) "DHS" shall mean] *DHS. The term "DHS" means the department of homeless services;*

[(6) "DHS-administered facilities" shall mean] *DHS-administered facilities. The term "DHS-administered facilities" means city-administered facilities managed directly by DHS or by a provider under contract or similar agreement with DHS;*

[(7) "DHS drop-in centers" shall mean] *DHS drop-in centers. The term "DHS drop-in centers" means city-administered facilities that provide single adults with hot meals, showers, laundry facilities, clothing, medical care, recreational space, employment referrals and/or housing placement services, but not overnight housing;*

[(8) "DHS faith-based beds" shall mean] *DHS faith-based beds. The term "DHS faith-based beds" means city-administered facilities that provide overnight housing to individuals, are affiliated with one or more religious groups and receive client referrals through organizations under contract with DHS;*

[(9) "DHS safe havens" shall mean] *DHS safe havens. The term "DHS safe havens" means city-administered facilities that provide low-threshold, harm-reduction housing to [chronic] street homeless individuals, who are referred to such facilities through a DHS outreach program, without the obligation of entering into other supportive and rehabilitative services in order to reduce barriers to temporary housing;*

[(10) "DHS stabilization beds" shall mean] *DHS stabilization beds. The term "DHS stabilization beds" means city-administered facilities that provide a short-term housing option for a [chronic] street homeless individual while such individual works with his/her outreach team to locate a more permanent housing option;*

[(11) "DHS veterans shelters" shall mean] *DHS veterans shelters. The term "DHS veterans shelters" means city-administered facilities that provide short-term housing for people who actively served in the United States military;*

[(12) "DYCD" shall mean] *DYCD. The term "DYCD" means the department of youth and community development;*

[(13) "DYCD-administered crisis shelters" shall mean] *DYCD-administered runaway and homeless youth crisis services programs. The term "DYCD-administered runaway and homeless youth crisis services programs" means city-administered facilities that provide short-term emergency housing for runaway and homeless youth and are managed by a provider under contract or similar agreement with DYCD;*

[(14) "DYCD-administered drop-in centers" shall mean] *DYCD-administered drop-in centers. The term "DYCD-administered drop-in centers" means city-administered facilities that provide runaway and homeless youth and their families with services, counseling and referrals from trained youth workers;*

[(15) "DYCD-administered facilities" shall mean] *DYCD-administered facilities. The term "DYCD-administered facilities" means city-administered facilities managed by a provider under contract or similar agreement with DYCD;*

[(16) "DYCD-administered transitional independent living facilities" shall mean] *DYCD-administered transitional independent living support programs. The term "DYCD-administered transitional independent living support programs" means city-administered facilities that provide long-term residential services to runaway and homeless youth for up to 18 months and are managed by a provider under contract or similar agreement with DYCD;*

Empire state supportive housing initiative. The term "empire state supportive housing initiative" means the state supportive housing services and operating program;

[(17) "Families with children" shall mean] *Families with children. The term “families with children” means families with children under the age of 18, couples including at least one pregnant woman, single pregnant women, or parents or grandparents with a pregnant individual;*

HASA. The term “HASA” means the HIV/AIDS services administration within HRA;

HDC. The term “HDC” means the housing development corporation;

Homeless youth. The term “homeless youth” means individuals under the age of 18 experiencing homelessness who are not in the physical custody of a parent or guardian or individuals aged 18 to 24 who are experiencing homelessness;

Housing New York. The term “Housing New York” means the city’s affordable housing plan and any subsequent iteration of such plan;

[(18) "HPD" shall mean] *HPD. The term “HPD” means the department of housing preservation and development;*

[(19) "HPD-administered facilities" shall mean] *HPD-administered facilities. The term “HPD-administered facilities” means city-administered facilities managed by a provider under contract or similar agreement with HPD;*

[(20) "HPD emergency facilities" shall mean] *HPD emergency facilities. The term “HPD emergency facilities” means shelters providing emergency shelter managed by a provider under contract or similar agreement with HPD;*

[(21) "HPD emergency hotels" shall mean] *HPD emergency hotels. The term “HPD emergency hotels” means hotels managed by a provider under contract or similar agreement with HPD providing emergency shelter to individuals or families displaced from their homes [managed by a provider under contract or similar agreement with HPD] by emergencies, such as fire or flooding, or city-issued vacate orders;*

[(22) "HRA" shall mean] *HRA. The term “HRA” means the human resources administration;*

[(23) "HRA-administered facilities" shall mean] *HRA-administered facilities. The term “HRA-administered facilities” means city-administered facilities managed directly by HRA or by a provider under contract or similar agreement with HRA, excluding non-emergency supportive housing;*

[(24) "HRA domestic violence shelters" shall mean] *HRA domestic violence shelters. The term “HRA domestic violence shelters” means shelters for victims of domestic violence managed directly by HRA or by a provider under contract or similar agreement with HRA;*

[(25) "HRA HASA emergency housing" shall mean] *HRA HASA emergency housing. The term “HRA HASA emergency housing” means single room occupancy hotels managed by a provider under contract or similar agreement with HRA to provide emergency shelter for recipients of services from the HIV/AIDS Services Administration;*

[(26) "HRA HASA transitional housing" shall mean] *HRA HASA transitional housing. The term “HRA HASA transitional housing” means congregate facilities managed by a provider under contract or similar agreement with HRA to provide emergency shelter for recipients of services from the HIV/AIDS Services Administration; [and; and]*

JISH. The term “JISH” means the city’s justice-involved supportive housing program;

Mandatory inclusionary housing. The term “mandatory inclusionary housing” means the affordable housing units as defined in section 23-911 of the zoning resolution of the city of New York that are created pursuant to the city program requiring permanently affordable housing when developers build in a mandatory inclusionary housing area as defined in section 12-10 of such zoning resolution, whether rezoned as part of a city neighborhood plan or a private rezoning application in accordance with such zoning resolution;

New York city 15/15. The term “New York city 15/15” means the New York city 15/15 supportive housing program that is financed with city funds and administered by the city;

New York/New York. The term “New York/New York” means the New York/New York supportive housing programs that are jointly financed and administered by the city and state;

Other affordable housing. The term “other affordable housing” means affordable housing consisting of 421-a affordable housing, Housing New York, mandatory inclusionary housing and NYCHA public housing;

Rental subsidy. The term “rental subsidy” means financial assistance provided by the department of social services for the purpose of paying a recipient’s rent on an ongoing basis including, but not limited to, the city fighting homelessness and eviction prevention supplement, the special one-time assistance program, the fair market rent pilot program subsidy, the family homelessness and eviction prevention supplements, the home

tenant-based rental assistance program, and any successor program to the foregoing programs. The term “rental subsidy” also includes federal rental assistance pursuant to the section 8 project-based rental assistance program, or any successor program, or any programs under the United States housing act of 1937, as amended, providing rental assistance for the purpose of paying a recipient’s rent;

Short-term reentry housing. The term “short-term reentry housing” means JISH and any facility managed directly by the mayor’s office of criminal justice or by a provider under contract or similar agreement with the mayor’s office of criminal justice;

Supportive housing. The term “supportive housing” means the empire state supportive housing initiative, federal department of housing and urban development and veterans administration supportive housing, HASA supportive housing, JISH, New York city 15/15, and New York/New York; and

[(27) "Unduplicated" shall mean] *Unduplicated. The term “unduplicated” means counted only once within the reporting period.*

b. Reports of citywide utilization data. [The mayor's office of operations shall create a portal on the NYCStat page of the city’s website, or any successor pages of such website that are substantially similar in form and function, in order to publish citywide data regarding the utilization of city-administered facilities.] Commencing on November 1, 2011, and no later than the first day of each month thereafter, the mayor's office of operations shall for each month, calendar year and fiscal year [publish via such portal the] *post the following information, if known, on its website and the single web portal established pursuant to section 23-502, provided that any information listed in this subdivision that was not required to be included in reports commencing on November 1, 2011, shall be included in reports commencing on July 1, 2023:*

[(1)] *1. the average daily overnight census[for each of the following categories:*

- A. DHS drop-in centers, disaggregated by single men, single women and total single adults; and
- B. DHS faith-based facilities, disaggregated by single men, single women and total single adults.

(2) *average daily overnight census; and,*

(3) *number of unduplicated persons or families utilizing city-administered facilities for each of the following categories:], disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults; and*

2. the total number of individuals utilizing city-administered facilities for each of the following categories:

[C.] *(a) all DHS-administered facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;*

[D.] *(b) short-term reentry housing, disaggregated by single men, single women, total homeless youth and total single adults;*

(c) DHS drop-in centers, disaggregated by single men, single women, total homeless youth and total single adults;

(d) DHS faith-based facilities, disaggregated by single men, single women, total homeless youth and total single adults;

(e) DHS safe havens, disaggregated by single men, single women, total homeless youth and total single adults;

[E.] *(f) DHS stabilization beds, disaggregated by single men, single women, total homeless youth and total single adults;*

[F.] *(g) DHS veterans shelters, disaggregated by single men, single women and total single adults;*

[G.] *(h) JISH housing, disaggregated by single men, single women, and total single adults;*

(i) HPD-administered facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women, total homeless youth and total single adults;

[H.] *(j) HPD emergency facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;*

[I.] *(k) HPD emergency hotels, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults, as feasible;*

[J.] *(l) HRA-administered facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;*

[K.] *(m) HRA domestic violence shelters, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;*

[L.] (n) HRA domestic violence Tier II/transitional shelters, disaggregated by families with children, adult families, total families, total adults in families, and total children;

(o) HRA HASA emergency housing, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

[M.] (p) HRA HASA transitional housing, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults; [and]

(q) DYCD-administered facilities, disaggregated by families with children, total families, total adults in families, homeless youth, total children, single men, single women and total single adults;

(r) DYCD-administered crisis services programs, disaggregated by families with children, total families, total adults in families, homeless youth, total children, single men, single women and total single adults;

(s) DYCD-administered drop-in centers, disaggregated by families with children, total families, total adults in families, homeless youth, total children, single men, single women and total single adults;

(t) DYCD-administered transitional independent living support programs, disaggregated by families with children, total families, total adults in families, homeless youth, total children, single men, single women and total single adults; and

[N.] (u) all city-administered facilities, [excluding DYCD-administered facilities,] disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults.

[(4) average monthly utilization rates; and (5) number of unduplicated persons or families utilizing city-administered facilities for each of the following categories:

A. DYCD-administered facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

B. DYCD-administered crisis shelters, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults;

C. DYCD-administered drop-in centers, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults; and

D. DYCD-administered transitional independent living facilities, disaggregated by families with children, adult families, total families, total adults in families, total children, single men, single women and total single adults.

[(6)] 3. the number of individuals who are on wait-lists for DYCD-administered facilities, to the extent such wait-lists exist, disaggregated by:

[A.] (a) type of DYCD-administered facility; and

[B.] (b) families with children, adult families, total families, *homeless youth*, single men, single women, and total single adults.

[(7)] 4. the average length of stay, disaggregated by:

[A.] (a) families with children, adult families, total families, *homeless youth*, single men, single women, and total single adults;

[B.] (b) type of DHS-administered facility, excluding DHS drop-in centers and DHS faith-based beds;

[C.] (c) type of DYCD-administered facility, excluding DYCD-administered drop-in centers;

[D.] (d) type of HPD-administered facility; and

[E.] (e) type of HRA-administered facility.

[(8)] 5. the total number of facilities, disaggregated by DHS-administered facilities and facilities not administered by DHS.

c. Application and entrance data. Commencing on November 1, 2011, and no later than the first day of each month thereafter, the mayor's office of operations shall for each month, calendar year and fiscal year [publish in] *post on* the same location on [the NYCStat] *its* website as the data posted pursuant to subdivision b of this section, the following data for those seeking admission and entrance to DHS-administered shelter facilities, *provided that any information listed in this subdivision that was not required to be included in reports commencing on November 1, 2011, shall be included in reports commencing on July 1, 2023:*

[(1)] 1. the total number of:

[A.] (a) applications;

[B.] (b) unduplicated applicants;

[C.] (c) applicants found eligible for shelter;

- [D.] (d) entrants to [DHS administered] *DHS-administered* facilities; and
- [E.] (e) unduplicated entrants to DHS-administered facilities. The data required by subparagraphs [A, B, C, D and E] (a), (b), (c), (d) and (e) of this paragraph shall be disaggregated by families with children, adult families, total families, single men, single women, *anyone of another gender*, and total single adults;
- [(2)] 2. the number of families with children found eligible for city-administered facilities;
 - [(3)] 3. the percentage of eligible families with children who submitted one application;
 - [(4)] 4. the percentage of eligible families with children who submitted two applications;
 - [(5)] 5. the percentage of eligible families with children who submitted three applications;
 - [(6)] 6. the percentage of eligible families with children who submitted four applications;
 - [(7)] 7. the percentage of eligible families with children who submitted five applications;
 - [(8)] 8. the percentage of eligible families with children who submitted six applications or more;
 - [(9)] 9. the number of adult families found eligible for city-administered facilities;
 - [(10)] 10. the percentage of eligible adult families who submitted one application;
 - [(11)] 11. the percentage of eligible adult families who submitted two applications;
 - [(12)] 12. the percentage of eligible adult families who submitted three applications;
 - [(13)] 13. the percentage of eligible adult families who submitted four applications;
 - [(14)] 14. the percentage of eligible adult families who submitted five applications; and
 - [(15)] 15. the percentage of eligible adult families who submitted six applications or more.

d. The data required [to be published in] *pursuant to* subdivisions b and c [above] *of this section* shall be [published] *posted* electronically on the portal specified in subdivision b [in a commonly available non-proprietary database format that is suitable for analysis].

e. *Commencing on July 1, 2023, for each month, the report required pursuant to this section shall include a cover page that lists the total number of persons utilizing all city-administered facilities listed in subdivision b of this section in the following forms:*

1. *a point-in-time snapshot of the last day of the relevant month that is a total of every person who stayed overnight in a city-administered facility on that night;*
2. *a point-in-time snapshot of the last day of the relevant month that is a total of every person who stayed in a DHS-administered facility;*
3. *a point-in-time snapshot of the last day of the relevant month that is a total of every person who stayed in an HPD-administered facility;*
4. *a point-in-time snapshot of the last day of the relevant month that is a total of every person who stayed in an HRA-administered facility;*
5. *a point-in-time snapshot of the last day of the relevant month that is a total of every person who stayed in a DYCD-administered residential facility, excluding DYCD-administered drop-in centers;*
6. *a monthly average of the number of people in all city-administered facilities as a single total; and*
7. *the total number of unduplicated individuals and household types and vacancies across all systems over the course of the monthly reporting period.*

f. *Commencing on July 1, 2023, the cover page required in subdivision e of this section shall additionally include the total number of persons utilizing all city-administered facilities listed in subdivision b of this section, disaggregated by the number of adults and children under the age of 18 and the number of families with children, adult families, single men and single women.*

g. *Reporting on exits from city-administered facilities. Commencing on July 1, 2023, and no later than the first day of each month thereafter, the mayor's office of operations, for each month, calendar year and fiscal year, shall report to the speaker of the council and post on the mayor's office of operations website, disaggregated information, if known, regarding the number of families with children, adult families, single adults who have not returned within two monthly reporting cycles, and runaway and homeless youth from city-administered residential facilities that exited DHS-administered facilities, DYCD-administered residential facilities, HPD-administered facilities and HRA-administered facilities and entered into the following types of housing:*

1. *Supportive housing;*
2. *City-financed homeless set-aside units, disaggregated by, units financed jointly by HPD and HDC under Housing New York, HDC set-aside units financed under Housing New York, and HPD set-aside units financed under Housing New York;*

3. Section 8 voucher housing, disaggregated by NYCHA, HPD and New York state homes and community renewal, and further disaggregated by project-based or tenant-based vouchers;
 4. Other affordable housing, disaggregated by 421-a affordable housing, Housing New York, mandatory inclusionary housing and other housing;
 5. A private rental market apartment with a rental subsidy, disaggregated by the type of such subsidy;
 6. Private housing that is not an entire apartment with a rental subsidy, disaggregated by a private room and an unsubsidized single-room occupancy that is not supportive housing;
 7. A private rental market apartment with no rental subsidy, including those moving out of state;
 8. Transitional housing operated by or under contract or similar agreement with DHS, DYCD, HPD, United States department of housing and urban development or HRA;
 9. Discharges to settings with higher levels of medical care, disaggregated by inpatient hospitalization, medical rehabilitation centers, medical respite care and long-term care facilities;
 10. Residential drug treatment and detoxification;
 11. Housing of friends or family;
 12. Unknown or unable to validate;
 13. Rapid re-housing funded by the United States department of housing and urban development; and
 14. Moved back to vacated building;
- h. Reporting on financing, starts and completions of permanent housing for those exiting city-administered facilities. Commencing on July 1, 2023, and no later than each month thereafter, the mayor's office of operations for each month, calendar year and fiscal year, shall report to the speaker of the council and post on the mayor's office of operations website, unduplicated information regarding the financings, starts and completions of the following permanent housing or subsequent iterations of such housing, set aside for individuals or families experiencing homelessness:
1. Newly constructed supportive housing units, disaggregated by service contracts funded by empire state supportive housing initiative, federal department of housing and urban development and veterans administration, HRA HASA, JISH, New York city 15/15, New York/New York and any other category the mayor's office deems appropriate; and
 2. Newly constructed city-financed homeless set-aside units, disaggregated by units financed jointly by HPD and HDC under Housing New York, HDC set-aside units financed under Housing New York and HPD set-aside units financed under Housing New York.
- i. No information that is required to be reported pursuant to this section shall be reported if it would violate any applicable provision of federal, state or local law relating to the privacy, confidentiality, use or disclosure of that information.
- j. If a category contains between one to nine households, or allows another category to be narrowed to be between one to nine households, the number shall be replaced with a symbol. A category that contains zero shall be reported as zero.
- § 2. This local law takes effect immediately.

DIANA I. AYALA, Chairperson; KEVIN C. RILEY, CRYSTAL HUDSON, LINDA LEE, CHI A. OSSÉ, LINCOLN RESTLER, SANDRA UNG, NANTASHA M. WILLIAMS; 8-0-0; Absent: Tiffany Cabán and Althea V. Stevens; Committee on General Welfare, July 13, 2022 (Hybrid Hearing).

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

Report of the Committee on Land Use

Report for L.U. No. 45

Report of the Committee on Land Use in favor of approving Application number G 220012 XAM (34 Morningside Avenue Cluster) submitted by the New York City Department of Housing Preservation and Development (HPD) pursuant to Article 16 of the General Municipal Law and Article XI of the Private Housing Finance Law, requesting approval of an Urban Development Action Area Project, waiver of the designation requirement of Section 693 of the General Municipal Law and waiver of the requirements of Charter Sections 197-c and 197-d, and approval of an exemption from real property taxation for properties located at 494 Manhattan Avenue (Block 1947, Lot 118), 321 West 116 Street (Block 1943, Lot 18), 231 West 116 Street (Block 1922, Lot 14), 357 West 115 Street (Block 1849, Lot 27), and 34 Morningside Avenue (Block 1944, Lot 4), Borough of Manhattan, Community District 10, Council District 9.

The Committee on Land Use, to which the annexed Land Use item was referred on April 28, 2022 (Minutes, page 844) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

MANHATTAN CB - 10

G 220012 XAM

Application submitted by the New York City Department of Housing Preservation and Development (HPD) pursuant to Article 16 of the General Municipal Law and Article XI of the Private Housing Finance Law, requesting approval of an Urban Development Action Area Project, waiver of the designation requirement of Section 693 of the General Municipal Law and waiver of the requirements of Charter Sections 197-c and 197-d, and approval of an exemption from real property taxation for properties located at 494 Manhattan Avenue (Block 1947, Lot 118), 321 West 116 Street (Block 1943, Lot 18), 231 West 116 Street (Block 1922, Lot 14), 357 West 115 Street (Block 1849, Lot 27), and 34 Morningside Avenue (Block 1944, Lot 4), Borough of Manhattan, Community District 10, Council District 9.

INTENT

To approve the Project as an Urban Development Action Area Project and a real property tax exemption pursuant to Article XI of the Private Housing Finance Law and Section 696 of the General Municipal Law for the project will provide approximately sixty-seven (67) affordable cooperative dwelling units and approximately four storefront commercial spaces.

PUBLIC HEARING

DATE: May 11, 2022

Witnesses in Favor: Eleven

Witnesses Against: Eight

SUBCOMMITTEE RECOMMENDATION**DATE:** July 11, 2022

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

In Favor:

Louis
Feliz
De La Rosa
Marte
Nurse
Ung

Against:**Abstain:****COMMITTEE ACTION****DATE:** July 11, 2022

The Committee recommends that the Council approve the attached resolution.

In Favor:

Salamanca
Moya
Rivera
Riley
Brooks-Powers
Kagan
Krishnan
Sanchez
Borelli

Against:

None

Abstain:

None

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

Res. No. 261

Resolution approving an Urban Development Action Area Project and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure pursuant to Article 16 of the General Municipal Law, and approving a real property tax exemption pursuant to Article XI of the Private Housing Finance Law for property located at 494 Manhattan Avenue (Block 1947, Lot 118), 321 West 116 Street (Block 1943, Lot 18), 231 West 116 Street (Block 1922, Lot 14), 357 West 115 Street (Block 1849, Lot 27), and 34 Morningside Avenue (Block 1944, Lot 4), Borough of Manhattan, Community District 10 (Preconsidered L.U. No. 45; G 220012 XAM).

By Council Members Salamanca and Louis.

WHEREAS, the New York City Department of Housing Preservation and Development ("HPD") submitted to the Council on March 17, 2022 its request dated March 17, 2022 that the Council take the following actions regarding the proposed Urban Development Action Area Project (the "Project") located at 494 Manhattan Avenue (Block 1947, Lot 118), 321 West 116 Street (Block 1943, Lot 18), 231 West 116 Street (Block 1922, Lot 14), 357 West 115 Street (Block 1849, Lot 27), and 34 Morningside Avenue (Block 1944, Lot 4), Community District 10, Borough of Manhattan (the "Disposition Area or Exemption Area"):

1. Find that the present status of the Disposition Area tends to impair or arrest the sound growth and development of the municipality and that the proposed Urban Development Action Area Project is consistent with the policy and purposes of Section 691 of the General Municipal Law;
2. Waive the area designation requirement of Section 693 of the General Municipal Law pursuant to Section 693 of the General Municipal Law;
3. Waive the requirements of Sections 197-c and 197-d of the Charter pursuant to Section 694 of the General Municipal Law;
4. Approve the project as an Urban Development Action Area Project pursuant to Section 694 of the General Municipal Law; and
5. Approve an exemption of the Exemption Area from real property taxes pursuant to Section 577 of Article XI of the Private Housing Finance Law.

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

WHEREAS, upon due notice, the Council held a public hearing on the Project on May 11, 2022;

WHEREAS, by letter dated July 8, 2022 HPD committed that for 34 Morningside Ave, and for any building where the residents do not wish to move forward with the Affordable Neighborhood Cooperative Program and it is determined that removal from the cluster is the best available alternative, then within approximately 60 days from the full Council approval HPD will remove that building from the cluster and work with the residents to determine next steps (the "Comittment Letter"); and

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

RESOLVED:

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

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

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

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

The Project shall be developed in a manner consistent with the Project Summary that HPD has submitted to the Council on March 17, 2022, a copy of which is attached hereto.

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

- a. For the purposes hereof, the following terms shall have the following meanings:
 - a. All of the value of the property in the Disposition Area, including both the land and any improvements (excluding those portions, if any, devoted to business, commercial use or community facility use), shall be exempt from real property taxation, other than assessments for local improvements, for a period commencing upon the later of (i) the date of conveyance of the Disposition Area to the Sponsor, or (ii) the date that HPD and the Sponsor enter into a regulatory agreement governing the operation of the Disposition Area ("Effective Date") and terminating upon the earlier to occur of (i) a date which is forty (40) years from the Effective Date, (ii) the date of the expiration or termination of the regulatory agreement between HPD and the Sponsor, or (iii) the date upon which the Disposition Area ceases to be owned by either a housing development fund company or an entity wholly controlled by a housing development fund company ("Expiration Date").
 - b. Notwithstanding any provision hereof to the contrary, the exemption from real property taxation provided hereunder ("Exemption") shall terminate if HPD determines at any time that (i) the Disposition Area is not being operated in accordance with the requirements of Article XI of the Private Housing Finance Law, (ii) the Disposition Area is not being operated in accordance with the requirements of the regulatory agreement between HPD and the Sponsor, (iii) the Disposition Area is not being operated in accordance with the requirements of any other agreement with, or for the benefit of, the City of New York, or (iv) the demolition of any private or multiple dwelling on the Disposition Area has commenced without the prior written consent of HPD. HPD shall deliver written notice of any such determination to the owner of the Disposition Area and all mortgagees of record, which notice shall provide for an opportunity to cure of not less than sixty (60) days. If the noncompliance specified in such notice is not cured within the time period specified herein, the Exemption shall prospectively terminate.
 - c. In consideration of the Exemption, the Sponsor and any future owner of the Disposition Area, for so long as the Exemption shall remain in effect, shall waive the benefits, if any, of any additional or concurrent exemption from or abatement of real property taxation which may be authorized under any existing or future local, state or federal law, rule or regulation. Notwithstanding the foregoing, nothing herein shall prohibit the granting of any real property tax abatement pursuant to Sections 467-b or 467-c of the Real Property Tax Law to real property occupied by senior citizens or persons with disabilities.

ATTACHMENT:

PROJECT SUMMARY

- 1. PROGRAM:** AFFORDABLE NEIGHBORHOOD COOPERATIVE PROGRAM
- 2. PROJECT:** 34 Morningside Avenue Cluster
- 3. LOCATION:**
- a. BOROUGH:** Manhattan
- b. COMMUNITY DISTRICT:** 10
- c. COUNCIL DISTRICT:** 9
- d. DISPOSITION AREA:**
- | <u>BLOCK</u> | <u>LOT</u> | <u>ADDRESS</u> |
|--------------|------------|-----------------------|
| 1947 | 118 | 494 Manhattan Avenue |
| 1943 | 18 | 321 West 116 Street |
| 1922 | 14 | 231 West 116 Street |
| 1849 | 27 | 357 West 115 Street |
| 1944 | 4 | 34 Morningside Avenue |
- 4. BASIS OF DISPOSITION PRICE:** Nominal (\$1.00 per building). The Sponsor will also deliver a note and mortgage for the remainder of the appraised value (“Land Debt”). For a period of up to sixty (60) years, the Land Debt or the City’s capital subsidy may be repayable out of resale or refinancing profits. The remaining balance, if any, may be forgiven in the final year of that period.
- 5. TYPE OF PROJECT:** Rehabilitation
- 6. APPROXIMATE NUMBER OF BUILDINGS:** 5 Multiple Dwellings
- 7. APPROXIMATE NUMBER OF UNITS:** 67 Dwelling Units
- 8. HOUSING TYPE:** Cooperative. If units remain unsold at the end of the marketing period and HPD determines in writing that (i) sale is not feasible within a reasonable time, and (ii) a rental fallback is the best available alternative, then Sponsor may operate the building as rental housing in accordance with the written instructions of HPD.
- 9. ESTIMATE OF INITIAL PRICE:** The cooperative interests attributable to occupied apartments will be sold to the existing tenants for \$2,500 per apartment. The cooperative interests attributable to vacant apartments will be sold for a price affordable to families earning no more than 165% of the area median income

- 10. INCOME TARGETS:** The Disposition Area contains partially occupied buildings which will be sold subject to existing tenancies. After sale, units must be resold in compliance with federal regulations, where applicable. Units not subject to such regulation may be resold to purchasers with annual household incomes up to 165% of the area median income
- 11. PROPOSED FACILITIES:** Four (4) storefront commercial spaces; one (1) at 494 Manhattan Avenue, two (2) at 231 West 116 Street and (1) at 321 West 116 Street
- 12. PROPOSED CODES/ORDINANCES:** None
- 13. ENVIRONMENTAL STATUS:** Type II
- 14. PROPOSED TIME SCHEDULE:** Approximately 36 months from closing to cooperative conversion.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ARI KAGAN, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Kamillah Hanks, Farah N. Louis, and Darlene Mealy; 9-0-0; Committee on Land Use, July 11, 2022 (Hybrid Hearing).

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

Report for L.U. No. 67

Report of the Committee on Land Use in favor of approving, as modified, Application number C 220232 ZMQ (Resilient Edgemere Community Initiative) submitted by the Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 30c and 31a, eliminating from within an existing R4 District a C1-2 District; eliminating from within an existing R4 District, a C2-2 District; eliminating from within an existing R5 District a C1-2; changing from an R4 District to an R3A District; changing from an R4-1 District to an R3A District; changing from an R4 District to an R4-1 District; changing from an R4 District to an R6A District; changing from an R5 District to an R6A District; changing from a C8-1 District to an R6A District; changing from a C3 District to an C3A District; establishing within an existing R4 District a C2-4 District; establishing within a proposed R6A District a C2-4 District; establishing a Special Coastal Risk District (CR), Borough of Queens, Community District 14, Council District 31.

The Committee on Land Use, to which the annexed Land Use item was referred on June 2, 2022 (Minutes, page 1373), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 67 & Res. No. 272 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ARI KAGAN, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Kamillah Hanks, Farah N. Louis, and Darlene Mealy; 9-0-0; Committee on Land Use, July 11, 2022 (Hybrid Hearing).

Approved with Modifications and Referred to the City Planning Commission pursuant to Section 197-(d) of the New York City Charter.

Report for L.U. No. 68

Report of the Committee on Land Use in favor of approving, as modified, Application number N 220233 ZRQ (Resilient Edgemere Community Initiative) submitted by the Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XIII, Chapter 7 (Special Coastal Risk District) to establish the Edgemere Special Coastal Risk District, and modifying APPENDIX F to establish Mandatory Inclusionary Housing areas, Borough of Queens, Community District 14, Council District 31.

The Committee on Land Use, to which the annexed Land Use item was referred on June 2, 2022 (Minutes, page 1373), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 67 & Res. No. 272 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ARI KAGAN, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Kamillah Hanks, Farah N. Louis, and Darlene Mealy; 9-0-0; Committee on Land Use, July 11, 2022 (Hybrid Hearing).

Approved with Modifications and Referred to the City Planning Commission pursuant to Section 197-(d) of the New York City Charter.

Report for L.U. No. 69

Report of the Committee on Land Use in favor of approving, as modified, Application number C 220235 PPQ (Resilient Edgemere Community Initiative) submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 197-c of the New York City Charter, for the disposition of city owned properties for uses identified in the Edgemere Urban Renewal Plan, Borough of Queens, Community District 14, Council District 31.

The Committee on Land Use, to which the annexed Land Use item was referred on June 2, 2022 (Minutes, page 1373), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 67 & Res. No. 272 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ARI KAGAN, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Kamillah Hanks, Farah N. Louis, and Darlene Mealy; 9-0-0; Committee on Land Use, July 11, 2022 (Hybrid Hearing).

Approved with Modifications and Referred to the City Planning Commission pursuant to Section 197-(d) of the New York City Charter.

Report for L.U. No. 70

Report of the Committee on Land Use in favor of approving Application number C 220236 HAQ (Resilient Edgemere Community Initiative) submitted by the Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and an Urban Development Action Area Project for such area, and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, to facilitate the development of approximately 1,222 residential housing units, and commercial, community facility and open space on property located at (Block 15852, Lots 64 and 68); (Block 15851, Lots 33, 35, 40, 42, 44, 58, and 59); (Block 15850, Lot 6); (Block 15849, Lots 6, 8, 9, 10, 17, 18, 19, 20, 27, 28, and 29); (Block 15848, Lots 52, 54, 55, 57, 58, 60, 62, 63, 65, and 67), (Block 15847, Lots 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, and 89), the demapped roadbed of Beach 43rd Street between Blocks 15852 and 15851 and the demapped roadbed of Beach 39th Street between Blocks 15848 and 15849, Borough of Queens, Community District 14, Council District 31.

The Committee on Land Use, to which the annexed Land Use item was referred on June 2, 2022 (Minutes, page 1374), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 67 & Res. No. 272 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ARI KAGAN, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Kamillah Hanks, Farah N. Louis, and Darlene Mealy; 9-0-0; Committee on Land Use, July 11, 2022 (Hybrid Hearing).

Approved with Modifications and Referred to the City Planning Commission pursuant to Section 197-(d) of the New York City Charter.

Report for L.U. No. 71

Report of the Committee on Land Use in favor of approving Application number C 220237 HUQ (Resilient Edgemere Community Initiative) submitted by the Department of Housing Preservation and Development pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the second amendment to the Edgemere Urban Renewal Plan, Borough of Queens, Community District 14, Council District 31.

The Committee on Land Use, to which the annexed Land Use item was referred on June 2, 2022 (Minutes, page 1374), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 79 & Res. No. 277 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ARI KAGAN, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Kamillah Hanks, Farah N. Louis, and Darlene Mealy; 9-0-0; Committee on Land Use, July 11, 2022 (Hybrid Hearing).

Approved with Modifications and Referred to the City Planning Commission pursuant to Section 197-(d) of the New York City Charter.

Report for L.U. No. 78

. Report of the Committee on Land Use in favor of approving Application number C 200317 ZMK (41 Summit Street Rezoning) submitted by 41 Summit Street, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 16a, changing from an M1-1 District to an R6B District, Borough of Brooklyn, Community District 6, Council District 39.

The Committee on Land Use, to which the annexed Land Use item was referred on June 16, 2022 (Minutes, page 1571) and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:**SUBJECT****BROOKLYN CB - 6****C 200317 ZMK**

City Planning Commission decision approving an application submitted by 41 Summit Street, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 16a, changing from an M1-1 District to an R6B District property bounded by a line midway between Carroll Street and Summit Street, a line 350 feet northwesterly of Columbia Street, Summit Street, and a line 380 feet northwesterly of Columbia Street, Borough of Brooklyn, Community District 6, as shown on a diagram (for illustrative purposes only) dated January 18, 2022, and subject to the conditions of CEQR Declaration E-658.

INTENT

To approve the amendment to rezone the Project Area from an M1-1 zoning district to an R6B zoning district to facilitate the development of a four-story residential building at 41 Summit Street (Block 352, Lot 60), in the Columbia Street Waterfront neighborhood of Brooklyn, Community District 6.

PUBLIC HEARING**DATE:** June 14, 2022**Witnesses in Favor:** One**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** July 11, 2022

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission.

In Favor:

Riley
Moya
Louis
Abreu

Against:

None

Abstain:

None

Schulman
Carr

COMMITTEE ACTION

DATE: July 11, 2022

The Committee recommends that the Council approve the attached resolution.

In Favor:	Against:	Abstain:
Salamanca	None	None
Moya		
Rivera		
Riley		
Brooks-Powers		
Kagan		
Krishnan		
Sanchez		
Borelli		

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

Res. No. 262

Resolution approving the decision of the City Planning Commission on ULURP No. C 200317 ZMK, a Zoning Map amendment (Preconsidered L.U. No. 78).

By Council Members Salamanca and Riley.

WHEREAS, 41 Summit Street, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16a, changing from an M1-1 District to an R6B District, which would facilitate the development of a four-story residential building at 41 Summit Street (Block 352, Lot 60), in the Columbia Street Waterfront neighborhood of Brooklyn, Community District 6 (ULURP No. C 200317 ZMK) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on June 13, 2022 its decision dated June 8, 2022 (the "Decision") on the Application;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 14, 2022;

WHEREAS, the Council has considered the land use and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued January 18th, 2022 (CEQR No. 21DCP005K) (the “Negative Declaration”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 200317 ZMK incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 16a, changing from an M1-1 District to an R6B District property bounded by a line midway between Carroll Street and Summit Street, a line 350 feet northwesterly of Columbia Street, Summit Street, and a line 380 feet northwesterly of Columbia Street, Borough of Brooklyn, Community District 6, as shown on a diagram (for illustrative purposes only) dated January 18, 2022, and subject to the conditions of CEQR Declaration E-658.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ARI KAGAN, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Kamillah Hanks, Farah N. Louis, and Darlene Mealy; 9-0-0; Committee on Land Use, July 11, 2022 (Hybrid Hearing).

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

Report for L.U. No. 79

Report of the Committee on Land Use in favor of approving, as modified, Application number C 210128 ZMQ (77 – 39 Vleigh Place Rezoning) submitted by VP Capital Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 14c, eliminating from within an existing R3-2 District a C1-2 District, changing from an R3-2 District to an R6A District, and establish within the proposed R6A District a C2-3 District, Borough of Queens, Community District 8, Council District 24.

The Committee on Land Use, to which the annexed Land Use item was referred on June 16, 2022 (Minutes, page 1572), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 79 & Res. No. 277 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 29, 2022 (Remote Hearing).

Approved with Modifications and Referred to the City Planning Commission pursuant to Section 197-(d) of the New York City Charter.

Report for L.U. No. 80

Report of the Committee on Land Use in favor of approving, as modified, Application number N 210129 ZRQ (77 – 39 Vleigh Place Rezoning) submitted by VP Capital Holdings, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 8, Council District 24.

The Committee on Land Use, to which the annexed Land Use item was referred on June 16, 2022 (Minutes, page 1572), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 79 & Res. No. 277 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 29, 2022 (Remote Hearing).

Approved with Modifications and Referred to the City Planning Commission pursuant to Section 197-(d) of the New York City Charter.

Report for L.U. No. 81

Report of the Committee on Land Use in favor of approving, as modified, Application number C 210234 ZMQ (11th Street & 34th Avenue Rezoning) submitted by JPP 33rd Street, LLC and Lily & John Realty Inc., pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9a, changing from an R5 District to an M1-5/R6A District and establishing a Special Mixed Use District (MX-23), Borough of Queens, Community District 1, Council District 26.

The Committee on Land Use, to which the annexed Land Use item was referred on June 16, 2022 (Minutes, page 1572), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 81 & Res. No. 279 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 29, 2022 (Remote Hearing).

Approved with Modifications and Referred to the City Planning Commission pursuant to Section 197-(d) of the New York City Charter.

Report for L.U. No. 82

Report of the Committee on Land Use in favor of approving, as modified, Application number N 210235 ZRQ (11th Street & 34th Avenue Rezoning) submitted by JPP 33rd Street, LLC and Lily & John Realty Inc., pursuant to Section 201 of the New York City Charter for an amendment to the Zoning City of New York, modifying provisions of Article XII, Chapter 3 (Special Mixed Use District) and APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 1, Council District 26.

The Committee on Land Use, to which the annexed Land Use item was referred on June 16, 2022 (Minutes, page 1573), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 81 & Res. No. 279 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 29, 2022 (Remote Hearing).

Approved with Modifications and Referred to the City Planning Commission pursuant to Section 197-(d) of the New York City Charter.

Report for L.U. No. 83

Report of the Committee on Land Use in favor of approving, as modified, Application number C 210375 ZMQ (Wetherole Street and 67th Avenue Rezoning) submitted by Novel Medicine, P.C., pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 14a, changing from an R4B District to an R6A District, Borough of Queens, Community District 6, Council District 29.

The Committee on Land Use, to which the annexed Land Use item was referred on June 16, 2022 (Minutes, page 1573), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 83 & Res. No. 281 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 29, 2022 (Remote Hearing).

Approved with Modifications and Referred to the City Planning Commission pursuant to Section 197-(d) of the New York City Charter.

Report for L.U. No. 84

Report of the Committee on Land Use in favor of approving, as modified, Application number N 210376 ZRQ (Wetherole Street and 67th Avenue Rezoning) submitted by Novel Medicine, P.C., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 6, Council District 29.

The Committee on Land Use, to which the annexed Land Use item was referred on June 16, 2022 (Minutes, page 1573), respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 83 & Res. No. 281 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 29, 2022 (Remote Hearing).

Approved with Modifications and Referred to the City Planning Commission pursuant to Section 197-(d) of the New York City Charter.

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

Report for L.U. No. 85

Report of the Committee on Land Use in favor of approving Application number G 220016 SCX (Approximately 696-Seat Primary School Facility) pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 696-seat primary school facility, located at 160 Van Cortlandt Park South (Block 3271, p/o Lot 150), Borough of the Bronx, Community District 8, Council District 11, Community School District 10.

The Committee on Land Use, to which the annexed preconsidered Land Use item was referred on July 14, 2022 and which same Land Use item was coupled with the resolution shown below, respectfully

REPORTS:

SUBJECT

BRONX CB - 8

G 220016 SCX

Application pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 696-Seat Primary School Facility located at 160 Van Cortlandt Park South (Block 3271, p/o Lot 150), Borough of the Bronx, Council District 11, Community School District 10.

INTENT

To approve the site plan for the construction of a new, approximately 696-Seat Primary School facility to accommodate students in Community School District No. 10.

PUBLIC HEARING

DATE: July 11, 2022

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: July 11, 2022

The Subcommittee recommends that the Land Use Committee approve the Site Plan.

In Favor:
Louis
Feliz
De La Rosa
Marte
Nurse
Ung

Against:
None

Abstain:
None

COMMITTEE ACTION

DATE: July 11, 2022

The Committee recommends that the Council approve the attached resolution.

In Favor:
Salamanca
Moya
Rivera
Riley
Brooks-Powers
Kagan
Krishnan
Sanchez
Borelli

Against:
None

Abstain:
None

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

Res. No. 263

Resolution approving the site plan for a new, approximately 696-Seat Primary School Facility, located at 160 Van Cortlandt Park South (Block 3271, p/o Lot 150), Community District 8, Borough of the Bronx (Non-ULURP No. G 220016 SCX; Preconsidered L.U. No. 85).

By Council Members Salamanca and Louis.

WHEREAS, the New York City School Construction Authority submitted to the Council on July 6, 2022 a site plan pursuant to Section 1732 of the New York State Public Authorities Law for a new, approximately 696-Seat Primary School Facility, located at 160 Van Cortlandt Park South (Block 3271, p/o Lot 150), Community District 8, Borough of the Bronx to accommodate students in Community School District No. 10 (the “Site Plan”);

WHEREAS, the Site Plan is subject to review and action by the Council pursuant to Section 1732 of the New York State Public Authorities Law;

WHEREAS, upon due notice, the Council held a public hearing on the Site Plan on July 11, 2022;

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued on June 22, 2022 (SEQR Project Number 22-018) (the “Negative Declaration”); and

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

RESOLVED:

The Council finds that the action described herein will have no significant effect on the environment as set forth in the Negative Declaration.

Pursuant to Section 1732 of the Public Authorities Law, the Council approves the Site Plan.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ARI KAGAN, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Kamillah Hanks, Farah N. Louis, and Darlene Mealy; 9-0-0; Committee on Land Use, July 11, 2022 (Hybrid Hearing).

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

Report of the Committee on Parks and Recreation

Report for Int. No. 480-A

Report of the Committee on Parks and Recreation in favor of approving and adopting, as amended, a Local Law in relation to the naming of 78 thoroughfares and public places, Clara Belle Place, Borough of Queens, NYPD SCG Lorraine P. Elliott Way, Borough of Queens, Juan M. Díaz Way, Borough of Manhattan, Judge Hubert T. Delany Way, Borough of Manhattan, Ritawantee “Auntie Rita” Persaud Way, Borough of Queens, Sandra Santos-Vizcaino Street, Borough of Brooklyn, Hiram Maristany Way, Borough of Manhattan, Melvin A. Faulkner Way, Borough of Brooklyn, Jose Rosado Way, Borough of Brooklyn, Frederick Law Olmsted Way, Borough of Staten Island, Firefighter James Cooney Street, Borough of Staten Island, Robert Trentlyon Way, Borough of Manhattan, Jim Houghton Way, Borough of Manhattan, Ralph Schiano’s Corner, Borough of Brooklyn, Ballet Hispánico Way, Borough of Manhattan, W. O’Brien Way, Borough of Queens, Oswald Grannum Way, Borough of Queens, Salah Hassanein Way, Borough of Queens, FDNY Lt. Joseph W. Maiello Way, Borough of Staten Island, NYPD Detective Christopher B. McDonnell Way, Borough of Staten Island, Vincent “Jimmy” Anthony Navarino Way, Borough of Staten Island, Joseph Vincent Madory Way, Borough of Staten Island, Ramona Elizabeth Rodriguez Way, Borough of Manhattan, Jason “TATA” Rivera Way, Borough of Manhattan, Victor Aurelio “Classico” Tapia Way, Borough of Manhattan, James F. Nolan Way, Borough of Manhattan, Bill Stone Way, Borough of the Bronx, Marie Reed Way, Borough of the Bronx, Detective Raymond Abear Way, Borough of Queens, Rabbi Fabian Schonfeld Way, Borough of Queens, Detective Barbara Taylor-Burnette Way, Borough of Brooklyn, Aidan Seeger Way, Borough of Brooklyn, Little Bangladesh, Borough of Brooklyn, Kenny “Scats” Scanlon Way, Borough of Staten Island, The Force MD’s Way, Borough of Staten Island, Monsignor Peter Finn Way, Borough of Staten Island, Monsignor Ferdinando Berardi Way, Borough of Staten Island, Louis Iorio Way, Borough of Queens, Captain Thomas G. Abbey Place, Borough of Queens, Mary Anne Verbil Walter Way, Borough of Queens, Msgr. Peter Zendzian Way, Borough of Queens, Eudes Pierre Way, Borough of Brooklyn, Lou’s Deli Way, Borough of Brooklyn, Frank Giordano Way, Borough of Brooklyn, Francesco LoPresti Street, Borough of Brooklyn, Dr. Sergio I. Rubio Way, Borough of Queens, Little Thailand Way, Borough of Queens, Harold Lui Way, Borough of Manhattan, Edie Windsor and Thea Spyer Way, Borough of Manhattan, Beastie Boys Square, Borough of Manhattan, Kade Ashton Tyler Lewin Way, Borough of Brooklyn, Jimmy Neary Way, Borough of Manhattan, Pujari Basdeo Mangal Way, Borough of Brooklyn, Delrawn Small Way, Borough of Brooklyn, Police Officer Raymond Harris Way, Borough of Brooklyn, SGT Firefighter Shawn E. Powell Way, Borough of Brooklyn, Bishop Marvin D. Williams, Sr. Way, Borough of Brooklyn, Police Officer Timothy Motto Way, Borough of Queens, James “Big Jim” Corcoran Way, Borough of Queens, Jane Walentas Way, Borough of Brooklyn, Rita Saunders Way, Borough of Brooklyn, Dr. May Edward Chinn Place, Borough of Manhattan, Adela Fargas Way, Borough of Manhattan, Private First Class Luis Moreno Way, Borough of the Bronx, Joseph Hennessy Way, Borough of Queens, Greg Stein Way, Borough of Queens, Venancio “Benny” Catala, Jr. Way, Borough of the Bronx, Bishop Earl W. McKay Way, Borough of the Bronx, Don Capalbi Way, Borough of Queens, Boris Talis Way, Borough of Brooklyn, Rabbi Melvin I. Burg Way, Borough of Brooklyn, Ukrainian Way, Borough of Brooklyn, Sarita Rein Way, Borough of Brooklyn, Fred Schneider Way, Borough of Brooklyn, Detective Mollie A. Gustine Way, Borough of Queens, Dharmacharya Seerattan Way, Borough of Queens, Maharshi Dayananda Gurukula Way, Borough of Queens, David and Renee Bluford Way, Borough of Queens and the repeal of section 105 of local law number 54 for the year 2022.

The Committee on Parks and Recreation, to which the annexed proposed local law was referred on June 2, 2022 (Minutes, page 1321), respectfully

REPORTS:

Comment:

On July 13, 2022, the Committee on Parks and Recreation held a hearing to vote on Int. No. 480-A which co-names seventy eight (78) thoroughfares and public places. At this hearing, the Committee voted 12 in favor, 0 opposed and 0 abstentions on the bill. The Council acts upon the authority granted in subdivision (b) of section 25-102.1 of the New York City Administrative Code which states:

- b. Unless the local law specifically provides otherwise, any local law changing the name of a street, park, playground or portion thereof, or any facility or structure, located and laid out on the city map, that bears a name indicated on the city map shall not be construed to require a change in such name as it is indicated on the city map; provided, however, that in the case of a local law changing the name of a street or portion thereof, the name added by such local law shall be posted on a sign placed adjacent to or near a sign bearing the name of such street or portion thereof indicated on the city map.

The following street name changes are not to be construed as a change in the City Map, but as additional names to be posted near or adjacent to the street or location indicated on the City Map.

Section 1. Clara Belle Place

Introduced by The Speaker, Council Member Adams

September 5, 1939 – September 18, 2010

Clara Louise Little Belle devoted twenty-five years to serving in-patient and out-patient clients and their families at Creedmore Psychiatric Center before becoming an entrepreneur and civic advocate. Ms. Belle opened her first fashion store of family apparel and accessories in Jamaica Queens and a year later opened a second one in Troy, North Carolina. As a businesswoman, she was very civic minded and founded the LPW567 Block Association and later served as the 105th Avenue and Sutphin Boulevard Neighborhood Block Association President for two and a half decades, organizing hundreds of block parties, long distance shopping and casino bus trips and holiday social events for the community. She also organized snow shoveling and spring beautification projects between the youth and the elderly. She also was a committed volunteer at PS50Q and at the community health and recreation center. Additionally, she served as an Auxiliary Officer for the 103rd NYPD Precinct and community liaison with the Queens County Civil Court Family Advocate Division. She received many awards and accolades for her social justice work.

Section 2. NYPD SCG Lorraine P. Elliott Way

Introduced by The Speaker, Council Member Adams

Died February 5, 1980

Lorraine Elliot was a devoted mother working at her post as an NYPD Crossing Guard at the extremely busy intersection of Lefferts Boulevard and Rockaway Boulevard in South Ozone Park. While crossing a group of school children, a driver became blinded by the winter sun reflecting off the snow. Ms. Elliott quickly and instinctively pushed the children into a soft snowbank near the curb and took the brunt force of the car which knocked her to the ground and caused a significant head injury. She was rushed to Jamaica Hospital, went through several hours of surgery and vegetated in a coma for 28 days before succumbing to her injuries and passing away on February 5, 1980. She was 45 years old and killed in the line of duty. As a single mother, her death left three children orphaned and wards of the state.

Section 3. Juan M. Díaz Way

Introduced by Council Member Abreu
December 13, 1903 – January 21, 2003

Juan María Díaz was born in Montecristi, Dominican Republic, on a cattle ranch owned by his parents. He was thirteen years old when the United States Occupation Forces arrived in Montecristi in 1916. Although he was too young to understand the circumstances of the occupation, he was very impressed with the efficiency and speed with which the Occupation Forces restored essential services and brought food and water, which had been in short supply. Despite his youth, he was very self-confident and a born leader. He immediately offered his services as an interpreter to the Occupation Forces in Montecristi. The commanding officers of the Occupation Forces in Montecristi were very impressed with his energy and outgoing personality. Over the months, the officers encouraged Juan María to emigrate to the United States, where they believed he could have a more promising future. They helped him with the immigration process, and he arrived in New York City on August 22, 1923, when he was 19 years old. When Rafael Leonidas Trujillo came to power, Juan María Díaz early on became very active in anti-Trujillo activities and got involved in the Dominican exiles' effort against the Trujillo's regime. Juan María never returned to the Dominican Republic while dictator Trujillo and his family ruled the country for more than 30 years. During this time, he was unable to communicate with his family and some of his brothers were jailed by Trujillo. Díaz received many death threats over those years. There were very few Dominicans in New York City when Juan María Díaz arrived in 1923. Furthermore, he didn't know any Dominicans who may have lived in the city at that time. However, he met his future wife, María Luisa Sosa, in New York City in 1925 and they were married and later had two children. His wife died in May of 1930 and he was left with two small children. A few years later he remarried and had another child. Fortunately, Juan María Díaz was well prepared and spoke English which helped him secure a position with the New York City Transit System where he remained employed until he retired. During his employment with the Transit System, he made great strides as a union organizer and civic leader, as well as an active member of the Democratic Party in New York City. His political affiliations in New York City included senior elected officials and union leaders. Juan María Díaz was also instrumental in securing support for the anti-Trujillo opposition from various members of the United States Congress, including Senator J. William Fulbright, then Chairman of the Senate Foreign Relations Committee, and various Latin American Presidents and leaders. During Trujillo's rule, Díaz was often quoted in the media and interviewed on television on issues concerning the Dominican Republic and the opposition to Trujillo. In 1930, Díaz established a fraternal organization of Dominicans living in New York City, and Dominican exiles in other countries, to organize support for the overthrow of Trujillo's dictatorship and establish democracy in the Dominican Republic. From the 1930s to the start of WWII, there were many persons in New York City who needed basic subsistence. During this period, Díaz was known as a kind and generous man who always helped those who were less fortunate than he. Juan María Díaz became an American Citizen on May 15, 1940. During WWII, he was not called to serve in the Armed Forces of the United States because he had three small children. However, he served in the National Guard and as a Block Warden, patrolling the streets each evening to ensure that all residents maintained their windows covered to ensure that apartment lights would not be visible by enemy airplanes in the night sky. In 1941, the US chapter of the Partido Revolucionario Dominicano (PRD) was founded in Díaz's home in New York City and he was elected head of the PRD in New York. Together with other PRD's political leaders (Angel Micolán, Juan Bosch, Juan Isidro Jiménez Grullón), Díaz worked tirelessly to organize Dominican exiles, as well as political support from US government and politicians against Trujillo's regime. He worked with the PRD for some years, but later left the party and became engaged with other Dominican exiles groups in the US and abroad. As the number of Dominicans increased in New York and in other countries in Latin America, anti-Trujillo groups and political parties in the US and abroad worked to secure the overthrow of the Trujillo dictatorship. Juan María Díaz took active participation in many of those efforts. From 1934 to 1959 these groups led several failed anti-Trujillo military expeditions to free the Dominican Republic from Trujillo's dictatorship. In October 1952, Mr. Andres Requena, Díaz' close friend and copublisher of an anti-Trujillo newspaper, Patria, was assassinated in New York City by Trujillo's agents. As a result of many assassination threats over the years, he was assigned 24-hour protection by the Federal Bureau of Investigation (FBI). His involvement in the Dominican exile movement was instrumental in galvanizing international support for against Trujillo's dictatorship and for creating the conditions for democracy to flourish in the Dominican Republic. Juan María Díaz' active involvement in the political activities of the Dominican

Republic ended in 1963, his 60th birthday. However, he continued to follow the country's progress for many years. He died in New York.

Section 4. Judge Hubert T. Delany Way

Introduced by Council Member Abreu

May 11, 1901 – December 28, 1990

Hubert T. Delany was an American civil rights pioneer, a lawyer, a politician, Assistant U.S. Attorney, the first African-American Tax Commissioner of New York and one of the first appointed African-American judges in New York City. He served on the board of directors for the National Association for the Advancement of Colored People, the Harlem YMCA and became an active leader in the Harlem Renaissance. He also served as Vice President of the NAACP Legal Defense and Educational Fund.

Section 5. Ritawantee “Auntie Rita” Persaud Way

Introduced by Council Member Ariola

Died December 24, 2020

Ritawantee “Auntie Rita” Persaud was a major advocate in the Indo Caribbean Community and a mentor to young people. Her life was dedicated to serve others and to be a role model for all. She was the director of the youth group at the Hindu Temple, Shanti Bhavan Mandir. She was killed in a hit and run accident.

Section 6. Sandra Santos-Vizcaino Street

Introduced by Council Member Avilés

November 1, 1965 – March 31, 2020

Sandra Santos-Vizcaino was a long-time resident of Sunset Park who began her teaching career in 1995. She was an active member of numerous educational organizations including the Association of Dominican American Supervisors and Administrators and received several honors throughout her career including the Outstanding Education Leader Award in the Dominican Republic for her work in education on the island and was also honored by former Brooklyn Borough President Eric Adams for Women's History Month. She volunteered at community events and was involved in the Sunset Park Lions Annual Health Fair where she provided free breast cancer screenings. She was also an active member at Our Lady of Perpetual Help.

Section 7. Hiram Maristany Way

Introduced by Council Member Ayala

Died March 2022

Hiram Maristany was an activist and official photographer for the Young Lords, a Puerto Rican activist group in the United States during the 1960's and 70's. He documented the political activism occurring the City's East Harlem area referred to as El Barrio by its residents. He documented the 1969 protest known as the Garbage Offensive, when garbage collection in El Barrio was systematically neglected by the City's Sanitation Department. During the protest, the Young Lords collected all the trash and set it on fire at 111th Street and Third Avenue. He also captured the Young Lords occupation of the First Spanish United Methodist Church in East Harlem, which they named The People's Church and used it as their headquarters and also a community center. In addition to his work with the Young Lords, he was also part of the community that helped fellow artist Raphael Montañez Ortiz found El Museo del Barrio in 1969. He helped formulate the institution's visual language in its early years, providing his photographs for the museum's bilingual publication Quimbamba. He later served as the institution's director from 1974 to 1977. As director, he worked to mount multiracial exhibitions of artists as a way of coalition-building.

Section 8. Melvin A. Faulkner Way

Introduced by Council Member Barron

February 22, 1935 – January 15, 2021

Melvin A. Faulkner was a veteran of the United States Air Force and later served as the Community Liaison in the 60th Assembly District for Hon. Charles Barron. He also served as Senior Programming and Services Liaison in the New York State Assembly under Hon. Inez Barron. He worked for Black Veterans for Social Justice, Inc. where he recruited Servicemen who needed assistance with housing, jobs and food programs. He

was an active member of Rehoboth Cathedral and served as an Operational Officer working on various projects. He oversaw the day to day operation of a community based nonprofit organization known as Community Alliance for Youth Action (CAYA). Through CAYA the staff was able to transport senior citizens of East New York, Brownsville, and Canarsie to their healthcare visits, and a myriad of other outings. In addition to senior citizens, CAYA took the youth of the community to sporting events, arcades, and Broadway shows. My grandfather also planned and hosted multiple street fairs for the communities where everything was donated and given free of cost to all of the community. He served as a chaplain for Churches United for Worldwide Action (CUWA) from 2005 until he transitioned. Through CUWA he made a connection between the church and the police department where the community could benefit from developing relationships with the officers that worked in the area. He was able to advocate for youth offenders on several different occasions. He was successful in getting youth released to his care and guidance and avoid having to enter the criminal justice system. He would have the young men and women instead volunteer their time to doing community services specifically for voter registration and outreach. He also served on the Board of Elections as a site coordinator for over two decades. On election days, he would make sure everyone working or coming to vote had a plate of his famous potato salad and fried chicken. He drove around East New York, Brownsville, Bedford Stuyvesant and Canarsie for hours on countless Saturdays delivering meals that were prepared by local churches to those in need.

Section 9. Jose Rosado Way

Introduced by Council Member Barron

July 1, 1944 – December 9, 2020

Jose Rosado earned a certificate in counseling from Queens College, which was one of the first classes of substance abuse counselors accredited by the State of New York. He was a drug education counselor for Student Prevention of Addiction through Rehabilitation and Knowledge (SPARK), a drug education program under the New York City Board of Education. He was honored by the New York State Office of Mental Health as a pioneer in the Drug Education and Mental Health field. In 1973, he founded the Latin Souls Baseball Organization, providing opportunities to children to learn to play baseball. He managed the organization for 46 years. Through the organization, youth players travelled to Puerto Rico, Florida, Massachusetts, North Carolina, Virginia which provided many youths with their first statewide travel experience outside of Brooklyn. The Latin Souls was recognized by New York State Governor Mario Cuomo, New York City Mayors David Dinkins, and Rudolph Giuliani, and several local State Senators, State Assembly Members, and City Council Members. He also served on Community Board 5 for over 19 years.

Section 10. Frederick Law Olmsted Way

Introduced by Council Member Borelli

April 26, 1822 – August 28, 1903

Frederick Law Olmsted was as an apprentice seaman, merchant, and journalist, who settled on a 125-acre farm in January 1848 on the south shore of Staten Island. He is considered by many to be the father of landscape architecture. He was famous for co-designing many well-known urban parks with his partner Calvert Vaux. Olmsted and Vaux's first project was Central Park, which resulted in many other urban park designs, including Prospect Park in what was then the City of Brooklyn, and Cadwalader Park in Trenton. He headed the pre-eminent landscape architecture and planning consultancy of late nineteenth-century America, which was carried on and expanded by his sons, Frederick Jr and John C, under the name Olmsted Brothers. His name and design style can be found on parks from Chicago to Washington D.C. and continue to provide an outlet for park goers to this day.

Section 11. Firefighter James Cooney Street

Introduced by Council Member Borelli

Died 2019

James Cooney is best known for his prominent role in the swimming and diving community on the Staten Island. Most notably, he was the Swimming and Diving Coach of Great Kills Swim Club from 1980 to 2011. Over his 31 years at GKSC, he made an impact on over 3,000 athletes. He was also the diving coach at the college of Staten Island from 2010 to 2016 while also running a youth Diving program out of the college at the same

time. Great Kills Swim Club was by no means a powerhouse in the Staten Island Interclub league, but he had a way of making it feel like it did. Every practice, race, meet and most importantly, child, mattered. When he was coach, each and every child on the team was proud to be a part of it. He had a way of remembering every child and having a fun nickname for them. He never missed a race or a dive. In fact, before a race, you could always hear him shouting from the sidelines and during your race you could find him pacing the sides of the pool. After a dive, you could look to him for a subtle nod of approval that would motivate you through the rest of your list. There is no doubt that his 31-year reign as coach has a lasting legacy at the GKSC. Every coach that has worked with him or after him has channeled his energy and motivation. His presence is still very much alive at Great Kills Swim Club and in Staten Island Interclub. In 2020, an award was started in his name called The Jim Cooney Memorial Award, which is given to a swimmer or diver from one of the five Staten Island Interclubs, that has a true passion for the sport. The recipient is someone who will continue to participate in the sport as either an athlete, coach or volunteer. He introduced so many children to the sport of Swimming and Diving and it made an impact on so many people. There are countless numbers of collegiate athletes that credit him with motivating them to continue swimming and diving through the years. He was also a hero as a fireman with the F.D.N.Y. and was a first responder at ground zero on 9/11/.

Section 12. Robert Trentlyon Way

Introduced by Council Member Bottcher

Died December 7, 2021

Robert Trentlyon cofounded the upstart Chelsea Reform Democratic Club in 1958 and served as its first President. He is one of the founders of Save Chelsea, which was instrumental in the designation of the Chelsea Historic District in 1970 and its 1981 extension. During the 2000 reconstruction of the West Side Highway, he negotiated for the land to enlarge Chelsea Waterside Park. Today, the 26 Park provides Chelsea residents with much-needed recreational facilities. As founder and prime 27 visionary of the Hudson River Park, his efforts extended beyond the bounds of one 28 parcel towards transforming the once-derelict West Side waterfront. He also was the owner and publisher of The Westsider and Chelsea-Clinton News, publisher of Downtown Express and served on Community Board 4 for many years. He also advocated for storm-surge barriers and other methods to protect Manhattan from coastal flooding.

Section 13. Jim Houghton Way

Introduced by Council Member Bottcher

September 4, 1958 – August 2, 2016

James “Jim” Houghton founded the Signature Theater Company in 1991, and was a playwright who helped foster diverse voices and pursued equity-based practices in reaching audiences. He spent decades committed to diversity, equity, and accessibility in the theater arts that define the 42nd Street area, and New York at large. The efforts he put forth can be seen in the Signature Theater’s past and current productions, ticket subsidy program, and accessibility program which are still active and thriving to this day. He also served as the Richard Rodgers Director of the Drama Division at The Juilliard School. To enhance the program, he and the Drama Division initiated significant new programming and opportunities for students. Among these opportunities were a new Master of Fine Arts Program, which offers free tuition and a living stipend during the fourth and final year of training; the introduction of a Playwrights Festival featuring performances of plays written by students of the renowned Lila Acheson Wallace American Playwrights Program; and a bridge to the profession through the creation of the Professional Studio hosted by Signature Theatre, allowing Juilliard’s actors and writers to collaborate closely and build lasting artistic relationships. He was honored by The Acting Company with the 2012 John Houseman Award for his profound commitment to developing American actors and building a diverse audience for the theatre, as well as the William Inge Festival’s 1998 Margo Jones Medal for an outstanding contribution to the American theatre. In 2015, he was awarded a Special Award for Sustained Achievement at the 60th Annual Obie Awards. In 2016, he received the Lucille Lortel Award for Lifetime Achievement and a Special Achievement Award from the Outer Critics Circle. In 2013, he was inducted into the College of the Fellows of the American Theatre and presented with an honorary Doctorate of Performing Arts by his alma mater, Santa Clara University. He also served as the Artistic Director of the O’Neill Playwrights Conference (1999-2003), Artistic Director of the New Harmony Project (1996-1999), and the Artistic Advisor to the Guthrie Theater (1998-2012).

Section 14. Ralph Schiano's Corner

Introduced by Council Member Brannan

October 26, 1931 – October 24, 2017

Ralph Schiano was a businessperson who dedicated his life to serving his community. He operated the Marine Market, opened in 1938 by his family, which ran for 61 years. The Marine Market was one of the original gourmet markets known for top quality produce, specialty items and outstanding customer service. He grew up during the Depression, which taught him to give back to his community and help the less fortunate. He donated food to local organizations, the Fire Department, Sisters of Visitation and to homeless shelters as well. He also was a founding member of the Upper 3rd Avenue Merchants Association.

Section 15. Ballet Hispánico Way

Introduced by Council Member Brewer

This co-naming will commemorate the legacy of Ballet Hispánico on the Upper West side of Manhattan. Ballet Hispánico was founded in 1970 by Tina Ramirez and has performed for over 2.3 million people at theaters in New York, throughout the United States, Cuba, Puerto Rico, Latin America and Europe. The school of dance has trained over 20,000 dance students and provided \$5.5 million in scholarships and the arts education program has reached over 750,000 New York City students and adults and communities nationwide and internationally.

Section 16. W. O'Brien Way

Introduced by Council Member Brooks-Powers

February 16, 1966 – December 22, 2008

Wendell Solomon Gabriel O'Brien was born in Port of Spain, Trinidad and Tobago, West Indies, where he spent his formative years. In 1999, he relocated his family, from Starrett City, Brooklyn to their new home in Rosedale. He was later greeted by the late Oswald Grannum, president of the 148th Drive & Community Block Association, Inc. and encouraged to join with his family. His wife became the Secretary, and he was the representative at the 105th precinct meetings. In 2001, he joined the New York City Fire Department where he served as an Emergency Medical Technician, a union delegate, and a counselor. During his career, he received numerous commendations for bravery from the New York City Fire Department, the office of the mayor and many civic organizations, including recognition by the New York Post in 2003, for saving the life of a neighbor's child, in addition to preventing a suicidal woman from throwing herself into the East River in 2005. After his death, the New York City Fire Department honored him at a Memorial Celebration co-hosted by the New York Liberty Women's Basketball Team at Madison Square Garden on Friday, June 26, 2009, where he received a Proclamation from then-Assemblymember Michele Titus.

Section 17. Oswald Grannum Way

Introduced by Council Member Brooks-Powers

April 11, 1927 – November 1, 2019

Oswald Grannum, a native of Kingston, Jamaica, W.I. migrated to the United States in 1960 to begin a new life. As a young professional cyclist, he earned many accolades over the years, and used his considerable organizing talent to form the New York Bicycle Racing Association (NYBRA) in Brooklyn. The club's mission was to develop an anti-poverty program that would inspire self-esteem, encourage discipline, and promote academic and athletic excellence for urban youth to forge a better future for themselves. Through contributions from the Rockefeller Foundation, he was able to obtain the first bikes for the club. The Association membership grew to 1500 and the organization thrived, offering young people an alternative to being on the City's streets through their programs: cycling competitions, after-school tutorials, summer youth employment opportunities. He moved to Rosedale, Queens in 1987, and immediately assessed the needs of his neighborhood. He was the first President of the 148th Drive and Community Block Association. Under his leadership, the Association moved quickly to create an agenda of action and community participation, including security patrol, an annual cleanup day, and park beautification. He was a visionary in his community. His leadership is dedicated to providing a context for the empowerment of his community.

Section 18. Salah Hassanein Way

Introduced by Council Member Cabán

May 31, 1921 – June 7, 2019

Salah Hassanein was born in Egypt and came to the United States in 1945. He served in the United States Armed Forces from 1945 to 1947. In 2011, he received the Ellis Island Medal of Honor which is awarded to United States citizens in recognition of those who have distinguished themselves by exemplifying the values of the American way of life. He began his long career in the film industry as an usher at a movie theater in New York City and rose through the corporate ranks to become President of United Artists Eastern Theaters and subsequently President of Warner Brother International Theaters. Fluent in several languages, he was responsible for creating a network of movie theaters in Europe, Japan and Australia for Warner Brothers. From 1994 to 2000, he was President of The Todd-AO Corporation, a sound-mixing studio in Los Angeles. Along the way, he became involved in several movie productions, including Kentucky Fried Chicken, Day of the Dead, Creepshow and Uncompromising Positions. He was a philanthropist at heart who spent countless hours supporting numerous charitable organizations. He is the namesake of the film industry ShowEast Salah M. Hassanein Humanitarian Award given each year to an individual in the theater exhibition business who has bettered the world through their philanthropic efforts. He served as a board member and avid supporter of the Variety Boys & Girls Club of Queens (which was renamed after him) for several decades. He was also Chairman of the Board and President of Variety Clubs International and President and Honorary Chairman of the Will Rogers Motion Picture Pioneers Foundation, among many other board positions he held in various charities. In San Diego, he and his partner, Zandra Rhodes, chaired many gala events to raise funds to construct the Sulpizio Cardiovascular Center at UCSD in La Jolla, CA, which opened in 2011. He also served as a board member of the Athenaeum Music & Arts Library in La Jolla, CA and worked extensively with the Salvation Army in San Diego for many years. Most recently, the organization to which he dedicated most of his time was Children's Lifeline International. In 1983, when Nancy Reagan brought two children from South Korea to the United States for open-heart surgery, she turned to the motion picture industry for assistance. He, along with an industry colleague, immediately responded. Under his leadership, Children's Lifeline became the sponsor of medical missions to developing countries where doctors, nurses and other medical practitioners from U.S. hospitals perform lifesaving pediatric cardiac surgery, among other treatments. Over the years, medical personnel from more than 25 U.S. hospitals have treated children on Children's Lifeline missions to 50 different countries.

Section 19. FDNY Lt. Joseph W. Maiello Way

Introduced by Council Member Carr

Died December 26, 2021

Joseph W. Maiello was a 22-year veteran firefighter and served with Engine Company 163 and Ladder Company 83. He died while on duty at his firehouse. Lt. Joseph Maiello was a twenty-two year veteran of the FDNY. He was on duty during 9/11 and survived the collapse of the North Tower. He was a mentor with the FDNY Firefighter Candidate Mentorship Program for about 7 years. The Mentorship Program is a voluntary partnership designed to ensure that Candidates successfully complete the hiring process and become New York City Firefighters. He was a natural cultivating new firefighters, being he was a NYC DOE teacher in his prior career. He served as the Union Delegate for his firehouse and was a member in good standing with the FDNY Columbia Society. During his free time between his FDNY commitments and his other job bartending at the Hilton Garden Inn in Staten Island, he would volunteer in his children's schools on a regular basis with the weekly pretzel sales, various fairs & festivals. He was also a member of the Westerleigh Improvement Society, which is in the neighborhood he resided in with his family.

Section 20. NYPD Detective Christopher B. McDonnell Way

Introduced by Council Member Carr

April 2, 1966 – May 6, 2020

Christopher B. McDonnell served with the NYPD for 29 years and was assigned to the Intelligence Bureau. He died from complications of COVID-19 in a presumed exposure while on duty.

Section 21. Vincent “Jimmy” Anthony Navarino Way

Introduced by Council Member Carr

February 5, 1931 – July 16, 2021

Vincent “Jimmy” Anthony Navarino served in the United States Air Force from 1951 until 1953 and was a Corporal. He was an Usher at the Church of Assumption for over 60 years, Chaplain for Granito Smith Post #1296 for 70 years, a member of AARP Oakwood, member of Local No. 3 of IBEW Retirees Association and a member of the Sons of Italy in America. He was awarded the Four Chaplains Medal Award for 70 years of service as a member of the Granito-Smith American Legion Post. As a member, he gave out turkeys for needy families at Thanksgiving, gave out toys to children during Christmas and put flags on the graves of Veterans at cemeteries. During his career with the railroad, he won numerous safety awards and he also shoveled snow for widows of first responder families.

Section 22. Joseph Vincent Madory Way

Introduced by Council Member Carr

February 13, 1939 – March 28, 2019

Joseph V. Madory was a lifelong Staten Islander who served in the United States Army and served as a private first class. He played semi-pro football for the Staten Island Tigers. Before becoming an officer at Gateway Bank, he worked as a driver for Blue White Laundry and then served as a vice president of the Automobile Club of North Jersey. He was president of the Staten Island Chamber of Commerce. He visited Africa, Grenada, St. Lucia and Trinidad where he worked with the nuns of St. Joseph of Cluny to continue to help people in need. While in Trinidad, he attended a "Poor People's Dinner" run by a local charity, where the meal consisted of a piece of bread, water and a bowl of soup. All the proceeds went to charity. He introduced the idea to Staten Islanders and for many years afterwards, ballrooms across the Island were packed, sometimes with 1,000 attendees, paying \$100 for a similar meal. When a hurricane hit the island of Dominique, he helped arrange for hospital beds to be shipped as part of the relief efforts. He served as president of the Staten Island Rotary, he hosted a live call-in show on Staten Island Community TV in the early 90s. He also served on the boards of the Mission of the Immaculate Virgin at Mount Loretto, the Staten Island Inter-Agency Council for Aging and Carmel Richmond Healthcare and Rehabilitation Center. He was also a member of the Borough President's Task Force on Bias Reduction, the Staten Island University Hospice Advisory Board and the Alzheimer's Association Advisory Board. He received the Albert V. Maniscalco Award, named for Staten Island's ninth borough president, in recognition of his ongoing community service. He was also the first recipient of the Barney Weinberg Award at the annual convention of International Rotary's District 7230, encompassing Westchester, Manhattan, Staten Island, the Bronx and Bermuda.

Section 23. Ramona Elizabeth Rodriguez Way

Introduced by Council Member De La Rosa

Died April 23, 2021

Ramona Elizabeth Rodriguez was killed as the result of a domestic violence dispute with her boyfriend. Following her death, her family founded the Long Live Our Project, an organization dedicated to the empowerment of domestic violence victims in norther Manhattan. The organization works to provide direct resources for women who seek to leave their abusers, they offer bilingual support and services for immigrants in abusive relationships and provides community walks, panels and self-defense classes for women in abusive relationships. This co-naming will serve as a reminder to those in an abusive relationship to seek help.

Section 24. Jason “TATA” Rivera Way

Introduced by Council Member De La Rosa

Died January 21, 2022

Jason “TATA” Rivera served with the NYPD and was killed in the line of duty while responding to a domestic violence dispute in Harlem.

Section 25. Victor Aurelio “Classico” Tapia Way

Introduced by Council Member De La Rosa

October 13, 1989 – December 12, 2021

Victor Tapia gave himself to his community, consistently showing up for those in need of assistance or advice. He was a leader in Upper Manhattan and a role model for the youth. He was an independent thinker who excelled in his studies and was constantly a top student in his classes. He attended primary school at PS26 and PS218 Rafael Hernandez. He attended Alfred E. Smith High School and finished with honors in 2007, then went on to Manhattan Community College. He was distinguished among his peers, and was selected to deliver the commencement speech for his high school graduating class. His was a message of living in love and happiness. In addition to attending university, he worked as a Manager at Larry Windebaum Inc, where he acquired accounting experience. Some time later, he dedicated himself further to accounting; giving his services to the company Royal Prestige, then to his last accounting role at Arbór Recycling / Arbor Logistics. In addition to being an accountant for Arbor Recycling, his popularity within his community led him to become a promoter for businesses in Upper Manhattan, including restaurants and nightclubs. He naturally took on this role because he loved supporting his community. His enthusiasm went beyond word-of-mouth, as he also organized and carried out various charitable toy collection events for the least resourced children in the community. His showed his closest relationships the same generosity and positivity that he gave his extended community. He always planned every birthday for his friends and family. He made sure they felt loved and validated. He always helped them fill out documents and applications.

Section 26. James F. Nolan Way

Introduced by Council Member De La Rosa

Died January 7, 2022

James Nolan was a pillar of the Inwood community and provided his services for 54 years to many organizations, such as the Inwood Manhattan Little League Inc., Knights of Columbus, Good Shepherd Men’s Club and he also served as District Director for Little League International. He was a resident of Inwood and grew up in Inwood before moving to Riverdale in the Bronx. He was a league volunteer since 1968, and held many different positions in the league, including 35 years as a team manager, 12 years as League President and 24 years as Little League District Administrator. He was a league treasurer for Inwood Manhattan Little League, as well as for the Knights of Columbus and Good Shepherd Men’s Club. He was a member of those organizations for over 40 years. He also provided fundraising events for the Good Shepherd School, church and archdiocese of New York. He was a retired schoolteacher from The Bronx. He taught Spanish in middle school for many years until his retirement. He also provided tutoring to league players over the years. In 1992, he was chosen as Volunteer of the Year by the State of New York. In 2008, he received a lifetime volunteer award for 40 years of service with the Inwood Manhattan Little League Inc. He received numerous proclamations from local and state politicians over the years as well.

Section 27. Bill Stone Way

Introduced by Council Member Dinowitz

September 3, 1928 – January 10, 2020

Bill Stone served in the U.S. Army during the Korean War and was honorably discharged, having attained the rank of Staff Sergeant and earned a Bronze Star. He joined the Riverdale Jewish Center and was a member for over 50 years. He also became interested in community activities and joined the Riverdale Chapter of B’nai B’rith. He was a very active member of Bronx Community Board 8 for nearly 40 years. During his tenure, he chaired the Health & Hospitals and the Libraries Committees, was Vice Chair of the Education and the Law, Rules & Ethics Committees, was a long-time member of the Executive Board, the Traffic & Transportation and the Aging Committees, and over the years became Treasurer, Vice Chair, and eventually served three terms as Chair of Bronx Community Board 8. In 1971, he became a member of the Board of Directors of AHRC NYC, a family-governed non-profit organization that serves individuals with developmental disabilities from “the cradle to the grave.” He was actively involved for nearly 50 years, during which time he chaired the Education, Camping and Recreation, the Budget and Finance, the Adult Day Services, and the Residential Committees. He was also elected Treasurer, Vice President, and eventually President for three consecutive years. Under his leadership, numerous group residences and summer camps were opened and expanded, including much needed

services for persons with multiple-handicaps. While serving as AHRC President, he was appointed an Ambassador for United Way, which entailed speaking before corporate groups to assist with raising vital funds for non-profit agencies city-wide. On a state level, he was Treasurer of NYSARC (parent organization of AHRC NYC). He also advocated for the Riverdale Jewish Center Board to include ramps in their renovation plans. With so many people attending services using wheelchairs, walkers or strollers, the building is now fully accessible to all existing and new congregants. At the Hebrew Institute of Riverdale, he secured funding for the interior ramps, which were built on both the male and female sides in the sanctuary. He received awards from the following organizations: Riverdale Neighborhood House – Good Neighbor Award; Riverdale Community Council – Riverdalian of the Year; Hebrew Institute of Riverdale – Community Outreach Achievement Award; Riverdale B’nai B’rith – Martin Richman Humanitarian Award; Bronx Community Board 8 – for leadership as Chairperson; AHRC NYC Chapter – Anne Kraus Memorial Award – its most prestigious honor; NYSARC – Volunteer of the Year Award; Bronx Developmental Disabilities (DD) Council – for outstanding and tireless efforts on behalf of the developmentally disabled, especially those with more complex needs; Institute of Applied Human Dynamics – Distinguished Humanitarian Award; and Metro NY DDSO Consumer Council – for dedicated advocacy.

Section 28. Marie Reed Way

Introduced by Council Member Farías

October 9, 1934 – December 24, 2021

Marie Reed was very active with the Soundview Presbyterian Church and James Monroe houses for over 40 years. With the church, she served on the Christian Education Committee, the Soundview Presbyterian Women Gills Committee, the Scholarship Committee and the choir. She did outreach for sponsors for the church’s day camp for kids who were not able to afford it. She served on the Christian education committee for over 30 years and helped raise money for the church’s scholarship fund for high school seniors to attend college. She also arranged block parties and Halloween parties. She served as the night center director for the James Monroe community center for a few years. She provided food for the homeless in the Hunts Point Market and took youths on field trips around the City.

Section 29. Detective Raymond Abear Way

Introduced by Council Member Gennaro

Died April 13, 2020

Detective Raymond Abear served on with the NYPD for 20 years. He was assigned to Ground Zero as a cadet and was later assigned to the 112th Precinct in Forest Hills for 12 years. He received six “Cop of the Month” awards and a record of perfect attendance. He received three commendations throughout his career, one for the apprehension of a criminal where he suffered an injury protecting himself and his partner. He also received a “Detective of the Month” award from the Detective’s Endowment Association. He died from complications as the result of contracting COVID-19 in a presumed exposure while on duty.

Section 30. Rabbi Fabian Schonfeld Way

Introduced by Council Member Gennaro

Died December 2021

Rabbi Fabian Schonfeld brought enormous benefits to his local community in Queens, and the Jewish world at large, and his connection to Yeshiva University ran deep throughout his life. He was a community rabbi and spiritual leader to many. He lived in two distinct worlds—that of "Old World", pre-war Poland, where he was deeply influenced by Chassidic rebbes, and that of modern, post-war America. He worked as a youth director in a New York synagogue and taught at Yeshivah Zichron Moshe in the Bronx. At that time, recognizing the talent that the rabbinic scholar displayed, he was offered a position as rabbi in a large congregation in Worcester, Massachusetts. He turned it down in favor of a new, unheard-of synagogue that barely brought together a minyan in a basement in Kew Gardens Hills, a neighborhood in Queens, much to the bewilderment of the Yeshiva University faculty. From a small core group in 1953, when he assumed the rabbinate, the congregation later named Young Israel of Kew Gardens Hills, numbered 800 members by 1955. He was heavily involved in the national Orthodox organizations. He was the president of the RCA, the Rabbinical Council of America; president of Yeshiva University’s Rabbinical Alumni association; played many roles in the Young

Israel movement; led the Orthodox Union (OU) kashrut division; and served as chairman of Poalei Agudas Yisrael of America. His local involvement led him to establish the Queens Vaad Harabbonim, or rabbinical council, while owing to his prominence on the national stage he gave the invocation at the 1984 Republican National Convention in Dallas before President Ronald Reagan.

Section 31. Detective Barbara Taylor-Burnette Way

Introduced by Council Member Gutiérrez

Died December 30, 2021

Detective Barbara Taylor-Burnette was assigned to the NYPD Intelligence Division working out of the Brooklyn Army Terminal. She and her colleagues responded to the terrorist attacks on the World Trade Center on 9/11. She arrived at Ground Zero around the time of the collapse of the second tower. The air was thick with burning debris, dust and choking smoke. For the next 4 weeks, she worked 7 days per week 12 to 16 hours per day at Ground Zero. The search and rescue operation unfortunately turned into a recovery operation for the victims of the terrorist attacks. In September 2004, she experienced a blackout at work. After extensive medical testing, she was diagnosed with Interstitial Lung Disease accompanied by severe fibrosis in both lungs. In March 2009, she was asked to travel to Washington, DC to testify under oath before the U.S. Congress in support of a health and compensation bill for sick and injured first responders and others suffering from 9-11 related health problems. On March 31, 2009, she was sworn in and testified describing her experiences working at Ground Zero and the severe impact it had taken on her health and her life. She also responded to numerous questions posed to her by members of Congress. President Obama finally signed the James Zadroga 9-11 Health and Compensation Act into law in December 2010. The bill was set to expire in 5 years. On June 11, 2015, she was again asked to travel back to Washington, DC to testify before Congress in an attempt to reauthorize the expiring bill. After testifying again under oath, she returned to Washington, DC numerous times to meet with individual members of Congress in their offices urging them to support the reauthorization of the bill. She spoke frequently at press conferences and was a member of a panel discussion hosted by the 9-11 Tribute Museum at Ground Zero. Comedian and 9-11 advocate Jon Stewart accompanied Barbara as she traveled the halls of Congress in her wheelchair fighting to reauthorize the bill. In December 2015, the health care bill was successfully extended until 2090. In April 2017, Barbara was diagnosed with inoperable lung cancer certified and directly related to her work at Ground Zero. Barbara died on December 30, 2021 as a result of her lung cancer and interstitial lung disease

Section 32. Aidan Seeger Way

Introduced by Council Member Hanif

July 21, 2004 – April 29, 2012

Aidan Seeger was 7 years old when he died of adrenoleukodystrophy (ALD), a genetic disorder that mainly affects young boys and can be fatal within a year. However, with early detection, a bone marrow transplant can increase the chances of survival. As a result of his death, Aidan's Law was passed, making New York the first state to require newborn screening for ALD. Additionally, The Aidan Jack Seeger Foundation, now called the ALD Alliance was set up to educate the public about ALD. The ALD Alliance has assisted in getting 16 states across the United States to test for ALD.

Section 33. Little Bangladesh

Introduced by Council Member Hanif

This co-naming will commemorate the Bangladeshi community and recognize the contributions that have been made and they continue to make in the future.

Section 34. Kenny "Scats" Scanlon Way

Introduced by Council Member Hanks

Died April 29, 2020

Kenny "Scats" Scanlon was born and raised on Staten Island and was a graduate of McKee High School. He served in the Army, National Guard from 1953-1961 and later worked as a Bricklayer from 1962-2002 as a member of the Bricklayers and Allied Craftsmen, Local 1, New York. Some of his fondest memories were the local jobs he did as a Shop Steward such as Bayley Seton and St. Vincent's hospitals, Snug Harbor, SI Mall, Fort

Wadsworth and the SI Ferry Terminal. During his active time in the union he served as the Secretary and Union delegate for Staten Island. In 2012, he became a Lifetime member of BAC, Local 1. He enjoyed gardening and was considered the patriarch of his neighborhood in Randall Manor where he supplied the neighbors with homegrown vegetables. His door was always open to all. He helped kids in the neighborhood get labor jobs and took them in when they didn't have a place to stay. He did grocery shopping for the elderly and maintained their properties, was a mentor to many of the children on the block and was known as the "mayor" of the block.

Section 35. The Force MD's Way

Introduced by Council Member Hanks

Formed in 1979, Staten Island, New York, the Force MC's started off by winning lots of high school talent shows. From there the crew took their sounds to the streets earning them a reputation at the time as a crew that was hard to touch when it came to live shows. Although not as well-known as other New York hip-hop acts of the early 1980s, Staten Island's Force M.D.'s were a vital crew in the early history of street hip-hop and one of the first vocal groups to fuse doo wop-influenced harmonies with hip-hop beats. Originally a street troupe known as the LD's, the group sang and danced on Greenwich Village street corners and the Staten Island ferry. Its members included brothers Stevie D and Antoine "TCD" Lundy, their uncle Jesse Lee Daniels, and friends Trisco Pearson and Charles "Mercury" Nelson. Some members of this group are now deceased.

Section 36. Monsignor Peter Finn Way

Introduced by Council Member Hanks

Died March 6, 2022

Monsignor Peter Finn was a former co-vicar of Staten Island and pastor of Blessed Sacrament R.C. Church. He was the grand marshal of the Forest Avenue St. Patrick's Parade in 1979. After his ordination in 1965, Monsignor Finn served at St. Mary's R.C. Church in Rosebank for a year and then was assigned to St. Catherine's Church in Pelham, N.Y., for two years. He was on the faculty at Monsignor Farrell High School for 15 years, including as principal. He then was appointed director of communications for the Archdiocese of New York, under Cardinals Cook and O'Connor, becoming pastor of St. Joseph-St. Thomas parish on the Island's South Shore after that, where he served for 12 years. He was transferred from St. Joseph-St. Thomas and appointed rector of St. Joseph's Seminary in Yonkers, N.Y., his alma mater, and served there for six years before assuming the helm as pastor of Blessed Sacrament. Monsignor Finn was an active supporter of ecumenical activities on Staten Island and the Council of Churches. He was a member of the Knights of Columbus, Knights of the Holy Sepulchre and the Knights of Malta. He also served on a number of boards of directors, including Project Hospitality, the Staten Island Catholic Youth Organization, Carmel Richmond Healthcare and Rehabilitation Center, the Seton Foundation, Archdiocese of the Ladies of Charity, the NAACP and the Staten Island Center for Independent Living.

Section 37. Monsignor Ferdinando Berardi Way

Introduced by Council Member Hanks

Died January 11, 2022

Monsignor Ferdinando Berardi was the pastor of Blessed Sacrament Parish, served as superior of Casa Santa Maria, pastor of Holy Family Parish, director of the archdiocesan Office for the Society of Propagation of the Faith, dean of the Catechetical Institute at St. Joseph's Seminary, vice chancellor of the archdiocese and co-chairman and secretary of ecumenical commission.

Section 38. Louis Iorio Way

Introduced by Council Member Holden

1963 – 2022

Louis Iorio was a well-known fixture at Resurrection Ascension, volunteering as a Parish Athlete Representative. He ran a basketball clinic for young kids every Saturday morning, in addition to coaching teams for the parish and organizing basketball tournaments. He also coached baseball teams for Ridgewood, Glendale, Middle Village, Maspeth (RGMVM) baseball league and Forest Hills Little League. He was always the teacher, trying to educate the kids about teamwork, sportsmanship, and good values. He became the Parish Athletic Representative (PAR) for CYO in September 2011, following the sudden death of the previous PAR. At the

time, there were a few basketball teams at Resurrection Ascension, and no other sports. From the very beginning, he devoted himself to this program. He gave tirelessly of his time and energy to be sure that the RA program would be a great success. He recruited wonderful coaches for the children and pitched in to coach teams when necessary. One of his first duties was to create an Instructional Clinic for children in grades Kindergarten through Grade 2 who were unable to participate in CYO. Doing this was a great experience for the children and helped to build interest in future teams. He also began to host tournaments at our facility and helped other PARs to do the same. At the time of his passing, there were girls' and boys' basketball teams from Grade 3 through high school, several soccer teams and two volleyball teams.

Section 39. Captain Thomas G. Abbey Place

Introduced by Council Member Holden

Died September 12, 1943

Thomas Abbey was born 1899 and died September 12, 1943. In 1927, Abbey joined New York City's Police Department. Throughout his life, Abbey was a resident of Middle Village. Due to his military service in the First World War, he was released from the Police Department to train pilots in the Army Air Corp during the Second World War. On September 12, 1943, he was killed while conducting an air search for his commanding officer, whose plane went down in a storm.

Section 40. Mary Anne Verbil Walter Way

Introduced by Council Member Holden

Died May 2021

Mary Anne Verbil Walter was a teacher for many years. She was involved with the Children's Liturgy and Parish Planning Committee at St. Stanislaus Kostka. She was the leader of the Girl Scout Program (Troop 4734) and Vice President of the United Veteran and Fraternal Organization of Maspeth where she planted American flags on veteran's graves on Memorial Day. She founded the Girls' Club, the 89er's, The Giving Tree and Balloons above Broadway in her community. She collected food, clothing and Christmas gifts for the homeless. She was recognized by the United Federation of Teachers for her outstanding service.

Section 41. Msgr. Peter Zendzian Way

Introduced by Council Member Holden

Died October 23, 2015

Reverend Monsignor Peter Zendzian was associated with Maspeth all of his life. He was baptized at Holy Cross Church in Maspeth, where he later served as Pastor for thirteen years. Before being the Pastor of Holy Cross Church, he served as a priest at St. Margaret's Church in Middle Village and St. Adalbert's Church in Elmhurst. He also served as Pastor of Saint Matthias Church in Ridgewood. He was heavily involved in civic and cultural activities, including serving as Chair of the Polish Apostolate in the Diocese of Brooklyn and Queens, Chair of the Polish American Priests Association, Chaplain of the Children's Smile Foundation in Maspeth. He was also involved in the Polish American Congress and the Polish Supplementary School Council of America. He was also heavily involved with matters of immigration, having served as the Director of the American Episcopate for Immigration in the United States, and sat on New York City Mayor Ed Koch's Immigration Advisory Board and the United State Department of Justice's Immigration and Naturalization Service (INS). During his time at Holy Cross, he led the renovation of the church and supported the Festival of Polish Culture, led the creation of a monument of St. John Paul II, he served as chaplain of the Children's Smile Foundation and was honored by Polish authorities in 1997 with the Order of Merit of the Republic of Poland.

Section 42. Eudes Pierre Way

Introduced by Council Member Hudson

Died December 20, 2021

Eudes Pierre was shot and killed after allegedly charging at police officers with a knife during an apparent mental health episode. His death has brought attention to mental health awareness.

Section 43. Lou's Deli Way

Introduced by Kagan

September 21, 1925 – January 6, 2022

Lou Jerome was a man whose life acted as a bridge across four generations of growth for the Jewish Syrian Sephardic Community of Brooklyn. The first generation, of which is he part of, planted the seeds of his community, and today that same community are Brooklynites through and through. He served in World War II in the United States Navy voluntarily after getting special permission to enlist at the age of 16. After his service, he established a local deli on Kings Highway that became one of the first local community small businesses, growing into a major community establishment that served as a beacon to the community for nearly 50 years. Various families throughout the Brooklyn neighborhood, both Jewish and non-Jewish, fondly remember Lou and Lou's Deli as the place they came to with their families, especially on Sunday nights, and a reminder to all of us where our community humbly came from as we progressed over time.

Section 44. Frank Giordano Way

Introduced by Council Member Kagan

October 4, 1935 – September 9, 2021

Frank Giordano attended PS 95 and PS 216 in Gravesend Brooklyn. His parents, Saverio and Antonia Giordano, would go on to open their own pork store, "Giordano's" on Ave X in Brooklyn. He graduated from Lincoln High School and continued on to graduate from St John's School of Pharmacy in 1957. He served in the United States Army on the 344th General Hospital in Fort Hamilton, Brooklyn as a Sargent First Class. He was a pharmacist at Friscia and Mermaid Pharmacy, along with his partner, Anthony Morano for over 60 years. In addition to serving his community as a pharmacist, he was also a community and civic leader. He was associated with over 50 organizations in his lifetime. He was president of the Coney Island Neighborhood Improvement Organization for 30 years and President of the Coney Island Board of Trade for 15 years. He helped create the ASTELLA development corporation. He served as a member of the Community Board for 35 years. He was the Pharmacy Industry Chairman for the NY Easter Seals Society, Member of the 60th Precinct community council, Honorary VP of the Opera Renaissance Guild of Brooklyn, Executive member of the community Democratic Club of the Knights of Columbus, Executive member of the Our Lady of Grace Holy Name Society, Secretary of ASTELLA Development Corp, Member of the Coney Island Chamber of Commerce, Member of the Coney Island Hospital Annex Advisory Board, along with memberships and affiliations with many other organizations. He assisted in obtaining traffic lights, new developments, housing, and he helped fight crime and poverty. He was instrumental in creating the Block Watchers' program to combat crime. He was the chairperson of the Coney Island Community Associates Board of Directors, Anti-poverty program, was the first sponsor of the Youth Empowerment Performing Arts Center. As president of the Coney Island Board of Trade he fought to bring the sports stadium, Keyspan Park, to Coney Island. His goal was to bring about economic growth to the community. He sponsored the Mermaid Parade, the Boy Scouts of America, Sea Gate Little League, Coney Island Little League, and Gravesend Athletic Association. He obtained Holiday lights for Mermaid Avenue. He received over 50 citations, proclamations and awards. He has been affiliated with and supported numerous, civic, fraternal, cultural, pharmaceutical, religious, social and political organizations. In 1992, he received the highest honor from the Italian Board of Guardians. Bishop Daly described him as a man who exemplifies the ecumenical traits of charity, love and community involvement which make for a better world. Hon. Stephen J. Solarz, of the NY House of Representatives stated on the Congressional Record, "Leadership takes on many different forms and bears many different definitions. The man I bring to you today is a quiet man, a peaceful man, a man whose voice I never heard raised, but make no mistake about it, Frank Giordano is very much a leader."

Section 45. Francesco LoPresti Street

Introduced by Council Members Kagan and Brannan

Died March 21, 2022

Francesco Giovanni LoPresti was the perfect son, brother, friend, and fiancé. He was a highly inspirational public figure who always spread love, joy, positivity, and entertainment for those who watched him from all over the world. He had over 3 million followers, and countless millions of views across different social media platforms who followed his cancer journey. His influence started with social media, as he used his platforms to spread awareness on his cancer, and the importance of self love and care. He taught people how to care for

themselves, and how if they are going through something they are not alone. He gave people a person to relate to, and gave people a purpose to keep going. He was very vulnerable with his story, which allowed others to be open, and share their stories with him. He started a movement to bring awareness to cancer, and how we as a society should not be ashamed to be sick. People from all over would reach out to him, and he would help guide them to find strength during their difficult times. People would fight in honor of him. He would also meet with people in person, and talk one on one with them. Francesco has been battling his cancer since 2016, and he recently lost his battle on March 21, 2022. He left a mark on everyone from around the world.

Section 46. Dr. Sergio I. Rubio Way

Introduced by Council Member Krishnan

February 27, 1944 – May 10, 2020

Dr. Sergio Ivan Rubio, originally from Peru, received his veterinarian license from Peru in 1967. He dedicated 40 years to the community. He was an excellent diagnostician and widely respected for his professional skills. As an immigrant, he needed to establish his U.S. license and studied and attained licenses in three states. He decided to practice in Jackson Heights, the most culturally diverse neighborhood in the country. He recognized the importance of pet ownership but understood the barriers for low income people. He deliberately kept his fees low, forgave debts, discounted visits to enable people to afford pet companionship. Studies of pets have shown the benefits to humans both mentally and physically. He went above and outside of his professional practice volunteered his services to feral animal rescuers and notably was acknowledged for providing 10 years of unpaid service in participation with the Alliance for Animal Rescue in a mayoral initiative to reduce euthanasia rates. Initially, he worked two jobs at Bideawee and North Shore before establishing one of the first mobile pet clinics to help disabled and seniors who had difficulty in travelling with a pet to a traditional clinic. See newspaper article. He later was able to establish his clinic in Jackson Heights. He knew the challenges of being an immigrant first hand and believed in extending a helpful hand to other immigrants. Education was significantly important in assimilating into a new country and for success. He encouraged education, helped people fill out school applications, called admission offices on behalf of students, gave advice on career options. He also hired from the community and was a role model to pattern oneself to achieve the American dream as he had. He was a good neighbor who had excellent relations with fellow store owners. When the Pizza Sam owner had passed, he would frequently check on his son to make sure he was alright and to be a friend he could reach out to as needed. When a pet owner lost a pet, he demonstrated his compassion by opening his clinic on his day off to help the client grieve.

Section 47. Little Thailand Way

Introduced by Council Member Krishnan

This co-naming will commemorate the vibrant Thai community in Woodside, Elmhurst and Jackson Heights.

Section 48. Harold Lui Way

Introduced by Council Member Marte

January 5, 1934 – November 27, 2020

Harold Lui was a second-generation Chinese American born and raised in Manhattan's Chinatown. He was a devoted community advocate, a path-breaking leader, and an inspiring mentor for over 40 years. He began his career at Hamilton-Madison House (HMH) in 1964, first as a youth worker and then Assistant Director overseeing all agency programs. From 1964 to 1972, he expanded HMH's programs to serve Chinese American seniors and then mental health services to Chinese immigrant families. Today, HMH continues to operate Chinatown's oldest senior center. He was one of the founders of the Chinese-American Planning Council (CPC), which has since grown to become the largest Chinese American social service organization in the country. He served briefly as its Board President and later one of its co-managing directors from 1978 to 1984. In 1971, He arranged for fiscal sponsorship for the newly founded Chinatown Health Clinic, making it possible to receive its initial funding. From 1986 to 1994, Harold was the clinic's executive director. He oversaw the clinic's transformative expansion, from its small and overcrowded facility on Baxter Street to twice the space at the Chung Pak senior housing at 125 Walker Street in CD 1. He served on the board of directors of the Chung Pak Local Development Corporation, which was responsible for the development and management of the Chung Pak

senior housing. He served on the boards of numerous organizations including the Henry Street Settlement, the Asian and Pacific Islander American Health Forum, the New York Urban Coalition, and the Organization of Chinese Americans, amongst others. In the latter part of the 1990s, he chaired the Chinatown History Project, a small organization aspiring to be a national museum. He provided much needed leadership to stabilize an organization that was going through serious financial challenges, and helped pave the way for it to become the present-day Museum of Chinese in America (MoCA). He also served as an Adjunct Lecturer in the Asian Studies Department at the City College of New York. In 1992, he became the first Chinese American social worker inducted into the Hall of Fame of Hunter College.

Section 49. Edie Windsor and Thea Spyer Way

Introduced by Council Member Marte

Edie Windsor (June 20, 1929 – September 12, 2017) was a LGBT rights activist and the lead plaintiff in the 2013 Supreme Court case *United States v. Windsor*, which overturned Section 3 of the Defense of Marriage Act and was considered a landmark legal victory for the same-sex marriage movement in the United States. As a result of the decision, federal agencies extended rights, privileges and benefits to married same-sex couples. She received many awards for her LGBT activism. Thea Spyer (1931 – 2009) was a celebrated clinical psychologist with a long and successful career who cared for hundreds of New Yorkers, many of whom were LGBTQ. The Thea Spyer Center houses Callen-Lorde's long-term mental health program that serves thousands of LGBTQ New Yorkers each year, offering short and long term counseling, psychotherapy, crisis intervention, group therapy and more, all delivered through a supportive and culturally competent model by experts in LGBTQ health and wellness. Edie Windsor and Thea Spyer lived together in Greenwich Village for over 43 years, and during that time were actively engaged in championing and pursuing LGBTQ+ rights and civil liberties within the community and serving people's special need.

Section 50. Beastie Boys Square

Introduced by Council Member Marte

Started locally in New York City, Beastie Boys became a national rap group and contributed to the transition of hip-hop into the mainstream. Their art as well as social advocacy have helped, influenced, and inspired millions around the world. The intersection of Ludlow Street and Rivington Street was photographed for the original cover of their second studio album, *Paul's Boutique*. The groundbreaking album not only encases their life and times in New York City but also illustrates the rich culture scene in the Lower East Side in the late 1980s. Aside from being artist Beastie Boys were businessmen, and humanitarians who gave of their time generously to causes such as the Tibetan Freedom Concert, ASPCA, Food Bank for New York, and assisting in the Hurricane Sandy aftermath relief, to name a few.

Section 51. Kade Ashton Tyler Lewin Way

Introduced by Council Member Mealy

May 1, 2009 - March 31, 2022

Kade Ashton Tyler Lewin enjoyed playing football and video games. He was a 7th grader at the Brooklyn Science and Engineering Academy. He was fatally shot sitting in the back of his cousins car when a gunman open fired into the car. In honor of his 13th birthday, members of the Brooklyn community held a Stop the Violence march to raise awareness against gun violence. The Kade Ashton Tyler Lewin Foundation Fund was established to help support children affected by gun violence.

Section 52. Jimmy Neary Way

Introduced by Council Member Menin

Died October 2021

Jimmy Neary served in the United States Army and later opened and operated Neary's, a legendary upscale, half-century-plus-old Irish pub on Manhattan's East Side opened in 1967. Some of his customers included Mike Bloomberg, George Pataki, Bill Clinton, Hugh Carey, Ed Koch, Teddy Kennedy, Tip O'Neill and other politicians. He came here as a hardworking immigrant, and established a pub with political and cultural significance recognized citywide and beyond. He created a space that was a bastion of Irish culture and a landmark for celebration of Irish history and pride. While he created an establishment with some of the most

politically and culturally significant history in New York City, he was also a significant figure in his own right. Timothy Mara, Co-owner of the NY Giants, bestowed upon Mr. Neary two Superbowl rings and writer Mary Higgins Clark wrote Mr. Neary into multiple of her novels. Mayor Bloomberg often hosted iconic New Year's Eve celebrations at the establishment. He accompanied Mayor Bloomberg to Ireland when the Mayor honored a famed NY Irish-American regiment, the fighting 69th, with a monument. He then accompanied the Mayor to his hometown of Tubbercurry. He was not only a symbol of New York and Irish pride at home, but internationally as well. He was a parishioner at Holy Trinity Church in NYC. He and his wife were both invested into the Eastern Lieutenancy of the Equestrian Order of the Holy Sepulchre of Jerusalem. In October 2019, he was promoted in rank to Knight Commander with Star.

Section 53. Pujari Basdeo Mangal Way

Introduced by Council Member Nurse

February 15, 1943 – August 23, 2016

Pujari (Hindu Priest) Basdeo Mangal was born at Fyrish Road, Corentyne Berbice, Guyana. Early in his life, he decided to dedicate himself to worship and service within the Mariamman Hindu tradition. At the age of fifteen, Pujari Mangal became a spiritual healer and priest. In the 1970s, Pujari Mangal migrated with his family to Trinidad and Tobago on a mission to carry Mariamman traditions and teachings. In 1980, Basdeo Mangal returned to Guyana where he became the Senior Pujari of the Blairmont Kalimai Mandir. Later, in 1982, Pujari Mangal became one of the founding members and first vice president of the Guyana Maha Kali Madrassi Religious Organization. In 1996, he migrated to the United States, and settled in New York where he served as the Head Pujari of the Shri Maha Kali Devi Mandir, Inc., considered the first registered 501(c)3, Hindu House of Worship in New York State. Pujari Mangal was the first Licensed Madrassi Priest/President and founder of the Shri Maha Kali Devi Mandir located at 170 Van Siclen Avenue in Brooklyn. The Shri Maha Kali was considered the first Hindu organization to be registered in the State of New York and is rightfully recognized as a religious humanitarian organization by the City of New York. During his life, Pujari Mangal received numerous awards and acclamations from local, state, and federal elected official recognizing his significant contributions to the Indo-Caribbean community. Former Mayor Michael R. Bloomberg, U.S. Congress Member Towns, U.S. Congress Member Jeffries, former State Senator Martin M. Dilan, former Council Member Espinal, former NYC Comptroller John C. Liu, and former Community Board 5 District Manager Walter Campbell are among the many elected and government officials who have praised the work and contributions of Pujari Basdeo Mangal.

Section 54. Delrawn Small Way

Introduced by Council Member Nurse

March 1, 1979 – July 4, 2016

Delrawn Small was killed by NYPD Officer Wayne Isaacs who was off duty at the time. Delrawn Small was cut off by Officer Isaacs in his car. When Mr. Small went to confront Officer Isaacs about the situation, Officer Isaacs shot Mr. Small. Officer Isaacs was found not guilty of murder and manslaughter in 2017. He was a father, brother, student, actor, and active community member. He was loved and respected by his family and community members alike. His resilience, heart, and paternal nature was an asset to Central Brooklyn and its legacy. His passions and dreams for himself and his neighborhood were persistent in his character, regardless of where he was. He taught HIV classes and envisioned opening an HIV Program as a part of his journey of service. He was determined to honor and uplift those around him. Like many Black and Brown children, Delrawn and his siblings grew up in the foster care system. This left a heavy responsibility to continue his legacy, in the hands and hearts of his siblings. His sister, Victoria Davis, is leading and will continue to fight in this effort. Shortly after his death, the East New York community came together with his family to organize and advocate for justice for his killing, working with groups like Communities United for Police Reform. Supporters delivered over 60,000 petition signatures to City Hall in 2019 calling on the Mayor to fire Office Wayne Isaacs—as well as Officer Daniel Pantaleo, who was responsible for the death of Eric Garner. His family and activists inspired by his killing were also instrumental in advocating for the City Council to pass the Right to Know Act in 2018. This landmark legislation imposed new requirements for interactions between the NYPD and New Yorkers, requiring police officers to identify themselves before making certain stops and reaffirming the right to decline certain searches.

Section 55. Police Officer Raymond Harris Way

Introduced by Council Member Ossé

Died August 4, 2019

Raymond Harris served with the NYPD for 22 years. He was part of the search and rescue effort at Ground Zero following the 9/11 attacks. He died as a result of 9/11 related illness.

Section 56. Firefighter, SGT USA Reservist Shawn E. Powell Way

Introduced by Council Member Ossé

Died 2001

Shawn E. Powell was a firefighter and a United States Army Reservist. He was killed in the 9/11 attacks at the World Trade Center.

Section 57. Bishop Marvin D. Williams, Sr. Way

Introduced by Council Member Ossé

July 9, 1934 – April 7, 2020

Bishop Marvin D. Williams, Sr. was born on July 9, 1934 in Rocky Point, North Carolina. During his childhood he had a constant reminder of his duty to God, love for his family, and responsibility to others that continue to be the prevailing focus of his life. Bishop Williams, along with his wife Mother Callie Louise Williams and their children by his side, founded Greater St. Stephen United Church of God in April of 1974. Mother Williams, ever since, has been the epitome of a “first lady” consistently loving and caring for people. Bishop Williams serves on various councils and alliances with the prospective to minister to the needs of the total man and reach out to the community at large. He is the Chief Executive Officer of St. Stephen Outreach, Incorporated, Board Member of the New York Correctional Facility, Member of the Urban Minister Alliance, and Mission Society Fellow. Bishop Marvin D. Williams’ life and influence has not only affected believers within the body of Christ, but countless men, women, and children throughout the city who benefit from the outreach social service programs established under his leadership.

Section 58. Police Officer Timothy Motto Way

Introduced by Council Member Paladino

Died March 13, 2021

Timothy Motto retired from Harlem’s 28th Precinct, but remained very active in the NYPD community. He was a past President of the NYS Fraternal Order of Police Lodge 69, NY Shields, the LI Shields, NYPD Holy Name, NYPD Columbia Association, IPA Region 5, NYPD 1013, the Retired Detectives Association and the Police Benevolent Association. He died as a result of 9/11 related illness.

Section 59. James “Big Jim” Corcoran Way

Introduced by Council Member Paladino

Died 1995

Jim Corcoran was a founding member of the FDNY Emerald Society Pipes and Drums band in 1961. Within a year, a dozen pipers and three drummers began to perform at FDNY events. Currently. Approximately 100 firefighters carry on the tradition at over 100 events per year. He served with the FDNY for 36 years.

Section 60. Jane Walentas Way

Introduced by Council Member Restler

May 6, 1944 – July 5, 2020

Jane Walentas was the founder of Jane's Carousel in Brooklyn Bridge Park. She was a DUMBO resident and community builder. She worked as an Art Director for many years in cosmetics and fashion before embarking on the task of restoring the Carousel. She received a BFA from Moore College of Art & Design in Philadelphia, and an MFA from NYU. She dedicated 27 years to the historically accurate restoration of the Carousel, starting with discovery and documentation of the original designs and color palette by scraping through decades of paint. She carefully recorded the findings with photographs, color matches and detailed drawings to guide the final restoration. Necessary carpentry repairs were made, and finally, horses were rendered in faithful detail, and the entire Carousel was newly repainted and embellished with original stencil designs, pure gold and

palladium leaf, delicate pin striping, and faceted mirrors and jewels. The mechanical systems were modernized and the Carousel was totally rewired and now dazzles with 1,200 lights.

Section 61. Rita Saunders Way

Introduced by Council Member Restler

Rita Saunders's selflessness began at a young age when she petitioned for guardianship of her 6 siblings after her mother passed away from breast cancer when she was 16. She lived in Gowanus Houses her whole life, which she spent contributing to the community and supporting her neighbors, including volunteering at her former elementary school, PS 32, being an active volunteer leader with Gowanus Tenants Association, and feeding the homeless and people in need out of her own kitchen. She dedicated her life to helping her community and was a fixture and source of positivity and inspiration to all who knew her.

Section 62. Dr. May Edward Chinn Place

Introduced by Council Member Rivera

1896 – 1980

Dr. May Edward Chinn became the first African American woman to graduate from the University and Bellevue Hospital Medical College. She was the first African American woman to hold an internship at Harlem Hospital. She was the first woman to ride with the Harlem Hospital ambulance crew on emergency calls. She practiced medicine in Harlem for fifty years. A tireless advocate for poor patients with advanced, often previously untreated diseases, she became a staunch supporter of new methods to detect cancer in its earliest stages. In 1954, she became a member of the New York Academy of Sciences, and in 1957, she received a citation from the New York City Cancer Committee of the American Cancer Society. In 1980, Columbia University awarded her an honorary doctorate of science for her contributions to medicine.

Section 63. Adela Fargas Way

Introduced by Council Member Rivera

1936 – 2018

Adela Fargas ran Casa Adela, a Puerto Rican restaurant that was open for over 40 years on Avenue C. The restaurant is known for its cuisine, such as mofongo and pernil asado. She was the subject of numerous profiles over the years, including a feature in the New York Times. Born in Carolina, Puerto Rico, Adela Fargas worked as a seamstress at a brassiere factory before learning how to cook from her mother. At the age of 37, Adela left the island for an opportunity to work at a factory in New York City, later to be joined by her family. She would instead get her start working at a restaurant on 4th Street and Avenue D. Upon losing her job when the owner sold the business, Adela began to sell pastelones and rellenitos in the street. Eventually, she eventually took over the luncheonette where she had been working, the original Casa Adela located at 58 Avenue C. It was there that she said she perfected the seasoning recipe and timing for her signature rotisserie chicken. A few years later, she moved up the block to the iconic location where Casa Adela stands today. Long days at the restaurant, which is open seven days a week, meant that Adela was a fixture at the restaurant. She would arrive at 5am each morning to begin preparing her famous pernil asado, one of the many examples of authentic Puerto Rican cuisine to be found on the menu. Beyond the warm, familial atmosphere, Adela was also known to feed the hungry, her generosity extending to those who could not afford a hot meal. Casa Adela is a beloved Lower East side establishment, which has been a staple of the neighborhood since its opening in 1976. But Adela Fargas's legacy goes far beyond a restaurant, which represented an important meeting place for the Puerto Rican community in New York City, in the diaspora, and worldwide. Adela herself welcomed all New Yorkers to delicious Puerto Rican food surrounded by the Island's spirit of hospitality and generosity. Outside the restaurant's walls, Adela was a center of Latino life on the Lower East Side and a tireless community advocate. In particular, Adela was known as an advocate for the homeless and building community in a neighborhood experiencing neglect from City government. Musicians in particular have a special affinity for the restaurant, especially during the annual Loisaida Festival, when it is common to see bomba and plena performed in front of Casa Adela. Her children plan to continue their mother's 42-year legacy and keep the restaurant going. Her son Luis has been the manager of Casa Adela for over two decades.

Section 64. Private First Class Luis Moreno Way

Introduced by Council Member Sanchez

May 26, 1984 – January 29, 2004

PFC Luis Moreno was assigned to Battery A, 4th Battalion, 1st Field Artillery, based at Fort Riley, Kansas. He died on January 29, 2004 at the Lakenheath Medical Treatment Facility, United Kingdom, after he was shot on January 23, 2004 while he was guarding a gas station in Baghdad. He was born in the Dominican Republic and came to the United States in 1991 with his family. He wanted to become a police officer. He joined the military in 2003. He was based at Fort Riley, Kan. After graduating from high school in the Bronx, he enlisted in the United States Army and had been stationed in Baghdad for three months. At the time, he was the youngest New York soldier to die in Iraq at 19 years old, according to Dominican Veterans Inc. He wanted to become an American citizen. Congressman José Serrano, took it upon himself to get Luis's citizenship posthumously, so PFC Moreno could die as an American.

Section 65. Joseph Hennessy Way

Introduced by Council Member Schulman

February 10, 1938 – April 9, 2020

Joseph Hennessy was the longtime Chair of Queens Community Board 6 and community activist, serving Rego Park and Forest Hills. Born in Ireland, he immigrated to the United States in 1957. He served in the United States Army from 1959 to 1961, "in the same outfit that Elvis Presley served in", the 3rd Armored Division. After returning to civilian life, he found work at a medallion cab company in 1963, eventually rising to the role of general manager. His work in community activism and civic engagement began in 1976 when he became a board member for Queens Community House, a multi-service settlement house serving the borough of Queens, as well as a board member with the Forest Hills Coop. A year later, in 1977, he was appointed to Queens Community Board 6, eventually elected chair of the board in 1996, a position that he served in until retiring in 2019. In his role as Community Board member, he worked to put together the Community Emergency Response Team for his district, a group of volunteers who are trained in disaster preparedness and basic disaster response skills that can provide in fire safety, search and rescue, and emergency medical situations; secured jaws of life for the local fire station; made sure the 112th Precinct had a proper communications system; and worked to develop the site that would eventually become the Rego Park shopping mall. He was also founder of the parents' association for Our Lady of Angelus Catholic Academy in the 1980s.

Section 66. Greg Stein Way

Introduced by Council Member Schulman

October 6, 1948 – June 30, 2021

Greg Stein was an extremely active participant in the LGBTQIA+ rights and AIDS advocacy movements in Queens for almost 30 years. He served as the treasurer for the Queens Lesbian and Gay Pride Committee as well as for the AIDS Center of Queens County. Additionally, he was a lectern at Queens of Angels Church in Sunnyside and active in the Phi Kappa Theta Fraternity, a national, historically Catholic, social fraternity whose ideals include: duty to man, duty to one's self and one's parents, duty to society, Spiritual Duty, and Leadership. Along with his various organizational and activist involvements, he worked as a math teacher at Russell Sage Junior High School in Forest Hills. He had three decades of involvement in LGBTQ advocacy in Queens. He volunteered for and served on the boards of the AIDS Center of Queens County, the Queens Pride Parade, and the Lesbian and Gay Democratic Club of Queens.

Section 67. Venancio "Benny" Catala, Jr. Way

Introduced by Council Member Stevens

November 3, 1969 – January 17, 2022

Venancio "Benny" Catala, Jr. worked at the Summer Youth Employment Program when he was 16 years old and later was employed as a Constituent Service Representative in the Bronx where he provided assistance to constituents with education, housing and social services. He assisted local residents in getting access to state resources and programs. He served as a Constituent Liaison, Constituent Services Director and the District Office Liaison to the Albany Legislative Office of Assemblywoman Aurelia Greene. He went to work for Turner Construction to oversee Community Engagement on the construction of the new Yankee Stadium in the Bronx.

He was responsible for local hiring provisions, MWBE contract opportunities, community engagement and building partnerships with local merchants and small businesses to create jobs for residents of the Bronx. In 2012, he joined his beloved New York Yankees Organization as the Director of Diversity Initiatives. In this role, he was responsible for cultivating relationships with local stakeholders including clergy, faith leaders, community based organizations, small businesses and elected officials. He played an important role in helping the New York Yankees to build relationships with community partners, local schools, cultural organizations, housing groups and not for profit organizations. He oversaw initiatives such as Thanksgiving voucher giveaways, Winter Wonderland during Christmas and external events with youth groups such as SCAN Harbor NY. He has served as Campaign Manager, Campaign Advisor and Campaign Consultant to many candidates running for Congress, the New York State Senate, the New York State Assembly, the New York City Council, Civil Court and Supreme Court. He was a member of Bronx Christian Charismatic Prayer Fellowship Church (BCCPF), founded by the late Rev. Jerome A. Greene. After many years of service, he then began attending The Lord's Church in the Bronx, NY, pastored by Bishop Eric McDaniel where he would remain a member. He served faithfully and was always available to share his love for God with anyone he spoke to and interacted with.

Section 68. Bishop Earl W. McKay Way

Introduced by Council Member Stevens
1950 – December 12, 2021

Bishop Earl W. McKay was born in Kingston, Jamaica and migrated to New York at an early age. He became a charter member of the newly organized Tompkins Avenue Church of God of Prophecy. He served as youth director of the Tompkins Ave Church and District Youth Director of the Brooklyn District. In 1976, he was appointed State Youth Director for New York. In 1977, while serving as State Youth Ministries Director, he was appointed pastor of the St. Albans congregation in Queens. The following year, he served a two-year term overseas as missionary pastor of the Curving Ave Church of God of Prophecy on the island nation of Bermuda, where he also served as Executive Board member and secretary of the Bermuda Pentecostal Ministerial Fellowship. He was appointed District Overseer of the Churches of Western New York. He served as Business Manager for Camp Wildwood, the State Youth Camp program, and as State Winter Retreat Director. He was ordained and consecrated a bishop at the International General Assembly of the Church of God of Prophecy in Cleveland, Tennessee. He served the Borough of the Bronx for more than three decades. He set up a food pantry, lunch and dinner programs serving over 1200 community residents per month, and HIV testing program on site. He was instrumental in the planting of three churches: The Freeport Long Island Church of God of Prophecy, a now thriving Hispanic Congregation which has since relocated to Hempstead LI; The Gerard Ave. Church of God of Prophecy in the Bronx NY, a Hispanic congregation which was incubated in the English Congregation as an outreach to the Hispanic community; and the Reconciled Church, which was also incubated and launched out of an English speaking congregation. A strong community advocate, he was appointed by the Bronx Borough president to serve as board member of Community Planning Board Four. He was Chairman of the Housing and Land Use Committee for Community Planning Board Four and a member of the Executive Committee. His other community involvements included: Clergy Liaison to the NYPD, partner with Bronx Health Reach, Executive Board Member Bronx HIV Network and he served as past President of the Clergy Coalition of the 44th Precinct.

Section 69. Don Capalbi Way

Introduced by Council Member Ung
Died December 2, 2018

Don Capalbi was the former president of the Queensboro Hill Flushing Civic Association, and was known for his activism, including his successful campaign for traffic control near PS 163 and his condemnation of the 2015 Main Street redesign. He also worked as a staffer for Rep. Grace Meng (D-Flushing). He was a longtime resident of Queensboro Hill and served as vice president of Terence Park's Our Flushing Political Coalition and a member of the executive board of the Democratic Club of Flushing. He was a member of numerous organizations in the Queens community, including the Flushing Chamber of Commerce, New York Hospital Queens Community Advisory Council, 109th Precinct Community Council, Kissena Corridor Park Conservancy, NAACP, Lions Club, Knights of Columbus and Society for Accessible Travel and Hospitality. He received the Community Service Award.

Section 70. Boris Talis Way

Introduced by Council Member Vernikov

Died November 22, 2020

Boris Talis came to the United States with his family in 1989 from Odessa, Ukraine and developed his career here as a talented writer, journalist, TV/radio personality, successful businessman, accomplished athlete and a beloved coach. He made his contribution to the community as a member of Community Board 13 and an Executive Director of Brighton Business District Association and was also part of Feeding America Foundation. One of his many passions was engaging teenagers in various activities under the program “Keep our kids off the streets.” He was often seen at the Asser Levy Park playground training kids and assembling competitions.

Section 71. Rabbi Melvin I. Burg Way

Introduced by Council Member Vernikov

November 6, 1948 – September 8, 2021

Rabbi Burg was a long time Community Board Member for over 25 years and served on the Executive Board as well. He was a deeply devoted member of the community and had an extremely successful 45-year career in Ocean Avenue Jewish Center (OAJC) and his love of the greater Jewish community brought him to take a position as the Executive Director of the Vaad HaRabonim of Flatbush. He was not only limited to being a religious leader and mentor but he was a beloved friend and leader to the community in its entirety.

Section 72. Ukrainian Way

Introduced by Council Member Vernikov

This co-naming is in recognition of the victims of military brutality in the Ukraine.

Section 73. Sarita Rein Way

Introduced by Council Member Vernikov

October 19, 1935 – July 25, 2020

Sarita Rein came to Brooklyn from Lima, Peru for a visit but decided to stay and met her husband Arnold. She graduated in the 1980's from Brooklyn College where they had a program supporting immigrants to achieve a college degree. She continued her education at Barauch where she obtained a masters and credits towards a doctorate. She was a parent activist, President of District 21 school board, President of NY Association for Brain injured children where she supported key legislation like PL94-142. She began her career as the Board of Education Parent Coordinator, where she was promoted to Assistant to Bill Thompson and Ninfa Segarra the school board President and Vice President. She continued her career working as the CSE chair of District 12, and moved to District 2, where she became Deputy Superintendent and focused on helping handicapped children. She taught educators Special Ed at the College of Staten Island. She was a longtime advocate for her community, and worked alongside Mayor Abe Beam and Senator Charles Schumer to secure education funding. She was also School Board President for District 21 and a proud member of the 41st A. D. Democrats Club. She also was on the planning team for the creation of Edward R. Murrow High School and was the PTA president until 1985.

Section 74. Fred Schneider Way

Introduced by Council Member Vernikov

October 12, 1954 – April 14, 2019

Fred Schneider was a well thought of member of our community for almost all of his life. He was raised in the Luna Park Housing Complex and went to schools in the area, finally graduating from Abraham Lincoln High School. During his formative years, he was very active in the Boy Scouts of America becoming a troop leader where he was a role model and helped mold the lives of young men in his troops. He worked in several jobs until he found his niche in the NYC Department of Environmental Protection where he rose to Supervisor and in this capacity helped all areas of Brooklyn, especially Community Boards, 11, 13 and 15 with all their water related problems. No problem was too small or too large – just a phone call to him and everyone knew he would solve the problem. At a community board meeting when discussing a water related problem, the chairperson remarked “where’s Fred Schneider when we need him.” He was a member of several community organizations, including

the 60th Precinct Community Council, Brighton Beach/Coney Island Kiwanis, Friends of Kaiser Park and Brooklyn Community Board 13.

Section 75. Detective Mollie A. Gustine Way

Introduced by Council Member Williams

Died Aril 2020

Mollie A. Gustine joined the NYPD in 1963 when there were very few African-American women on the police force. She became a detective and one of the first women to be a union delegate for officers and detectives. In 1982, she was shot when three men attacked her but survived her injuries. She also was one of the first three women in the NYPD's Sex Crimes Unit. She served with the NYPD for 20 years.

Section 76. Dharmacharya Seerattan Way

Introduced by Council Member Williams

October 5, 1933 – July 12, 2020

Dharmacharya Seerattan founded the Shri Devi Mandir in Jamaica, Queens in 1988 with a Global Humanitarian Foundation to serve globally. He worked with charitable organizations, including the BAPS Care International where in 2005 he built a well in a poor village in India for people to have drinking water and donated to the Tsunami, Gujrat and Pakistan Earthquake, Guyana Flood, Hurricane Katrina, Haiti Earthquake, Superstorm Sandy and Sankara Eye Foundation. He founded the Shri Devi Mandir Global Humanitarian Foundation Inc., which built a home for a disabled mother in Guyana, delivered food hampers, purchased eyeglasses for the less fortunate, established computer centers and sponsored scholarships for students. He donated funding to Queens Hospital Center for the Department of Cardiology and also supported Guyana with over 16,000 face masks, 2,500 hampers of food and 2,000 kids meals during COVID-19. He was awarded many citations for his humanitarian actions.

Section 77. Maharshi Dayananda Gurukula Way

Introduced by Council Member Williams

The first Arya Samaj temple-organizations in New York City were established in the 1970's. In the course of time, there were four major Arya Samaj temples in New York City – Arya Samaj USA, Arya Spiritual Center, Arya Samaj New York, and Arya Samaj Bronx. In 2003, there was a fourth such organization that was established and it was called Maharshi Dayananda Gurukula, NA, Inc. Dr. Satish Prakash founded the Gurukula, and, in this task, he was vigorously supported by a group of some dedicated Arya individuals. The Gurukula operated initially from within a basement environment until a huge building was acquired in late 2002 at 93-37 150 Street, Jamaica, Queens, NY, 11435. With best wishes and tremendous manual and fiscal help coming from a host of individuals, the building, initially an entertainment club, was renovated to operate as a Vedic Educational and Cultural Center. The Commanding Officer of the 103rd precinct was extremely happy that we have acquired this building and it will be converted to an Educational and Cultural Center. With much fanfare and with ritual chants and songs, the Gurukula-Center was finally declared open on September 19, 2003, the actual 50th birthday of the founder Acharya, Dr. Satish Prakash. A Gurukula is traditionally a Sanskrit educational and cultural center. The charter of Maharshi Dayananda Gurukula in New York commissions its members to teach and render assistance to mankind in accordance with the principles of Arya Samaj and its founder, Rishi Dayananda Saraswati. While the motto of the Arya Samaj is Making All Mankind Noble, the motto of the Gurukula is Lessening Human Suffering – Educating Human Minds.

Section 78. David and Renee Bluford Way

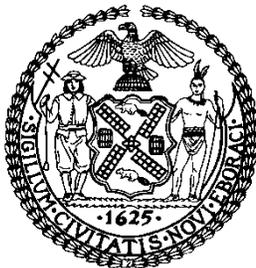
Introduced by Council Member Williams

David Franklin Bluford (July 28, 1932 – May 26, 2020) served in the U.S. Army during the Korean War, and earned an honorable discharge. Upon completing his undergraduate studies at Fayetteville State University in North Carolina, he earned a Masters of Arts from CUNY Hunter College, as well as certifications for Advanced Study in Education at Columbia University and St. John's University. He later served as an Assistant Superintendent and Junior High School Principal in East Harlem's Community School District 4, and a middle school teacher in Brooklyn's Community School District 23. His history as an administrator included stints as director of the Upward Bound college preparatory program at CUNY Queens College, and adjunct professor of educational administration at CUNY Brooklyn College and St. John's University. Locally, he served on the

Board of Directors of the Queens Urban League, and as Chairman of the Alpha Phi Alpha Senior Center and Community School Board 29 in Southeast Queens. His personal affiliations also include the Jamaica NAACP branch, Freemasons, and Alpha Phi Alpha Fraternity, Inc. He received many awards, such as Outstanding Educator, Jamaica Branch of the NAACP, the Jackie Robinson Junior High School Man of the Year Award, The Distinguished Citizens Service Award and the Community Service Award. Renee N. Bluford (December 24, 1937 – December 29, 2021) was an advocate and activist, she served her community for more than 50 years. She joined the Epsilon Pi Omega Chapter of Alpha Kappa Alpha Sorority Inc. in 1982, was a member of the New York Hillbillies for over 10 years, served as a Charter Member of the Greater Queens Chapter of the Links Inc. for nearly 30 years, was a Life Member of the NAACP Jamaica Branch and as the New York State NAACP Treasurer for 15 years, served as the President of the Guy R. Brewer Democratic Club and as a member of the club for over 40 years, assisted in the successful election of many Southeast Queens elected officials ranging from New York City School Board Representatives, Council and Congressional Leaders, and State Senators. She worked as an Information Technology Senior Purchasing Manager for the New York City Government under the Koch Administration and closed out her career as the owner of the first successful Allstate Insurance Agency in Southeast Queens. She received the “Concerned Citizen Award” for invigorating economic development in Southeast Queens. She has been honored as the recipient of numerous awards from Alpha Phi Alpha Fraternity; Jamaica Service Program for Older Adults; Greater Queens Chapter of the Links; NAACP; New York State Association of Black and Puerto Rican Legislators, Inc.; The Guy R. Brewer Democratic Club; New York City Council Member I. Daneek Miller as well as several prestigious awards from local, state, and community organizations. As a Charter Member of the Greater Queens Chapter of the Links Incorporated, she served as an unofficial spokeswoman and advocate for Lupus and dialysis patients to facilitate access to medical procedures and donation options. One of her most important contributions to Queens was with Dr. Robert Mossey, Director of Dialytic Services of North Shore-LIJ. They jointly created an inaugural conduit for a kidney transplant program between North Shore-LIJ and Mt. Sinai in Manhattan.

Section 79. The REPEAL of Section 105 of Local Law number 54 for the year 2022. This section repeals Section 105 of Local Law number 54 for the year 2022.

(The following is the text of the Fiscal Impact Statement for Int. No. 480-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**

FISCAL IMPACT STATEMENT

INTRO. NO. 480-A

COMMITTEE: Parks and Recreation

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to the naming of 78 thoroughfares and public spaces.

SPONSOR (S): By Council Members Krishnan, Abreu, The Speaker (Council Member Adams), Ariola, Avilés, Ayala, Barron, Borelli, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Kagan, Marte, Mealy, Menin, Nurse, Ossé, Paladino, Restler, Rivera, Sanchez, Schulman, Stevens, Ung, Vernikov and Williams.

In relation to the naming of 78 thoroughfares and public places, Clara Belle Place, Borough of Queens, NYPD SCG Lorraine P. Elliott Way, Borough of Queens, Juan M. Díaz Way, Borough of Manhattan, Judge Hubert T. Delany Way, Borough of Manhattan, Ritawantee “Auntie Rita” Persaud Way, Borough of Queens, Sandra Santos-Vizcaino Street, Borough of Brooklyn, Hiram Maristany Way, Borough of Manhattan, Melvin A. Faulkner Way, Borough of Brooklyn, Jose Rosado Way, Borough of Brooklyn, Frederick Law Olmsted Way, Borough of Staten Island, Firefighter James Cooney Street, Borough of Staten Island, Robert Trentlyon Way, Borough of Manhattan, Jim Houghton Way, Borough of Manhattan, Ralph Schiano’s Corner, Borough of Brooklyn, Ballet Hispánico Way, Borough of Manhattan, W. O’Brien Way, Borough of Queens, Oswald Grannum Way, Borough of Queens, Salah Hassanein Way, Borough of Queens, FDNY Lt. Joseph W. Maiello Way, Borough of Staten Island, NYPD Detective Christopher B. McDonnell Way, Borough of Staten Island, Vincent “Jimmy” Anthony Navarino Way, Borough of Staten Island, Joseph Vincent Madory Way, Borough of Staten Island, Ramona Elizabeth Rodriguez Way, Borough of Manhattan, Jason “TATA” Rivera Way, Borough of Manhattan, Victor Aurelio “Classico” Tapia Way, Borough of Manhattan, James F. Nolan Way, Borough of Manhattan, Bill Stone Way, Borough of the Bronx, Marie Reed Way, Borough of the Bronx, Detective Raymond Abear Way, Borough of Queens, Rabbi Fabian Schonfeld Way, Borough of Queens, Detective Barbara Taylor-Burnette Way, Borough of Brooklyn, Aidan Seeger Way, Borough of Brooklyn, Little Bangladesh, Borough of Brooklyn, Kenny “Scats” Scanlon Way, Borough of Staten Island, The Force MD’s Way, Borough of Staten Island, Monsignor Peter Finn Way, Borough of Staten Island, Monsignor Ferdinando Berardi Way, Borough of Staten Island, Louis Iorio Way, Borough of Queens, Captain Thomas G. Abbey Place, Borough of Queens, Mary Anne Verbil Walter Way, Borough of Queens, Msgr. Peter Zendzian Way, Borough of Queens, Eudes Pierre Way, Borough of Brooklyn, Lou’s Deli Way, Borough of Brooklyn, Frank Giordano Way, Borough of Brooklyn, Francesco LoPresti Street, Borough of Brooklyn, Dr. Sergio I. Rubio Way, Borough of Queens, Little Thailand Way, Borough of Queens, Harold Lui Way, Borough of Manhattan, Edie Windsor and Thea Spyer Way, Borough of Manhattan, Beastie Boys Square, Borough of Manhattan, Kade Ashton Tyler Lewin Way, Borough of Brooklyn, Jimmy Neary Way, Borough of Manhattan, Pujari Basdeo Mangal Way, Borough of Brooklyn, Delrawn Small Way, Borough of Brooklyn, Police Officer Raymond Harris Way, Borough of Brooklyn, SGT Firefighter Shawn E. Powell Way, Borough of Brooklyn, Bishop Marvin D. Williams, Sr. Way, Borough of Brooklyn, Police Officer Timothy Motto Way, Borough of Queens, James “Big Jim” Corcoran Way, Borough of Queens, Jane Walentas Way, Borough of Brooklyn, Rita Saunders Way, Borough of Brooklyn, Dr. May Edward Chinn Place, Borough of Manhattan, Adela Fargas Way, Borough of Manhattan, Private First Class Luis Moreno Way, Borough of the Bronx, Joseph Hennessy Way, Borough of Queens, Greg Stein Way, Borough of Queens, Venancio “Benny” Catala, Jr. Way, Borough of the Bronx, Bishop Earl W. McKay Way, Borough of the Bronx, Don Capalbi Way, Borough of Queens, Boris Talis Way, Borough of Brooklyn, Rabbi Melvin I. Burg Way, Borough of Brooklyn, Ukrainian Way, Borough of Brooklyn, Sarita Rein Way, Borough of Brooklyn, Fred Schneider Way, Borough of Brooklyn, Detective Mollie A. Gustine Way, Borough of Queens, Dharmacharya Seerattan Way, Borough of Queens, Maharshi Dayananda Gurukula Way, Borough of Queens, David and Renee Bluford Way, Borough of Queens and the repeal of section 105 of local law number 54 for the year 2022.

SUMMARY OF LEGISLATION: The proposed law would add, through the posting of additional signs, the following new street names:

New Name	Present Name	Limits
Clara Belle Place	None	At the intersection of Waltham Street and 105th Avenue
NYPD SCG Lorraine P. Elliott Way	None	At the intersection of Lefferts Boulevard and Rockaway Boulevard
Juan M. Díaz Way	West 157th Street	Between Broadway and Amsterdam Avenue
Judge Hubert T. Delany Way	None	At the intersection of 145th Street and Riverside Drive
Ritawantee “Auntie Rita” Persaud Way	None	At the intersection of 92nd Street and 103rd Avenue
Sandra Santos-Vizcaino Street	57th Street	Between 3rd Avenue and 4th Avenue
Hiram Maristany Way	None	At the intersection of 111th Street and Madison Avenue
Melvin A. Faulkner Way	None	At the intersection of Schenck Avenue and Cozine Avenue
Jose Rosado Way	None	At the intersection of Cozine Avenue and Williams Avenue
Frederick Law Olmsted Way	None	At the intersection of Woods of Arden Road and Hylan Boulevard
Firefighter James Cooney Street	None	At the intersection of Corbin Avenue and Nahant Street
Robert Trentlyon Way	None	At the intersection of West 23rd Street and 11th Avenue
Jim Houghton Way	None	At the intersection of Dyer Avenue and 10th Avenue
Ralph Schiano’s Corner	None	At the intersection of 92nd Street and 3rd Avenue
Ballet Hispánico Way	West 89th Street	Between Columbus Avenue and Amsterdam Avenue
W. O’Brien Way	148th Road	Between 241st Street and Edgewood Street
Oswald Grannum Way	148th Drive	Between 241st Street and Edgewood Street
Salah Hassanein Way	None	At the intersection of 21st Street and 30th Road
FDNY Lt. Joseph W. Maiello Way	None	At the intersection of O’Connor Avenue and Caswell Avenue
NYPD Detective Christopher B. McDonnell Way	None	At the intersection of Jennifer Place and Morani Street
Vincent “Jimmy” Anthony Navarino Way	None	At the intersection of Vincent Avenue and Coverly Street
Joseph Vincent Madory Way	None	At the intersection of Richmond Road and Bancroft Avenue
Ramona Elizabeth Rodriguez Way	None	At the intersection of 167th Street and Audubon Avenue
Jason “TATA” Rivera Way	None	At the intersection 204th Street and Sherman Avenue
Victor Aurelio “Classico” Tapia Way	None	At the intersection of 214th Street and 10th Avenue
James F. Nolan Way	None	At the intersection of Isham Street and Cooper Street

Bill Stone Way	None	At the intersection of Hudson Terrace and West 237th Street
Marie Reed Way	None	At the intersection of Lafayette Avenue and Soundview Avenue
Detective Raymond Abear Way	None	At the intersection of 164th Place and Goethals Avenue
Rabbi Fabian Schonfeld Way	None	At the intersection of 150th Street and 70th Road
Detective Barbara Taylor-Burnette Way	None	At the intersection of Scholes Street and Humboldt Street
Aidan Seeger Way	None	At the intersection of Prospect Avenue and Terrace Place
Little Bangladesh	None	At the intersection of Macdonald Avenue and Church Avenue
Kenny "Scats" Scanlon Way	None	At the intersection of Elwood Place and Hunter Place
The Force MD's Way	None	At the intersection of Brabant Avenue and Grandview Avenue
Monsignor Peter Finn Way	None	At the intersection of Forest Avenue and Manor Road
Monsignor Ferdinando Berardi Way	None	At the intersection of Manor Road and Forest Avenue
Louis Iorio Way	60th Drive	Between 84th Street and the dead end of the block
Captain Thomas G. Abbey Place	82nd Place	Between 64th Road and Furmanville Avenue
Mary Anne Verbil Walter Way	None	At the intersection of 58th Avenue and Brown Place
Msgr. Peter Zendzian Way	None	At the intersection of 61st Street and 56th Road
Eudes Pierre Way	None	At the intersection of Eastern Parkway and Utica Avenue
Lou's Deli Way	None	At the intersection of Kings Highway and East 2nd Street
Frank Giordano Way	None	At the intersection of Mermaid Avenue and West 15th Street
Francesco LoPresti Street	None	At the intersection of Bay 20th Street and Bath Avenue
Dr. Sergio I. Rubio Way	None	At the intersection of Northern Boulevard and 89th Street
Little Thailand Way	Woodside Avenue	Between 76th Street and 79th Street
Harold Lui Way	None	At the intersection of Walker Street and Centre Street
Edie Windsor and Thea Spyer Way	None	At the intersection of Fifth Avenue and Washington Square North
Beastie Boys Square	None	At the intersection of Ludlow Street and Rivington Street
Kade Ashton Tyler Lewin Way	None	At the intersection of East 56th Street and Linden Boulevard
Jimmy Neary Way	None	At the intersection of 57th Street and First Avenue

Pujari Basdeo Mangal Way	Van Siclen Avenue	Between Atlantic Avenue and Liberty Avenue
Delrawn Small Way	None	At the intersection of Bradford Street and Atlantic Avenue
Police Officer Raymond Harris Way	None	At the intersection of Sumner Place and Lewis Avenue
SGT Firefighter Shawn E. Powell Way	None	At the intersection of Monroe Street and Marcy Avenue
Bishop Marvin D. Williams, Sr. Way	None	At the intersection of Myrtle Avenue and Tompkins Avenue
Police Officer Timothy Motto Way	None	At the intersection of 28th Avenue and Ulmer Street
James "Big Jim" Corcoran Way	None	At the intersection of Corbett Road and 217th Street
Jane Walentas Way	Dock Street	Between Front Street and Water Street
Rita Saunders Way	Bond Street	Between Baltic Street and Butler Street
Dr. May Edward Chinn Place	None	At the intersection of East 29th Street and 1st Avenue
Adela Fargas Way	None	At the intersection of East 5th Street and Avenue C
Private First Class Luis Moreno Way	None	At the intersection of Grand Concourse and Fordham Road
Joseph Hennessy Way	None	At the intersection of 108th Street and 62nd Drive
Greg Stein Way	None	At the intersection of Queens Boulevard and 77th Avenue
Venancio "Benny" Catala, Jr. Way	None	At the intersection of Teller Avenue and 166th Street
Bishop Earl W. McKay Way	None	At the intersection of 165th Street and Gerard Avenue
Don Capalbi Way	136th Street	Between 57th Road and 58th Avenue
Boris Talis Way	None	At the intersection of West 1st Street and Seabreeze Avenue
Rabbi Melvin I. Burg Way	None	At the intersection of Ocean Avenue and Avenue V
Ukrainian Way	None	At the intersection of Brighton Beach Avenue and Coney Island Avenue
Sarita Rein Way	None	At the intersection of Avenue L and East 17th Street
Fred Schneider Way	None	At the intersection of Neptune Avenue and West 12th Street
Detective Mollie A. Gustine Way	None	At the intersection of 117th Road and 192nd Street
Dharmacharya Seerattan Way	173rd Street	Between Jamaica Avenue and 93rd Avenue
Maharshi Dayananda Gurukula Way	94th Avenue	Between 150th Street and 94th Avenue
David and Renee Bluford Way	None	At the intersection of 178th Place and Murdock Avenue

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023**FISCAL IMPACT STATEMENT:**

	Effective FY23	FY Succeeding Effective FY24	Full Fiscal Impact FY23
Revenues	\$0	\$0	\$0
Expenditures	\$22,425	\$0	\$22,425
Net	\$22,425	\$0	\$22,425

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

IMPACT ON EXPENDITURES: This legislation would require the installation of 78 new street signs. It is estimated that each sign would cost \$37.50 and the labor to install each sign would be \$250, for a total cost of \$287.50 per sign. As such, the estimated total cost of enacting this legislation would be approximately \$22,425.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: General Fund

SOURCE OF INFORMATION: New York City Council, Finance Division

ESTIMATE PREPARED BY: Chima Obichere, Unit Head

ESTIMATE REVIEWED BY: Jonathan Rosenberg, Managing Deputy Director
James Caras, Special Counsel to the Speaker

LEGISLATIVE HISTORY: This legislation was introduced to the full Council on June 2, 2022 as Intro. No. 480 and was referred to the Committee on Parks and Recreation (the Committee). A hearing was held by the Committee on June 7, 2022 and the bill was laid over. The legislation was subsequently amended, and the amended version, Proposed Int. No. 480-A, will be considered by the Committee on July 13, 2022. Following a successful Committee vote, Proposed Int. No. 480-A will be submitted to the full Council for a vote on July 14, 2022.

DATE PREPARED: July 6, 2022

FISCAL IMPACT SCHEDULE:

New Name	Number of Signs	Cost	Installation (street signs only)	Total Cost
Clara Belle Place	1	37.5	250	287.5
NYPD SCG Lorraine P. Elliott Way	1	37.5	250	287.5
Juan M. Díaz Way	1	37.5	250	287.5
Judge Hubert T. Delany Way	1	37.5	250	287.5
Ritawantee "Auntie Rita" Persaud Way	1	37.5	250	287.5
Sandra Santos-Vizcaino Street	1	37.5	250	287.5
Hiram Maristany Way	1	37.5	250	287.5
Melvin A. Faulkner Way	1	37.5	250	287.5
Jose Rosado Way	1	37.5	250	287.5
Frederick Law Olmsted Way	1	37.5	250	287.5

Firefighter James Cooney Street	1	37.5	250	287.5
Robert Trentlyon Way	1	37.5	250	287.5
Jim Houghton Way	1	37.5	250	287.5
Ralph Schiano's Corner	1	37.5	250	287.5
Ballet Hispánico Way	1	37.5	250	287.5
W. O'Brien Way	1	37.5	250	287.5
Oswald Grannum Way	1	37.5	250	287.5
Salah Hassanein Way	1	37.5	250	287.5
FDNY Lt. Joseph W. Maiello Way	1	37.5	250	287.5
NYPD Detective Christopher B. McDonnell Way	1	37.5	250	287.5
Vincent "Jimmy" Anthony Navarino Way	1	37.5	250	287.5
Joseph Vincent Madory Way	1	37.5	250	287.5
Ramona Elizabeth Rodriguez Way	1	37.5	250	287.5
Jason "TATA" Rivera Way	1	37.5	250	287.5
Victor Aurelio "Classico" Tapia Way	1	37.5	250	287.5
James F. Nolan Way	1	37.5	250	287.5
Bill Stone Way	1	37.5	250	287.5
Marie Reed Way	1	37.5	250	287.5
Detective Raymond Abear Way	1	37.5	250	287.5
Rabbi Fabian Schonfeld Way	1	37.5	250	287.5
Detective Barbara Taylor-Burnette Way	1	37.5	250	287.5
Aidan Seeger Way	1	37.5	250	287.5
Little Bangladesh	1	37.5	250	287.5
Kenny "Scats" Scanlon Way	1	37.5	250	287.5
The Force MD's Way	1	37.5	250	287.5
Monsignor Peter Finn Way	1	37.5	250	287.5
Monsignor Ferdinando Berardi Way	1	37.5	250	287.5
Louis Iorio Way	1	37.5	250	287.5
Captain Thomas G. Abbey Place	1	37.5	250	287.5
Mary Anne Verbil Walter Way	1	37.5	250	287.5
Msgr. Peter Zendzian Way	1	37.5	250	287.5
Eudes Pierre Way	1	37.5	250	287.5
Lou's Deli Way	1	37.5	250	287.5
Frank Giordano Way	1	37.5	250	287.5
Francesco LoPresti Street	1	37.5	250	287.5
Dr. Sergio I. Rubio Way	1	37.5	250	287.5
Little Thailand Way	1	37.5	250	287.5
Harold Lui Way	1	37.5	250	287.5
Edie Windsor and Thea Spyer Way	1	37.5	250	287.5

Beastie Boys Square	1	37.5	250	287.5
Kade Ashton Tyler Lewin Way	1	37.5	250	287.5
Jimmy Neary Way	1	37.5	250	287.5
Pujari Basdeo Mangal Way	1	37.5	250	287.5
Delrawn Small Way	1	37.5	250	287.5
Police Officer Raymond Harris Way	1	37.5	250	287.5
SGT Firefighter Shawn E. Powell Way	1	37.5	250	287.5
Bishop Marvin D. Williams, Sr. Way	1	37.5	250	287.5
Police Officer Timothy Motto Way	1	37.5	250	287.5
James "Big Jim" Corcoran Way	1	37.5	250	287.5
Jane Walentas Way	1	37.5	250	287.5
Rita Saunders Way	1	37.5	250	287.5
Dr. May Edward Chinn Place	1	37.5	250	287.5
Adela Fargas Way	1	37.5	250	287.5
Private First Class Luis Moreno Way	1	37.5	250	287.5
Joseph Hennessy Way	1	37.5	250	287.5
Greg Stein Way	1	37.5	250	287.5
Venancio "Benny" Catala, Jr. Way	1	37.5	250	287.5
Bishop Earl W. McKay Way	1	37.5	250	287.5
Don Capalbi Way	1	37.5	250	287.5
Boris Talis Way	1	37.5	250	287.5
Rabbi Melvin I. Burg Way	1	37.5	250	287.5
Ukrainian Way	1	37.5	250	287.5
Sarita Rein Way	1	37.5	250	287.5
Fred Schneider Way	1	37.5	250	287.5
Detective Mollie A. Gustine Way	1	37.5	250	287.5
Dharmacharya Seerattan Way	1	37.5	250	287.5
Maharshi Dayananda Gurukula Way	1	37.5	250	287.5
David and Renee Bluford Way	1	37.5	250	287.5
Total	78	\$2,925	\$19,500	\$22,425

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 480-A:)

Int. No. 480-A

By Council Members Krishnan, Abreu, The Speaker (Council Member Adams), Ariola, Avilés, Ayala, Barron, Borelli, Bottcher, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Gennaro, Gutiérrez, Hanif, Hanks, Holden, Hudson, Kagan, Louis, Marte, Mealy, Menin, Narcisse, Nurse, Ossé, Paladino, Restler, Rivera, Sanchez, Schulman, Stevens, Ung, Vernikov and Williams.

A Local Law in relation to the naming of 78 thoroughfares and public places, Clara Belle Place, Borough of Queens, NYPD SCG Lorraine P. Elliott Way, Borough of Queens, Juan M. Díaz Way, Borough of Manhattan, Judge Hubert T. Delany Way, Borough of Manhattan, Ritawantee “Auntie Rita” Persaud Way, Borough of Queens, Sandra Santos-Vizcaino Street, Borough of Brooklyn, Hiram Maristany Way, Borough of Manhattan, Melvin A. Faulkner Way, Borough of Brooklyn, Jose Rosado Way, Borough of Brooklyn, Frederick Law Olmsted Way, Borough of Staten Island, Firefighter James Cooney Street, Borough of Staten Island, Robert Trentlyon Way, Borough of Manhattan, Jim Houghton Way, Borough of Manhattan, Ralph Schiano’s Corner, Borough of Brooklyn, Ballet Hispánico Way, Borough of Manhattan, W. O’Brien Way, Borough of Queens, Oswald Grannum Way, Borough of Queens, Salah Hassanein Way, Borough of Queens, FDNY Lt. Joseph W. Maiello Way, Borough of Staten Island, NYPD Detective Christopher B. McDonnell Way, Borough of Staten Island, Vincent “Jimmy” Anthony Navarino Way, Borough of Staten Island, Joseph Vincent Madory Way, Borough of Staten Island, Ramona Elizabeth Rodriguez Way, Borough of Manhattan, Jason “TATA” Rivera Way, Borough of Manhattan, Victor Aurelio “Classico” Tapia Way, Borough of Manhattan, James F. Nolan Way, Borough of Manhattan, Bill Stone Way, Borough of the Bronx, Marie Reed Way, Borough of the Bronx, Detective Raymond Abear Way, Borough of Queens, Rabbi Fabian Schonfeld Way, Borough of Queens, Detective Barbara Taylor-Burnette Way, Borough of Brooklyn, Aidan Seeger Way, Borough of Brooklyn, Little Bangladesh, Borough of Brooklyn, Kenny “Scats” Scanlon Way, Borough of Staten Island, The Force MD’s Way, Borough of Staten Island, Monsignor Peter Finn Way, Borough of Staten Island, Monsignor Ferdinando Berardi Way, Borough of Staten Island, Louis Iorio Way, Borough of Queens, Captain Thomas G. Abbey Place, Borough of Queens, Mary Anne Verbil Walter Way, Borough of Queens, Msgr. Peter Zendzian Way, Borough of Queens, Eudes Pierre Way, Borough of Brooklyn, Lou’s Deli Way, Borough of Brooklyn, Frank Giordano Way, Borough of Brooklyn, Francesco LoPresti Street, Borough of Brooklyn, Dr. Sergio I. Rubio Way, Borough of Queens, Little Thailand Way, Borough of Queens, Harold Lui Way, Borough of Manhattan, Edie Windsor and Thea Spyer Way, Borough of Manhattan, Beastie Boys Square, Borough of Manhattan, Kade Ashton Tyler Lewin Way, Borough of Brooklyn, Jimmy Neary Way, Borough of Manhattan, Pujari Basdeo Mangal Way, Borough of Brooklyn, Delrawn Small Way, Borough of Brooklyn, Police Officer Raymond Harris Way, Borough of Brooklyn, SGT Firefighter Shawn E. Powell Way, Borough of Brooklyn, Bishop Marvin D. Williams, Sr. Way, Borough of Brooklyn, Police Officer Timothy Motto Way, Borough of Queens, James “Big Jim” Corcoran Way, Borough of Queens, Jane Walentas Way, Borough of Brooklyn, Rita Saunders Way, Borough of Brooklyn, Dr. May Edward Chinn Place, Borough of Manhattan, Adela Fargas Way, Borough of Manhattan, Private First Class Luis Moreno Way, Borough of the Bronx, Joseph Hennessy Way, Borough of Queens, Greg Stein Way, Borough of Queens, Venancio “Benny” Catala, Jr. Way, Borough of the Bronx, Bishop Earl W. McKay Way, Borough of the Bronx, Don Capalbi Way, Borough of Queens, Boris Talis Way, Borough of Brooklyn, Rabbi Melvin I. Burg Way, Borough of Brooklyn, Ukrainian Way, Borough of Brooklyn, Sarita Rein Way, Borough of Brooklyn, Fred Schneider Way, Borough of Brooklyn, Detective Mollie A. Gustine Way, Borough of Queens, Dharmacharya Seerattan Way, Borough of Queens, Maharshi Dayananda Gurukula Way, Borough of Queens, David and Renee Bluford Way, Borough of Queens and the repeal of section 105 of local law number 54 for the year 2022.

Be it enacted by the Council as follows:

Section 1. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Clara Belle Place	None	At the intersection of Waltham Street and 105th Avenue

§2. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
NYPD SCG Lorraine P. Elliott Way	None	At the intersection of Lefferts Boulevard and Rockaway Boulevard

§3. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Juan M. Díaz Way	West 157th Street	Between Broadway and Amsterdam Avenue

§4. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Judge Hubert T. Delany Way	None	At the intersection of 145 th Street and Riverside Drive

§5. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ritawantee "Auntie Rita" Persaud Way	None	At the intersection of 92nd Street and 103rd Avenue

§6. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Sandra Santos-Vizcaino Street	57th Street	Between 3rd Avenue and 4th Avenue

§7. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Hiram Maristany Way	None	At the intersection of 111th Street and Madison Avenue

§8. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Melvin A. Faulkner Way	None	At the intersection of Schenck Avenue and Cozine Avenue

§9. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Jose Rosado Way	None	At the intersection of Cozine Avenue and Williams Avenue

§10. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Frederick Law Olmsted Way	None	At the intersection of Woods of Arden Road and Hylan Boulevard

§11. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Firefighter James Cooney Street	None	At the intersection of Corbin Avenue and Nahant Street

§12. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Robert Trentlyon Way	None	At the intersection of West 23rd Street and 11th Avenue

§13. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Jim Houghton Way	None	At the intersection of Dyer Avenue and 10th Avenue

§14. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ralph Schiano's Corner	None	At the intersection of 92nd Street and 3rd Avenue

§15. The following street name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ballet Hispánico Way	West 89th Street	Between Columbus Avenue and Amsterdam Avenue

§16. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
W. O'Brien Way	148th Road	Between 241st Street and Edgewood Street

§17. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Oswald Grannum Way	148th Drive	Between 241st Street and Edgewood Street

§18. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Salah Hassanein Way	None	At the intersection of 21st Street and 30th Road

§19. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
FDNY Lt. Joseph W. Maiello Way	None	At the intersection of O'Connor Avenue and Caswell Avenue

§20. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
NYPD Detective Christopher B. McDonnell Way	None	At the intersection of Jennifer Place and Morani Street

§21. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Vincent “Jimmy” Anthony Navarino Way	None	At the intersection of Vincent Avenue and Coverly Street

§22. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Joseph Vincent Madory Way	None	At the intersection of Richmond Road and Bancroft Avenue

§23. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ramona Elizabeth Rodriguez Way	None	At the intersection of 167th Street and Audubon Avenue

§24. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Jason “TATA” Rivera Way	None	At the intersection 204th Street and Sherman Avenue

§25. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Victor Aurelio “Classico” Tapia Way	None	At the intersection of 214th Street and 10th Avenue

§26. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
James F. Nolan Way	None	At the intersection of Isham Street and Cooper Street

§27. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Bill Stone Way	None	At the intersection of Hudson Terrace and West 237th Street

§28. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Marie Reed Way	None	At the intersection of Lafayette Avenue and Soundview Avenue

§29. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Detective Raymond Abear Way	None	At the intersection of 164th Place and Goethals Avenue

§30. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rabbi Fabian Schonfeld Way	None	At the intersection of 150th Street and 70th Road

§31. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Detective Barbara Taylor-Burnette Way	None	At the intersection of Scholes Street and Humboldt Street

§32. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Aidan Seeger Way	None	At the intersection of Prospect Avenue and Terrace Place

§33. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Little Bangladesh	None	At the intersection of Macdonald Avenue and Church Avenue

§34. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Kenny "Scats" Scanlon Way	None	At the intersection of Elwood Place and Hunter Place

§35. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
The Force MD's Way	None	At the intersection of Brabant Avenue and Grandview Avenue

§36. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Monsignor Peter Finn Way	None	At the intersection of Forest Avenue and Manor Road

§37. The following intersection name, in the Borough of Staten Island, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Monsignor Ferdinando Berardi Way	None	At the intersection of Manor Road and Forest Avenue

§38. The following street name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Louis Iorio Way	60th Drive	Between 84th Street and the dead end of the block

§39. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Captain Thomas G. Abbey Place	82 nd Place	Between 64 th Road and Furmanville Avenue

§40. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Mary Anne Verbil Walter Way	None	At the intersection of 58th Avenue and Brown Place

§41. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Msgr. Peter Zendzian Way	None	At the intersection of 61st Street and 56th Road

§42. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Eudes Pierre Way	None	At the intersection of Eastern Parkway and Utica Avenue

§43. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Lou's Deli Way	None	At the intersection of Kings Highway and East 2nd Street

§44. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Frank Giordano Way	None	At the intersection of Mermaid Avenue and West 15th Street

§45. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Francesco LoPresti Street	None	At the intersection of Bay 20th Street and Bath Avenue

§46. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dr. Sergio I. Rubio Way	None	At the intersection of Northern Boulevard and 89th Street

§47. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Little Thailand Way	Woodside Avenue	Between 76th Street and 79th Street

§48. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Harold Lui Way	None	At the intersection of Walker Street and Centre Street

§49. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Edie Windsor and Thea Spyer Way	None	At the intersection of Fifth Avenue and Washington Square North

§50. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Beastie Boys Square	None	At the intersection of Ludlow Street and Rivington Street

§51. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Kade Ashton Tyler Lewin Way	None	At the intersection of East 56th Street and Linden Boulevard

§52. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Jimmy Neary Way	None	At the intersection of 57 th Street and First Avenue

§53. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Pujari Basdeo Mangal Way	Van Siclen Avenue	Between Atlantic Avenue and Liberty Avenue

§54. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Delrawn Small Way	None	At the intersection of Bradford Street and Atlantic Avenue

§55. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Police Officer Raymond Harris Way	None	At the intersection of Summer Place and Lewis Avenue

§56. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
SGT Firefighter Shawn E. Powell Way	None	At the intersection of Monroe Street and Marcy Avenue

§57. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Bishop Marvin D. Williams, Sr. Way	None	At the intersection of Myrtle Avenue and Tompkins Avenue

§58. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Police Officer Timothy Motto Way	None	At the intersection of 28th Avenue and Ulmer Street

§59. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
James "Big Jim" Corcoran Way	None	At the intersection of Corbett Road and 217th Street

§60. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Jane Walentas Way	Dock Street	Between Front Street and Water Street

§61. The following street name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rita Saunders Way	Bond Street	Between Baltic Street and Butler Street

§62. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dr. May Edward Chinn Place	None	At the intersection of East 29th Street and 1st Avenue

§63. The following intersection name, in the Borough of Manhattan, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Adela Fargas Way	None	At the intersection of East 5th Street and Avenue C

§64. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Private First Class Luis Moreno Way	None	At the intersection of Grand Concourse and Fordham Road

§65. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Joseph Hennessy Way	None	At the intersection of 108th Street and 62nd Drive

§66. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Greg Stein Way	None	At the intersection of Queens Boulevard and 77th Avenue

§67. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Venancio "Benny" Catala, Jr. Way	None	At the intersection of Teller Avenue and 166th Street

§68. The following intersection name, in the Borough of the Bronx, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Bishop Earl W. McKay Way	None	At the intersection of 165th Street and Gerard Avenue

§69. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Don Capalbi Way	136th Street	Between 57th Road and 58th Avenue

§70. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Boris Talis Way	None	At the intersection of West 1st Street and Seabreeze Avenue

§71. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Rabbi Melvin I. Burg Way	None	At the intersection of Ocean Avenue and Avenue V

§72. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Ukrainian Way	None	At the intersection of Brighton Beach Avenue and Coney Island Avenue

§73. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Sarita Rein Way	None	At the intersection of Avenue L and East 17th Street

§74. The following intersection name, in the Borough of Brooklyn, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Fred Schneider Way	None	At the intersection of Neptune Avenue and West 12th Street

§75. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Detective Mollie A. Gustine Way	None	At the intersection of 117th Road and 192nd Street

§76. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Dharmacharya Seerattan Way	173rd Street	Between Jamaica Avenue and 93rd Avenue

§77. The following street name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
Maharshi Dayananda Gurukula Way	94th Avenue	Between 150th Street and 94th Avenue

§78. The following intersection name, in the Borough of Queens, is hereby designated as hereafter indicated.

New Name	Present Name	Limits
David and Renee Bluford Way	None	At the intersection of 178th Place and Murdock Avenue

§79. Section 105 of local law number 54 for the year 2022 is hereby REPEALED.

§80. This local law shall take effect immediately.

SHEKAR KRISHNAN, *Chairperson*; FRANCISCO P. MOYA, ERIC DINOWITZ, ROBERT F. HOLDEN, LINDA LEE, CHRISTOPHER MARTE, JULIE MENIN, MERCEDES NARCISSE, LINCOLN RESTLER, SANDRA UNG, MARJORIE VELAZQUEZ, DAVID M. CARR; 12-0-0; Committee on Parks and Recreation, July 13, 2022. *Other Council Members Attending: Council Member Paladino.*

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 Rules, Privileges and Elections

Report for M-75

Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment of David Gold as a member of the New York City Planning Commission.

The Committee on Rules, Privileges and Elections, to which the annexed Mayor's Message was referred on June 16, 2022 (Minutes, page 1442) and which same Mayor's Message was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M- No. 77 printed in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to § 192 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of David Gold as a member of the New York City Planning Commission to serve for the remainder a five-year term that will expire on June 30, 2026.

This matter was referred to the Committee on June 13, 2022

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

Res. No. 264

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF DAVID GOLD AS A MEMBER OF THE NEW YORK CITY PLANNING COMMISSION.

By Council Member Powers.

RESOLVED, that pursuant to § 192 of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of David Gold as a member of the New York City Planning Commission to serve for the remainder of a five-year term that will expire on June 30, 2026.

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 9-0-0; Committee on Rules, Privileges and Elections, July 14, 2022 (Hybrid Hearing).

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 M-76

Report of the Committee on Rules, Privileges and Elections in favor of approving the appointment of Rasmia Kirmani-Frye as a member of the New York City Planning Commission.

The Committee on Rules, Privileges and Elections, to which the annexed Mayor's Message was referred on June 16, 2022 (Minutes, page 1443) and which same Mayor's Message was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M- No. 77 printed in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to pursuant to § 192 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Rasmia Kirmani-Frye as a member of the New York City Planning Commission to serve for the remainder a five-year term that will expire on June 30, 2024.

This matter was referred to the Committee on June 13, 2022

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

Res. No. 265

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF RASMIA KIRMANI-FRYEAS A MEMBER OF THE NEW YORK CITY PLANNING COMMISSION.

By Council Member Powers.

RESOLVED, that pursuant to § 192 of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of Rasmia Kirmani-Frye as a member of the New York City Planning Commission to serve for the remainder of a five-year term that will expire on June 30, 2024.

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 9-0-0; Committee on Rules, Privileges and Elections, July 14, 2022 (Hybrid Hearing).

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 M-77

Report of the Committee on Rules, Privileges and Elections in favor of the appointment by the Mayor of Christine Yoon as a member of the New York City Board of Standards and Appeals.

The Committee on Rules, Privileges and Elections, to which the annexed communication was referred on June 16, 2022 (Minutes, page 1444) and which same communication was coupled with the resolution shown below, respectfully

REPORTS:**Topic I: New York City Board of Standards and Appeals – (Mayoral candidate for appointment upon advice and consent of the Council)**

- **Christine Yoon [M-77]**

New York City Charter (“*Charter*”) § 659 provides for the establishment of an independent Board of Standards and Appeals (“BSA”) located within the Office of Administrative Trials and Hearings (“OATH”). The BSA consists of five Commissioners, each appointed by the Mayor for a term of six years. Pursuant to *Charter* § 31, appointments to the BSA are made with the advice and consent of the Council. The *Charter* further provides that one of the BSA’s members shall be a planner with professional qualifications and at least ten years’ experience as a planner; one of the members shall be a registered architect and shall have at least ten years’ experience as an architect; and one of the members shall be a licensed and professional engineer and shall have at least ten years’ experience as an engineer. The particular qualifications of the two remaining members are not delineated in the *Charter*. The Mayor designates one of the members with the required experience of an architect, planner or engineer to serve as Chair, and designates one of the members to serve as Vice-Chair. In the absence of the Chair, or in the event that a vacancy exists in the office of the Chair, the Vice-Chair acts as Chair of the BSA. No more than two members may reside in one borough. The BSA is empowered to: (1) hear and decide appeals from and review, except as otherwise provided by law, any order, requirement, decision or determination of the Commissioner of Buildings or any Borough Superintendent of Buildings acting under written delegation of power from the Commissioner of Buildings filed in accordance with *Charter* § 645 (b); (2) hear and decide appeals from and review any order, requirement, decision or determination of the fire Commissioner, or any rule or regulation or amendment or repeal thereof made by the Fire Commissioner; or (3) hear and decide appeals from and review any order, requirement or determination of the Commissioner of Transportation, or the Commissioner of the Department of Business Services¹ made in relation to the structures or uses on water front property under his or her jurisdiction in connection with the application or enforcement of the provisions of the *Zoning Resolution of the city of New York* (“*Zoning Resolution*”), the labor law and such other laws, rules, and regulations as may govern the construction, alteration, maintenance, use, occupancy, safety, sanitary conditions, mechanical equipment and inspection of structures in the City.

The BSA has the power to determine and vary the application of the *Zoning Resolution*, and to issue special permits as authorized by the *Zoning Resolution*. The BSA has the same powers as those exercised by the New York State Department of Labor with respect to buildings situated in the City. The BSA may also consider appeals to vary or modify any rule or regulation or the provisions of any law relating to the construction, use, structural changes, equipment, alteration or removal of buildings or structures, or vaults in sidewalks appurtenant thereto, where there are practical difficulties or unnecessary hardship in carrying out the strict letter of the law, so that the spirit of the law shall be observed, public safety secured and substantial justice done.

Each member of the BSA receives a salary, and may not engage in any other occupation, profession or employment. The Chair earns an annual salary of \$227,786. The Vice-Chair receives \$187,479 annually, while the other members earn an annual salary of \$174,827. Members attend the hearings and executive sessions of

¹ Charter § 666 (6)(c) still reads “the Commissioner of Ports and Trade.” The Department of Small Business Services (“DSBS”) is recognized as the successor agency to the Department of Ports and Trade. BSA handles DSBS’ requests for interpretive appeals.

the BSA, and perform such other duties as may be required by the Chair. The Mayor fills vacancies for the unexpired term of the member whose place becomes vacant with a person having his or her qualifications.

Ms. Yoon is scheduled to appear before the Committee on Rules, Privileges, and Elections on July 7, 2022. If appointed, Ms. Yoon, a professional architect, will be eligible to serve the remainder of a six-year term that will expire on September 1, 2027.

Topic II: New York City Planning Commission – (Candidates for appointment by the Mayor and Brooklyn Borough President upon the advice and consent of the Council)

- **David Gold [M-75]**
- **Rasmia Kirmani-Frye [M-76]**
- **Juan Camilo Osorio [Pre-considered M-80]**

Pursuant to the *New York City Charter* (“*Charter*”) §192, there shall be a thirteen-member City Planning Commission, with seven appointments made by the Mayor (including the Chair), one by the Public Advocate, and one by each Borough President. [*Charter* §192(a)] All members, except the Chair, are subject to the advice and consent of the Council. [*Charter* §192(a)] Further, the *Charter* states that members are to be chosen for their independence, integrity, and civic commitment. [*Charter* §192(a)]

The *Charter* provides that CPC members shall serve for staggered five-year terms, except for the Chair, who as Director of the Department of City Planning (*Charter* §191), serves at the pleasure of the Mayor. [*Charter* §192(a)] For purposes of Chapter 68 of the *Charter* (Conflicts of Interest), CPC members, other than the Chair, shall not be considered regular employees of the City. [*Charter* §192(b)] There is no limitation on the number of terms a CPC member may serve. [*Charter* §192(a)] CPC members are prohibited from holding any other City office while they serve on the CPC. [*Charter* §192(b)] The Chair receives an annual salary of \$222,326.00. The member who is designated as Vice-Chair receives an annual salary of \$73,855.00. The other members receive an annual salary of \$64,224.00.

CPC is responsible for the following:

- CPC must engage in planning focused on the City’s orderly growth, improvement, and future development, which includes consideration of appropriate resources for housing, business, industry, recreation, and culture. [*Charter* §192(d)];
- CPC assists the Mayor and other officials in developing the ten-year capital strategy, the four-year capital program, as well as the annual *Statement of Needs*. [*Charter* §192(f)];
- CPC oversees and coordinates environmental reviews under the *City Environmental Quality Review* (“CEQR”), as mandated by state law (*Environmental Conservation Law* – Article 8). [*Charter* §192(e)]; and
- CPC must review, and either approve or deny, any City proposal involving the City’s request to make acquisitions for office space and any requests for existing buildings for office use. [*Charter* §195]

CPC is also responsible for promulgating various rules, some of which consists of the following:

- It is CPC’s responsibility to establish minimum standards for certifying the *Uniform Land Use and Review Procedure* (“ULURP”) applications, which includes providing specific time periods for pre-certification review. [*Charter* §197-c (i)];
- The criteria associated with the selection of sites for capital projects is also established by CPC. [*Charter*

§218 (a)];

- CPC establishes the minimum standards for the form and content of plans for the development of the City and boroughs. [*Charter* §197-a (b)]; and
- CPC also adopts rules that either list major concessions or establishes a procedure for determining whether a concession is defined as a *major concession*, as it relates to the act of City Agencies granting concessions. [*Charter* §374 (b)].

If appointed to the CPC by the Mayor, Mr. Gold, a resident of Manhattan, will serve the remainder of a five-year term that expires on June 30, 2026. A copy of the candidate’s résumé as well as the related associated message is attached to this briefing paper.

If appointed to the CPC by the Mayor, Ms. Kirmani-Frye, a resident of Brooklyn, will serve the remainder of a five-year term that expires on June 30, 2024. A copy of the candidate’s résumé as well as the related associated message is attached to this briefing paper.

If appointed to the CPC by the Brooklyn Borough President, Mr. Osorio, a resident of Brooklyn, will serve the remainder of a five-year term that expires on June 30, 2027. A copy of the candidate’s résumé as well as the related associated message is attached to this briefing paper.

Topic III: New York City Equal Employment Practices Commission – (Candidates for appointment by the Council)

- **Nicole Yearwood [Preconsidered-M-81]**
- **Ngozi Okaro [Preconsidered-M-82]**

Chapter 36 of the *New York City Charter* (the “Charter”) establishes an Equal Employment Practices Commission (“EEPC”) within the City of New York. The law provides that EEPC shall review, evaluate and monitor the employment procedures, practices and programs of City agencies including the City’s Department of Citywide Administrative Services. Its purpose is to ensure an effective affirmative employment program of equal employment opportunity for minority group members and women who are employed by or seek employment with City agencies [*New York City Charter* §830(a)].

The EEPC consists of five members who are compensated on a per-diem basis.² The Mayor and the Council each appoint two members, and the Mayor and the Speaker of the Council jointly appoint a fifth member to serve as Chair of EEPC [*New York City Charter* §830(b)]. Members, including the Chair, have four year terms [*New York City Charter* §830(d)]. A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of EEPC. Three members shall constitute a quorum. [*New York City Charter* §830(c)].

EEPC may, within available appropriations, appoint an executive director and such deputies, assistants, and other employees as may be needed in the performance of its duties [*New York City Charter* §830(e)]. EEPC may meet as necessary to implement the provisions of Chapter 36 of the *Charter*, but at least once every eight weeks [*New York City Charter* §830(f)].

Pursuant to *New York City Charter* §831, some of EEPC powers and duties include:

- monitoring the employment practices of all local agencies, including non-Mayoral agencies;

² The current per-diem rate for Commission members is \$250. The rate for the Chair is \$275.

- monitoring the implementation and coordination of City affirmative employment programs;
- requesting information from agencies to carry out Commission functions;
- communicating with the New York City Human Rights Commission concerning violations;
- reviewing and providing comments on annual equal employment opportunity plans adopted by City agencies;
- recommending to any City agency actions which such agency should consider including in its next annual plan;
- advising, and if requested, assisting City agencies in their efforts to increase employment of minority group members and women who are employed by or who seek employment with City agencies;
- auditing and evaluating the employment practices and procedures of each City agency and their efforts to ensure fair and effective equal employment opportunity for minority group members and women at least once every four years and whenever requested by the New York City Civil Service Commission or the New York City Human Rights Commission or whenever otherwise deemed necessary by the Commission;
- making policy, legislative and budgetary recommendations to the Mayor, the Council, the New York City Department of Citywide Administrative Services or any City agency as the Commission deems necessary;
- publishing by the 15th of February of each year, a report to the Mayor and the Council on the activities of EEPC and the effectiveness of each City agency's affirmative employment efforts and the efforts by the New York City Department of Citywide Administrative Services to ensure equal employment opportunity for minority group members and women who are employed by or seek to be employed by City agencies;
- establishing appropriate advisory committees;
- serving as liaison for the City to state, federal and local agencies responsible for compliance with equal employment opportunity; and
- taking such other actions as are appropriate to effectuate the provisions and purposes of Chapter 36 of the *Charter*.

EEPC is also empowered with compliance procedures to insure that City agencies are adhering to the law [*New York City Charter* §832].

Ms. Yearwood is scheduled to appear before the Council's Committee on Rules, Privileges and Elections on Thursday, July 7, 2022. If appointed by the Council as a member of EEPC, Ms. Yearwood, a resident of Manhattan, will be eligible to serve the remainder of a four year term that expires on June 30, 2024.

Ms. Okaro is scheduled to appear before the Council's Committee on Rules, Privileges and Elections on Thursday, July 7, 2022. If appointed by the Council as a member of EEPC, Ms. Okaro, a resident of Manhattan, will be eligible to serve the remainder of a four year term that expires on June 30, 2023.

Copies of the following are annexed to this briefing paper: the candidates' résumés, pre-hearing questions with their associated answers, and the reports/resolutions for all three candidates.

(After interviewing the candidates and reviewing the submitted material, the Committee decided to approve the appointment of the nominees. For nominee Christine Yoonas [M-77], please see immediately below; for the rest of the nominees David Gold [M-75], Rasmia Kirmani-Frye [M-76], Juan Camilo Osorio [Preconsidered M-80], Nicole Yearwood [Preconsidered M-81], and Ngozi Okaro [Preconsidered M-82], please see, respectively, the Reports of the Committee on Rules, Privileges and Elections for M-75 through 82.)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to §§ 31 and 659 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Mayor of Christine Yoon as a member of the New York City Board of Standards and Appeals to serve the remainder of a six-year term that expires on September 1, 2027.

This matter was referred to the Committee on June 13, 2022.

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

Res. No. 266

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF CHRISTINE YOON AS A MEMBER OF THE NEW YORK CITY BOARD OF STANDARDS AND APPEALS

By Council Member Powers.

RESOLVED, that pursuant to §§ 31 and 659 of the *New York City Charter*, the Council does hereby approve the appointment by the Mayor of Christine as a member of the New York City Board of Standards and Appeals to serve the remainder of a six-year term that expires on September 1, 2027.

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 9-0-0; Committee on Rules, Privileges and Elections, July 14, 2022 (Hybrid Hearing).

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 Rules, Privileges and Elections and had been favorably reported for adoption.

Report for M-80

Report of the Committee on Rules, Privileges and Elections approving the appointment of Juan Camilo Osorio as a member of the New York City Planning Commission.

The Committee on Rules, Privileges and Elections, to which the annexed preconsidered Communication was referred on July 14, 2022 and which same Communication was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M- No. 77 printed in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to pursuant to § 192 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the appointment by the Brooklyn Borough President of Juan Camilo Osorio as a member of the New York City Planning Commission to serve for the remainder a five-year term that will expire on June 30, 2027.

This matter will be referred to the Committee on July 14, 2022

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

Res. No. 267

RESOLUTION APPROVING THE APPOINTMENT BY THE BROOKLYN BOROUGH PRESIDENT OF JUAN CAMILO OSORIO AS A MEMBER OF THE NEW YORK CITY PLANNING COMMISSION.

By Council Member Powers.

RESOLVED, that pursuant to § 192 of the *New York City Charter*, the Council does hereby approve the appointment by the Brooklyn Borough President of Juan Camilo Osorio as a member of the New York City Planning Commission to serve for the remainder of a five-year term that will expire on June 30, 2027.

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 9-0-0; Committee on Rules, Privileges and Elections, July 14, 2022 (Hybrid Hearing).

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 Rules, Privileges and Elections and had been favorably reported for adoption.

Report for M-81

Report of the Committee on Rules, Privileges and Elections approving the appointment of Nicole Yearwood as a Member of the Equal Employment Practices Commission.

The Committee on Rules, Privileges and Elections, to which the annexed Council communication was referred on July 14, 2022 and which same Council communication was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M- No. 77 printed in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to § 830 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the re-appointment by the Council of Nicole Yearwood as a member of the Equal Employment Practices Commission to serve the remainder of a four-year term that expires on June 30, 2024.

This matter will be referred to the Committee on July 14, 2022.

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

Res. No. 268

RESOLUTION APPROVING THE APPOINTMENT BY THE COUNCIL OF NICOLE YEARWOOD AS A MEMBER OF THE EQUAL EMPLOYMENT PRACTICES COMMISSION.

By Council Member Powers.

RESOLVED, that pursuant to § 830 of the *New York City Charter*, the Council does hereby approve the appointment of **NICOLE YEARWOOD** as a member of the Equal Employment Practices Commission to serve a four-year term that expires on June 30, 2024.

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 9-0-0; Committee on Rules, Privileges and Elections, July 14, 2022 (Hybrid Hearing).

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 Rules, Privileges and Elections and had been favorably reported for adoption.

Report for M-82

Report of the Committee on Rules, Privileges and Elections approving the appointment of Ngozi Okaro as a member of the Equal Employment Practices Commission.

The Committee on Rules, Privileges and Elections, to which the annexed Council communication was referred on July 14, 2022 and which same Council communication was coupled with the resolution shown below, respectfully

REPORTS:

(For text of Briefing Paper, please see the Report of the Committee on Rules, Privileges and Elections for M- No. 77 printed in these Minutes)

The Committee on Rules, Privileges and Elections respectfully reports:

Pursuant to § 830 of the *New York City Charter*, the Committee on Rules, Privileges and Elections, hereby approves the re-appointment by the Council of Ngozi Okaro as a member of the Equal Employment Practices Commission to serve the remainder of a four-year term that expires on June 30, 2023.

This matter will be referred to the Committee on July 14, 2022.

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

Res. No. 269

RESOLUTION APPROVING THE APPOINTMENT BY THE COUNCIL OF NGOZI OKARO AS A MEMBER OF THE EQUAL EMPLOYMENT PRACTICES COMMISSION.

By Council Member Powers.

RESOLVED, that pursuant to § 830 of the *New York City Charter*, the Council does hereby approve the appointment of Ngozi Okaro as a member of the Equal Employment Practices Commission to serve a four-year term that expires on June 30, 2023.

KEITH POWERS, *Chairperson*; RAFAEL SALAMANCA, Jr.; SELVENA N. BROOKS-POWERS, JUSTIN L. BRANNAN, GALE BREWER, CRYSTAL HUDSON, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI, THE SPEAKER (COUNCIL MEMBER ADRIENNE E. ADAMS); 9-0-0; Committee on Rules, Privileges and Elections, July 14, 2022 (Hybrid Hearing).

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 Women and Gender Equity

Report for Int. No. 465-A

Report of the Committee on Women and Gender Equity 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 a report on the provision of medical services related to reproductive health care.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was referred on June 2, 2022 (Minutes, page 1304), respectfully

REPORTS:

I. INTRODUCTION

On July 14, 2022, the Committee on Women and Gender Equity, chaired by Council Member Tiffany Cabán, held a vote on four bills and five resolutions covering a range of issues pertaining to reproductive health and rights, including:

- Introduction Number (Int. No.) 465-A, sponsored by Council Member Tiffany Cabán, a Local Law to amend the administrative code of the city of New York, in relation to a report on the provision of medical services related to reproductive health care;
- Int. No. 466-A, sponsored by Council Member Tiffany Cabán, the Public Advocate (Mr. Williams), and Council Member Shahana Hanif, 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 abortion restrictions;
- Int. No. 475-A, sponsored by Council members Shahana Hanif, Tiffany L. Cabán, The Public Advocate (Mr. Williams), and Council Members Farah Louis, Carlina Rivera, Crystal Hudson, and Amanda Fariás, A Local Law to amend the administrative code of the city of New York, in relation to a cause of action related to interference with reproductive or endocrine medical care;
- Int. No. 507-A, sponsored by Council Members Carlina Rivera, Jennifer Gutiérrez, and Rita Joseph, 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 make medication abortion available at no cost to a patient at its health clinics;
- Resolution Number (Res. No. 195), sponsored by Council Members Gale Brewer and Julie Menin, a Resolution calling upon the New York State Legislature to pass, and the Governor to sign, The Reproductive Freedom and Equity Program (S.9078/A.10148A), which would establish a grant program to provide funding to New York abortion providers and non-profit organizations to increase access to abortion care;
- Res. No. 196-A, sponsored by Council Member Selvena Brooks-Powers, a Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.9137/A.10356, which would allow out-of-state physicians to provide reproductive health services in this state while awaiting full licensure;
- Res. No. 197, sponsored by Council Members Tiffany Cabán, Marjorie Velázquez, The Public Advocate (Mr. Williams) and Council Member Crystal Hudson, a Resolution declaring New York City a safe city for all those in need of abortion-related care;
- Res. No. 200, sponsored by Council Member Julie Menin, a Resolution declaring January 22, 2023 as Roe v. Wade Day in the City of New York to commemorate the 50th anniversary of the landmark United States Supreme Court decision; and
- Res. No. 245, sponsored by the Public Advocate (Mr. Williams), Calling on the United States Senate to pass and the President to sign the Women’s Health Protection Act.

This legislation was originally heard at a joint oversight hearing of this Committee on July 1, 2022, at which the Committee heard testimony from the New York City (NYC) Department of Health and Mental Hygiene (DOHMH), advocacy groups, health professionals and other interested parties.

UPDATE

On July 14, 2022, the Committee on Women and Gender Equity adopted this legislation by a vote of six in the affirmative, none in the negative and no abstentions for all legislation. Accordingly, the Committee recommends its adoption.

II. BACKGROUND

Reproductive Health

Reproductive health, broadly defined, refers to the health and social conditions of human reproductive systems during all life stages.¹ This includes, but is not limited to:

- Family planning services and counseling, terminating a pregnancy (also known as abortion), birth control, emergency contraception, sterilization and pregnancy testing;
- Fertility-related medical procedures;
- Sexual health education;
- Access to medical services and information; and
- Sexually transmitted disease prevention, testing and treatment.²

While this Committee Report adopts a broader definition in the interest of understanding the full spectrum of issues relating to reproductive health, it should be noted and is perhaps not surprising that many definitions of reproductive health focus more narrowly on addressing the reproductive health needs of women.³ These definitions include, but are not limited to, those addressing reproductive decisions—whether a woman seeks to reproduce or avoid reproduction, the impact of the process of reproduction on health and the associated issues related to a woman’s autonomy, privacy and agency over such decisions.⁴

¹ National Institute of Environmental Health Sciences, *Reproductive Health*, the National Institute of Health (n.d.), available at <https://www.niehs.nih.gov/health/topics/conditions/repro-health/index.cfm>; See NYC Commission on Human Rights, *FACT SHEET: Protections Against Employment Discrimination Based on Sexual and Reproductive Health Decisions* (n.d.), available at https://www1.nyc.gov/assets/cchr/downloads/pdf/publications/SexualReproHealthDecisions_KYR_8.20.2019.pdf; See, e.g., Mahmoud Fathalla, *Promotion of Research in Human Reproduction: Global Needs and Perspectives*, 3 HUM. REPROD. 7, 7 (1988) (defining reproductive health as requiring, among other things, “that people have the ability to reproduce and the ability to regulate their fertility”).

² NYC Commission on Human Rights, *FACT SHEET: Protections Against Employment Discrimination Based on Sexual and Reproductive Health Decisions* (n.d.), available at https://www1.nyc.gov/assets/cchr/downloads/pdf/publications/SexualReproHealthDecisions_KYR_8.20.2019.pdf.

³ See Rebecca Cook, Bernard Dickens & Mahmoud Fathalla, *Reproductive Health and Human*

Rights: Integrating Medicine, Ethics and Law, 14-18 (2003) (explaining the importance of gender differences in the context of reproductive health).

⁴ See, e.g., Ruth Bader Ginsburg, *Some Thoughts on Autonomy and Equality in Relation to Roe v. Wade*, 63 N.C. L. REV. 375, 383 (1985) (noting that a woman’s ability to control her reproductive capacity is equivalent to her ability to take autonomous charge of her life); Lance Gable, *Reproductive Health as a Human Right*, 60 Case W. Res. L. Rev. 957, 957 (Summer 2020).

The World Health Organization (WHO) identifies 17 “Reproductive Health Indicators” which further provide a framework for assessing the state of reproductive health.⁵ These WHO indicators include:

1. The total fertility rate;
2. Contraceptive prevalence;
3. The maternal mortality ratio;
4. The percentage of women attended by health personnel during pregnancy;
5. The percentage of births attended by skilled health personnel;
6. The number of facilities with basic obstetric care;
7. The number of facilities with comprehensive obstetric care;
8. The perinatal mortality rate;
9. The percentage of live births with low birth weight;
10. The positive syphilis serology in pregnant women;
11. The percentage of anemia in pregnant women;
12. The percentage of obstetric admissions owing to abortion;
13. The percentage of women with genital cutting, also known as female genital mutilation or female circumcision (“FGM/C”)⁶;
14. The percentage of women who report trying for a pregnancy for two years or more;
15. The incidence of urethritis in men;
16. HIV prevalence in pregnant women; and
17. Knowledge of HIV-prevention practices.⁷

Research has shown that deficiencies in these indicators are largely conditions that can be alleviated with a combination of better access to health services, improvement in economic and social conditions and increased protections for those seeking reproductive health care services.⁸ Accordingly, in recent years, important measures have been established at the federal, state and local levels to ensure that the right to receive reproductive health services are protected, a process often referred to as reproductive justice.⁹ Generally speaking, reproductive justice seeks to ensure reproductive rights,¹⁰ or the rights of individuals to have access to sexual

⁵ World Health Organization [hereinafter “WHO”], *Reproductive Health Indicators for Global Monitoring*, WHO Second Interagency Meeting, Geneva, Switz., 20-23 (July 17-19, 2000), available at http://whqlibdoc.who.int/hq/2001/WHO_RHR_01.19.pdf; See also, Ritu Sadana, *Definition and Measurement of Reproductive Health*, 80 BULL. WHO. 407 (2002); Lance Gable, *Reproductive Health as a Human Right*, 60 Case W. Res. L. Rev. 957, 957 (Summer 2020).

⁶ Note: This paper utilizes the term “female genital cutting,” rather than “female genital mutilation” to give deference to the affected women and girls, often migrants, who live in the midst of a dominant discourse categorizing them as “mutilated” and sexually disfigured. While “female circumcision” is another common term, “female genital mutilation” is also referenced in recognition of the fact that it is the most commonly used term, including in terms of usage in legislation and treaties. Further, while this paper also utilizes the acronym FGC, FGM is also often shortened to FGM/C in recognition of updated and current language. See S. Johnsdotter, *The Impact of Migration on Attitudes to Female Genital Cutting and Experiences of Sexual Dysfunction Among Migrant Women with FGC*, 10(1) CURRENT SEXUAL HEALTH REPORTS 18-24 (2018), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5840240/>; S. Fried, A. Mahmoud Warsame, V. Berggren, E. Isman & A. Johansson, *Outpatients’ Perspectives on Problems and Needs Related to Female Genital Mutilation/Cutting: a Qualitative Study from Somaliland*, 2013(1) OBST. AND GYN. INTL (2013), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3784275/>; U.S. Department of Health and Human Services, Office on Women’s Health, *Female Genital Mutilation or Cutting* (n.d.), available at <https://www.womenshealth.gov/a-z-topics/female-genital-cutting>; New York Department of Health, *Female Genital Mutilation/Female Circumcision Reference Card for Health Care Providers* (n.d.), available at https://www.health.ny.gov/community/adults/women/female_circumcision/providers.htm (explaining why it is “more appropriate” to use FGC/FC than FGM).

⁷ WHO, *Reproductive Health Indicators for Global Monitoring*, WHO Second Interagency Meeting, Geneva, Switz., 20-23 (July 17-19, 2000), available at http://whqlibdoc.who.int/hq/2001/WHO_RHR_01.19.pdf; See also, Ritu Sadana, *Definition and Measurement of Reproductive Health*, 80 BULL. WHO. 407, 407 (2002).

⁸ Lance Gable, *Reproductive Health as a Human Right*, 60 Case W. Res. L. Rev. 957, 957 (Summer 2020).

⁹ See, e.g., Elizabeth Nash, Lizamarie Mohammed, Zohra Ansari-Thomas, and Olivia Cappello, *Laws Affecting Reproductive Health and Rights: State Policy Trends at Midyear, 2018*, Guttmacher Institute (July 2018), available at <https://www.guttmacher.org/article/2018/07/laws-affecting-reproductive-health-and-rights-state-policy-trends-midyear-2018>.

¹⁰ See, e.g., National Council of Jewish Women, *Understanding Reproductive Health, Rights, and Justice* (n.d.), available at <https://www.ncjw.org/wp-content/uploads/2017/12/RJ-RH-RR-Chart.pdf>.

and reproductive healthcare and autonomy in sexual and reproductive decision-making.¹¹

Reproductive Rights

Reproductive rights comprise a range of civil, economic, political and social rights, including the rights to health and life, the rights of equality and non-discrimination, privacy, information, and the right to be free from torture or ill-treatment.¹² This may include an individual's right to plan a family, terminate a pregnancy (also known as abortion), and use contraceptives as well as to have access to reproductive health services and sex education in public schools.¹³ In fact, studies have shown that women and girls¹⁴ who are afforded such rights have better maternal/reproductive health outcomes, reducing rates of maternal morbidity and empowering women.¹⁵ Accordingly, comprehensive healthcare for women should include reproductive care.

Reproductive rights are fundamental to an individual's control over their own life, and are therefore crucial to achieving gender equity.¹⁶ They are founded upon the promise of human dignity, self-determination and equality;¹⁷ including those enshrined in and endowed by numerous international and national doctrines.¹⁸ The UDHR, the foundational document of international human rights law adopted by the United Nations General Assembly (UNGA) in 1948, affirms an individual's right to not be "subjected to torture or to cruel, inhuman, or degrading treatment or punishment."¹⁹ The International Covenant on Economic, Social and Cultural Rights (ICESCR), a multilateral treaty adopted by UNGA in 1966,²⁰ recognizes "the right of everyone to the enjoyment of the highest attainable standard of physical and mental health"²¹ as well as "to enjoy the benefits of scientific progress and its applications."²² Other examples of the enshrinement of reproductive rights are present in many other international doctrines which have been built on and affirmed over the years.²³ These include the right to access to educational information related to family planning and the right to safe, effective, affordable, and acceptable methods of family planning of their choice, such as the regulation of fertility.²⁴ However, comprehensive healthcare for women that even broadly includes reproductive healthcare is not yet the standard.²⁵

¹¹ Amnesty International USA, *Reproductive Rights: A Fact Sheet* (2007), available at

<https://web.archive.org/web/20070714111432/http://www.amnestyusa.org/women/pdf/reproductiverights.pdf>.

¹² Center for Reproductive Rights, *Breaking Ground 2018: Treaty Monitoring Bodies on Reproductive Rights*, 3 (Feb. 2018), available at <https://www.reproductiverights.org/sites/crr.civicactions.net/files/documents/Breaking-Ground-2018.pdf>; Carmel Shalev, *Rights to Sexual and Reproductive Health: The ICPD and the Convention on the Elimination of All Forms of Discrimination Against Women*, Health and Human Rights, Vol. 4, No. 2, 1, 38 (2000), available at www.jstor.org/stable/4065196.

¹³ United Nations Foundation Universal Access Project, *Briefing Cards: Sexual and Reproductive Health and Rights (SHSR) and the Post-2015 Development Agenda*, 3 (Sept. 2014), available at <http://www.unfoundation.org/what-we-do/campaigns-and-initiatives/universal-access-project/briefing-cards-srhr.pdf>.

¹⁴ Hereinafter, the term "women" is intended to include both women and girls, as well as non-binary/genderqueer people dealing with pregnancy, childbirth, nursing and parenting. See Chamindra Weerawardhana, *Reproductive Rights and Trans rights: Deeply Interconnected Yet too often Misunderstood*, MEDIUM (Feb. 9, 2016) available at <https://medium.com/@fremancourt/reproductive-rights-and-trans-rights-deeply-interconnected-yet-too-often-misunderstood-8b3261b1b0de>.

¹⁵ Center for Reproductive Rights, *supra* note 2; Impassioned Advocates for Women and Girls, *Making the Connection between Maternal Health and Reproductive Rights* (Jul. 2015), available at <https://pai.org/wp-content/uploads/2015/07/Maternal-Health-Policy-Brief.pdf>.

¹⁶ United Nations General Assembly, *The Road to Dignity by 2030: Ending Poverty, Transforming All Lives and Protecting the Planet—Synthesis Report of the Secretary-General on the Post-2015 Sustainable Development Agenda* (Dec. 4, 2015), 21-2, available at http://www.un.org/disabilities/documents/reports/SG_Synthesis_Report_Road_to_Dignity_by_2030.pdf.

¹⁷ Amnesty International USA, *Reproductive Rights: A Fact Sheet* (2007), available at <https://web.archive.org/web/20070714111432/http://www.amnestyusa.org/women/pdf/reproductiverights.pdf>.

¹⁸ See Amnesty International USA, *supra* note 7.

¹⁹ United Nations, *Universal Declaration of Human Rights/General Assembly Resolution 217A*, Article 5 (Dec. 10, 1948), available at <http://www.un.org/en/universal-declaration-human-rights/index.html>.

²⁰ United Nations, *International Covenant on Economic, Social and Cultural Rights*, Article 10.1 (Dec. 13, 1966), available at https://treaties.un.org/doc/Treaties/1976/01/19760103%2009-57%20PM/Ch_IV_03.pdf.

²¹ *Id.* at Article 12.1.

²² *Id.* at Article 15.1(b).

²³ See Amnesty International USA, *supra* note 7.

²⁴ *Id.*

²⁵ Karen Freund and Chloe Bird, *Comprehensive Healthcare: Why is the Inclusion of Reproductive Health Controversial for Women but Not Men?*, WOMEN'S HEALTH ISSUES, Vol. 22, No. 4 (Apr. 2012), available at [https://www.whijournal.com/article/S1049-3867\(12\)00034-5/pdf](https://www.whijournal.com/article/S1049-3867(12)00034-5/pdf).

III. BILL ANALYSIS

Int. No. 465-A: A Local Law to amend the administrative code of the city of New York, in relation to a report on the provision of medical services related to reproductive health care

Int. No. 465-A would require DOHMH to annually report on the number of births and the number of abortions provided in the city each year, for both individuals who were residents of New York City (NYC) at the time of such birth or abortion and for those who were not residents. DOHMH would also be required to assess the ability of licensed medical providers in the city to provide reproductive health care, identify any challenges faced by licensed medical providers to provide reproductive health care, and make recommendations for increasing the capacity of such providers to provide reproductive health care.

Since introduction, this bill was amended to reflect that the information reported aligns with data being collected and to require that the report be submitted to also align with the most recently published Annual Summary of Vital Statistics data; to clarify that the information being collected relates to the total number of births and the total number of abortions; and to remove the projections and amend the reporting requirements to better reflect the information that DOHMH will have available in making recommendations regarding medical services in the city related to reproductive health care.

This bill would take effect 30 days after it becomes law.

Int. No. 466-A: 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 abortion restrictions

Int. No. 466-A would prohibit City agencies from using City resources, including, but not limited to, time spent by employees and the use of City property, to detain persons for performing or aiding with abortions or to cooperate with out-of-state entities related to abortions performed in New York state.

Since introduction, this bill was amended to update the definition of abortion, to ensure it is consistent with other legislation and to clarify that the bill would cover pre-procedure and post-procedure counseling; to add language clarifying that the bill would not affect any other law or rule of the state that provides a person with rights to information or documents to which they are legally entitled, in order to recognize situations such as those in which patients or persons need to request medical records or copies of death certificates, and to remove the private right of action for any person detained in violation of the law.

This bill would take effect immediately after it becomes law.

Int. No. 475-A: A Local Law to amend the administrative code of the city of New York, in relation to a cause of action related to interference with reproductive or endocrine medical care

Int. No. 475-A would create a private right of action for interference with reproductive or endocrine medical care. Pursuant to the bill, a person would be able to bring a claim of interference with reproductive or endocrine medical care when a lawsuit is commenced against such person on the basis of medical care relating to the human reproductive or endocrine systems that is legal in New York City and which was provided, in whole or in part, in New York City.

Since introduction, the bill was amended to clarify that the private right of action refers to interference with reproductive or endocrine medical care and to update and further clarify permitted damages.

This bill would take effect immediately after it becomes law.

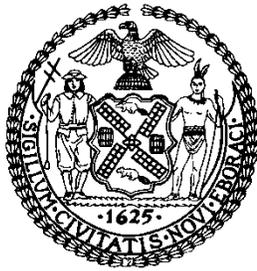
Int. No. 507-A: A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to make medication abortion available at no cost to a patient at its health clinics

Int. No. 507-A would require DOHMH to provide FDA-approved medication for medication abortion, at no cost to a patient, at health clinics operated by DOHMH. DOHMH would provide such medication to patients who seek to terminate their pregnancy, when the use of such medication is indicated and in accordance with the medically reasonable and good faith professional judgment of such patient’s medical provider. DOHMH would also provide counseling and timely referrals to other health facilities and qualified family planning providers, if needed, for other services.

Since introduction, this bill was amended to utilize the clinical term “medication abortion” rather than the names of specific drugs, to clarify that such medication for medication abortion would be FDA-approved, available subject to sufficient appropriations, and available at those health clinics under DOHMH’s jurisdiction where the department knows there is need among patient population.

This bill would take effect one year after it becomes law.

(The following is the text of the Fiscal Impact Statement for Int. No. 465-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**

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 465-A

COMMITTEE: Women and Gender Equity

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to a report on the provision of medical services related to reproductive health care.

SPONSOR(S): Council Member Cabán, Louis, Hudson, Brewer, Joseph, Nurse, Ung, Gutiérrez, Abreu, Restler Avilés, Farías, Ossé, De La Rosa, Dinowitz, Narcisse, Marte, Ayala, Williams, Sanchez, and The Speaker (Council Member Adams).

SUMMARY OF LEGISLATION: The proposed legislation would require the Department of Health and Mental Hygiene (DOHMH) to annually report on the number of births and the number of abortions provided in the City each year, for both individuals who were residents of New York City (NYC) at the time of such birth or abortion and for those who were not residents. DOHMH would also be required to assess the ability of licensed medical providers in the City to provide reproductive health care, identify any challenges faced by licensed medical providers to provide reproductive health care, and make recommendations for increasing the capacity of such providers to provide reproductive health care.

EFFECTIVE DATE: This local law would take effect 30 days after it becomes a 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 Proposed Intro. 465-A because the relevant City agencies would utilize existing resources to fulfill the reporting requirements.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Crilhien R. Francisco, Unit Head, NYC Council Finance Division

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on June 2, 2022 as Intro. 465 and referred to the Committee on Women and Gender Equity. The legislation was considered by the Committee on Women and Gender Equity at a hearing held on July 1, 2022 and was subsequently amended, and the amended version Proposed Intro. 465-A will be considered by the Committee on Women and Gender Equity on July 14, 2022. Upon successful vote by the Committee on Women and Gender Equity, Proposed Intro. No. 465-A will be submitted to the full Council for a vote on July 14, 2022.

DATE PREPARED: July 11, 2022.

(For text of Int. Nos. 466-A, 475-A, and 507-A and their Fiscal Impact Statements, please see the Reports of the Committee on Women and Gender Equity for Int. Nos. 466-A, 475-A, and 507-A, respectively, printed in these Minutes; also for text of Res. Nos. 195, 196-A, 197, 200-A, and 245, please see the Reports of the Committee on Women and Gender Equity for 195, 196-A, 197, 200-A, and 245, respectively, in the voice-vote Resolutions section of these Minutes; for text of Int. No. 465-A, please see below)

Accordingly, this Committee recommends the adoption of Int. Nos. 465-A, 466-A, 475-A, 507-A, and Res. Nos. 195, 196-A, 197, 200-A, and 245.

(The following is the text of Int. No. 465-A:)

Int. No. 465-A

By Council Members Cabán, Louis, Hudson, Brewer, Joseph, Nurse, Ung, Gutiérrez, Abreu, Restler, Avilés, Farías, Ossé, De La Rosa, Dinowitz, Narcisse, Marte, Ayala, Williams, Sanchez, Lee, Powers and The Speaker (Council Member Adams).

A Local Law to amend the administrative code of the city of New York, in relation to a report on the provision of medical services related to reproductive health care

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 17-199.2.1 to read as follows:

§ 17-199.2.1 Report on medical services relating to reproductive health care. a. Definitions. As used in this section, the following terms have the following meanings:

Abortion. The term “abortion” has the meaning given to the term “induced termination of pregnancy” as such term is defined in subdivision c of section 203.01 of the health code.

Reproductive health care. The term “reproductive health care” means any medical service provided to a person relating to the reproductive system and its processes, functions and organs. Reproductive health care includes, but is not limited to, services related to contraception, sterilization, preconception care, maternity care, abortion care and counseling regarding reproductive health care.

b. No later than January 30, 2023, and on January 30 annually thereafter, the department shall submit to the mayor and the speaker of the council and post online a report, based upon the data included in the most recently published annual summary of vital statistics, on data regarding the provision of medical services in the city related to reproductive health care, to the extent such data is available to the department, disaggregated by borough and, to the extent possible without revealing personally identifiable information, further disaggregated by age, ethnicity, and race. Such report shall include, but need not be limited to, data on the following reproductive health care provided in the city based upon the data included in the most recently published annual summary of vital statistics:

- 1. The number of births and the number of abortions provided;*
- 2. The number of births and the number of abortions provided to individuals who were residents of New York city at the time of such birth or abortion;*
- 3. The number of births and the number of abortions provided to individuals who were not residents of New York city at the time of such birth or abortion;*

c. The report required pursuant to this section shall include an assessment of the ability of licensed medical providers in the city to accommodate individuals seeking medical services related to reproductive health care, including, but not limited to, assessing potential issues such providers or individuals might face in providing or receiving such services, and recommendations for increasing the capacity of medical services provided in the city.

d. Information required to be reported pursuant to this section shall be reported in a manner that does not violate any applicable provision of federal, state or local law relating to the privacy of personally identifiable information.

§ 2. This local law takes effect 30 days after it becomes law.

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JAMES F. GENNARO, JENNIFER GUTIÉRREZ, KRISTIN RICHARDSON JORDAN, ALTHEA STEVENS; 6-0-0; Committee on Women and Gender Equity, July 14, 2022 (Hybrid Hearing). *Other Council Members Attending: Council Members Hanif and Brooks-Powers.*

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

Report for Int. No. 466-A

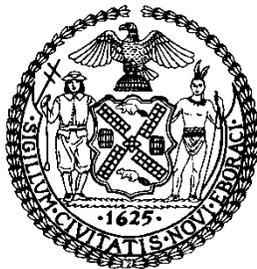
Report of the Committee on Woman and Gender Equity in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to prohibiting the use of city resources to enforce abortion restrictions.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was referred on June 2, 2022 (Minutes, page 1306), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 465-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 466-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**

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 466-A

COMMITTEE: Women and Gender Equity

TITLE: 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 abortion restrictions.

SPONSOR(S): Council Member Cabán, the Public Advocate (Mr. Williams) and Council Members Hanif, Hudson, Joseph, Nurse, Gutiérrez, Abreu, Restler, Avilés, Farías, Ossé, Louis, De La Rosa, Dinowitz, Narcisse, Brewer, Marte, Krishnan, Ayala, Sanchez, and The Speaker (Council Member Adams).

SUMMARY OF LEGISLATION: The proposed legislation would prohibit City agencies from using City resources, including, but not limited to, time spent by employees and the use of City property, to detain persons for performing or aiding with abortions or to cooperate with or provide information to out-of-state entities related to abortions performed in New York state.

EFFECTIVE DATE: This local law would take effect immediately.

FISCAL YEAR IN WHICH FULL FISCAL IMPACT ANTICIPATED: Fiscal 2023

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 Proposed Intro. 466-A.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Crilhien R. Francisco, Unit Head, NYC Council Finance Division

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on June 2, 2022 as Intro. 466 and referred to the Committee on Women and Gender Equity. The legislation was considered by the Committee on Women and Gender Equity at a hearing held on July 1, 2022 and was subsequently amended, and the amended version Proposed Intro. 466-A will be considered by the Committee on Women and Gender Equity on July 14, 2022. Upon successful vote by the Committee on Women and Gender Equity, Proposed Intro. No. 466-A will be submitted to the full Council for a vote on July 14, 2022.

DATE PREPARED: July 11, 2022,

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 466-A:)

Int. No. 466-A

By Council Member Cabán, the Public Advocate (Mr. Williams) and Council Members Hanif, Hudson, Joseph, Nurse, Gutiérrez, Abreu, Restler, Avilés, Farías, Ossé, Louis, De La Rosa, Dinowitz, Narcisse, Brewer, Marte, Krishnan, Ayala, Sanchez, Lee, Powers, Richardson Jordan and The Speaker (Council Member Adams).

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 abortion restrictions

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 to read as follows:

§ 10-184 Abortion enforcement. a. Definitions. As used in this section, the following terms have the following meanings:

Abortion. The term "abortion" means the procedure to terminate a pregnancy for purposes other than producing a live birth, including a termination using pharmacological agents, and any services related to such procedure, including pre-procedure and post-procedure counseling.

City property. 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:

1. The detention of a person known to have performed or aided in the performance of an abortion, or to have procured an abortion, unless there is reasonable cause to believe the abortion was not performed in accordance with article 25-a of the public health law or any state or local law that applies in New York city; or

2. Cooperating with or providing information to any individual or out-of-state agency or department that would confirm, deny, or identify any person associated with an abortion that has been lawfully performed.

c. Nothing in this section shall prohibit the investigation of criminal activity which may involve the performance of an abortion not performed in accordance with article 25-a of the public health law or any other applicable state or local law, provided that no information that would identify any person associated with an abortion that has been lawfully performed may be shared with an out-of-state agency or any other individual without the prior consent of such person associated with such abortion.

d. Nothing in this section shall affect any other law or rule of this state or this city that provides a person a right to any information or document to which they are legally entitled.

e. 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.

§ 2. This local law takes effect immediately.

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JAMES F. GENNARO, JENNIFER GUTIÉRREZ, KRISTIN RICHARDSON JORDAN, ALTHEA STEVENS; 6-0-0; Committee on Women and Gender Equity, July 14, 2022 (Hybrid Hearing). *Other Council Members Attending: Council Members Hanif and Brooks-Powers.*

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

Report for Int. No. 475-A

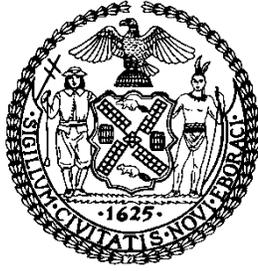
Report of the Committee on Women and Gender Equity in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to a cause of action related to interference with reproductive or endocrine medical care.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was referred on June 2, 2022 (Minutes, page 1315), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 465-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 475-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

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 475-A

COMMITTEE: Women and Gender Equity

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to creating a private right of action related to interference with reproductive or endocrine medical care.

SPONSOR(S): Council Members Hanif, Cabán, the Public Advocate (Mr. Williams), Louis, Rivera, Hudson, Farías, Avilés, Powers, Krishnan, Brannan, Joseph, Dinowitz, Ung, Menin, Schulman, Richardson Jordan, Abreu, Restler, Won, Riley, Ossé, De La Rosa, Narcisse, Brewer, Marte, Ayala, Sanchez, and The Speaker (Council Member Adams).

SUMMARY OF LEGISLATION: This bill would create a private right of action for interference with reproductive or endocrine medical care. A person would be able to bring a claim of interference with reproductive or endocrine medical care when a lawsuit is commenced against such person on the basis of medical care relating to the human reproductive or endocrine systems that is legal in New York City and which was provided, in whole or in part, in New York City.

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 Proposed Intro. 475-A.

SOURCE OF FUNDS TO COVER ESTIMATED COSTS: N/A

SOURCE OF INFORMATION: New York City Council Finance Division

ESTIMATE PREPARED BY: Crilhien R. Francisco, Unit Head, NYC Council Finance Division

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on June 2, 2022 as Intro. 475 and referred to the Committee on Women and Gender Equity. The legislation was considered by the Committee on Women and Gender Equity at a hearing held on July 1, 2022 and was subsequently amended, and the amended version Proposed Intro. 475-A will be considered by the Committee on Women and Gender Equity on July 14, 2022. Upon successful vote by the Committee on Women and Gender Equity, Proposed Intro. No. 475-A will be submitted to the full Council for a vote on July 14, 2022.

DATE PREPARED: July 11, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 475-A:)

Int. No. 475-A

By Council Members Hanif, Cabán, the Public Advocate (Mr. Williams) and Council Members Louis, Rivera, Hudson, Fariás, Avilés, Powers, Krishnan, Brannan, Joseph, Dinowitz, Ung, Menin, Schulman, Richardson Jordan, Abreu, Restler, Won, Riley, Ossé, De La Rosa, Narcisse, Brewer, Marte, Ayala, Sanchez, Lee and The Speaker (Council Member Adams).

A Local Law to amend the administrative code of the city of New York, in relation to a cause of action related to interference with reproductive or endocrine medical care

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 chapter 21 to read as follows:

CHAPTER 21

Interference with Reproductive or Endocrine Medical Care

§ 17-2101 Claim for interference with reproductive or endocrine medical care. a. A person may bring a civil action for interference with reproductive or endocrine medical care when a civil action is commenced against such person in any state, for which liability, in whole or in part, or any theory of vicarious, joint, several or conspiracy liability derived therefrom, is based on the provision, receipt, assistance in receipt or provision of, or material support for, medical care relating to the human reproductive or endocrine systems, which was lawfully provided in the city.

b. A claim for interference with reproductive or endocrine medical care may not be based upon the commencement of any civil action that is founded in tort, contract or statute and for which a similar claim would exist under the laws of the state of New York or of the city and which is:

1. Brought by the patient who received the medical care, or the patient's authorized legal representative, for damages suffered by the patient or damages derived from an individual's loss of consortium of the patient; or

2. Brought by a party with a contractual relationship with the person that is the subject of the action.

c. A plaintiff who prevails on a claim alleging interference with reproductive or endocrine medical care shall be awarded statutory damages of \$10,000. In addition, the court, in issuing a final order in any action brought pursuant to this section, may award costs of litigation to the prevailing party whenever the court determines such an award is appropriate. This section does not limit or abrogate any claim or cause of action such person has under common law or by other law or rule.

§ 2. This local law takes effect immediately.

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JAMES F. GENNARO, JENNIFER GUTIÉRREZ, KRISTIN RICHARDSON JORDAN, ALTHEA STEVENS; 6-0-0; Committee on Women and Gender Equity, July 14, 2022 (Hybrid Hearing). *Other Council Members Attending: Council Members Hanif and Brooks-Powers.*

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

Report for Int. No. 507-A

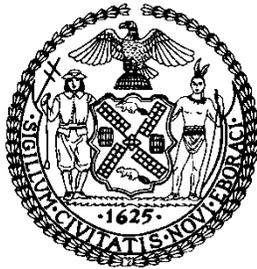
Report of the Committee on Women and Gender Equity in favor of approving and adopting, as amended, a Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to make medication abortion available at no cost to a patient at its health clinics.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was referred on June 2, 2022 (Minutes, page 1360), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 465-A printed in these Minutes)

The following is the text of the Fiscal Impact Statement for Int. No. 507-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**

FISCAL IMPACT STATEMENT

PROPOSED INTRO. NO: 507-A

COMMITTEE: Women and Gender Equity

TITLE: 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 make medication abortion available at no cost to a patient at its health clinics.

SPONSOR(S): Council Members Rivera, Gutiérrez, Joseph, Louis, Hudson, Hanif, Nurse, Abreu and Restler Avilés, Cabán, Farías, Ossé, De La Rosa, Dinowitz, Narcisse, Brewer, Marte, Krishnan, Ayala, and Sanchez.

SUMMARY OF LEGISLATION: This bill would require the Department of Health and Mental Hygiene (DOHMH) to provide FDA-approved medication for medication abortion, at no cost to a patient, at health clinics operated by DOHMH. DOHMH would provide such medication to patients who seek to terminate their pregnancy, when the use of such medication is indicated and in accordance with the medically reasonable and good faith

professional judgment of such patient's medical provider. DOHMH would also provide counseling and timely referrals to other health facilities and qualified family planning providers, if needed, for other services.

EFFECTIVE DATE: This local law would take effect 1 year 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	\$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. However, there could be additional expenses in the future depending on demand.

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: Crilhien R. Francisco, Unit Head, NYC Council Finance Division

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

LEGISLATIVE HISTORY: The legislation was introduced to the full Council on June 2, 2022 as Intro. 507 and referred to the Committee on Women and Gender Equity. The legislation was considered by the Committee on Women and Gender Equity at a hearing held on July 1, 2022 and was subsequently amended, and the amended version Proposed Intro. 507-A will be considered by the Committee on Women and Gender Equity on July 14, 2022. Upon successful vote by the Committee on Women and Gender Equity, Proposed Intro. No. 507-A will be submitted to the full Council for a vote on July 14, 2022.

DATE PREPARED: July 11, 2022.

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 507-A:)

Int. No. 507-A

By Council Members Rivera, Gutiérrez, Joseph, Louis, Hudson, Hanif, Nurse, Abreu, Restler, Avilés, Cabán, Fariás, Ossé, De La Rosa, Dinowitz, Narcisse, Brewer, Marte, Krishnan, Ayala, Sanchez, Lee, Powers, Richardson Jordan and The Speaker (Council Member Adams).

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 make medication abortion available at no cost to a patient at its health clinics

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 17-184.1 to read as follows:

§ 17-184.1 *Availability of medication abortion.* a. *Subject to sufficient appropriations to meet the requirements of this subdivision, the department shall make available medication approved by the United States food and drug administration for medication abortion at no cost to a patient at health clinics operated by the department where services relating to sexual health are offered and where the department determines making such medication available would be appropriate for the patient population served by such clinic. At such clinics, the department shall make medication for medication abortion available to a patient who seeks to terminate a pregnancy when the use of such medication is indicated and in accordance with the medically reasonable and good faith professional judgment of such patient's medical provider.*

b. *The department shall provide counseling and timely referrals to other health facilities and family planning providers in accordance with the assessment of the needs of a patient by the department.*

c. *Nothing in this section shall require the department to provide to a patient any medication that the department or a medical provider providing services in a health clinic described in subdivision a of this section does not find to be indicated in such provider's professional judgment. Nor shall anything in this section prevent the department from offering any other service not described in this section at any location where it provides medical care.*

d. *Nothing in this section shall create a private right of action, nor be the basis of a claim of medical malpractice against the department or against any medical provider providing services in a health clinic described in subdivision a of this section.*

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

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JAMES F. GENNARO, JENNIFER GUTIÉRREZ, KRISTIN RICHARDSON JORDAN, ALTHEA STEVENS; 6-0-0; Committee on Women and Gender Equity, July 14, 2022 (Hybrid Hearing). *Other Council Members Attending: Council Members Hanif and Brooks-Powers.*

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

GENERAL ORDERS CALENDAR

Report for Int. No. 179-A

Report of the Committee on Women and Gender Equity in favor of approving and adopting, as amended, a Local Law in relation to a report on the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers.

The Committee on Women and Gender Equity, to which the annexed proposed amended local law was referred on April 14, 2022 (Minutes, page 592) and laid over by the Council since June 2, 2022 (Minutes, page 1260), respectfully

REPORTS:

(For text of the report and Fiscal Impact Statement, please see the Minutes of the Stated Meeting of June 2, 2022, page 1260)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Int. No. 179-A:)

Int. No. 179-A

By Council Members Moya, Cabán, Stevens, Farías, Richardson Jordan, Menin, Won, De La Rosa, Nurse, Bottcher, Williams, Hudson, Narcisse and Krishnan.

A Local Law in relation to a report on the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers

Be it enacted by the Council as follows:

Section 1. a. Definitions. For the purposes of this section, the following terms have the following meanings: Nontraditional careers. The term “nontraditional careers” means industries that have traditionally hired a higher proportion of male employees, including, but not limited to, fields such as the construction, utilities, maintenance, green, and transportation industries.

Sustained negative work environment. The term “sustained negative work environment” means a negative, toxic, or hostile work environment or culture due to harassment, assault, or discrimination on the basis of sexual orientation or gender.

b. No later than July 1, 2023, a city office to be designated by the mayor shall submit to the council and publish online a report containing the following information about the role of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers:

1. A comprehensive review of the role of such individuals, including, but not limited to:
 - i. Issues related to recruitment and retention of such individuals;
 - ii. Issues related to sustained negative work environments for such individuals;
 - iii. How these environments value diversity, equity, and inclusion; and
 - iv. Other significant barriers to success for such individuals, where success is indicated by factors including, but not limited to, promotions, raises, continued employment, and reasonable accommodations;
2. Where feasible and to the extent possible without revealing personally identifiable information, demographic data related to the status of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, including, but not limited to, the following information:

- i. The total number of individuals working in nontraditional careers in the city and the number of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, for the past ten years, disaggregated by year, gender, sexuality, race, ethnicity, zip code, and age;
 - ii. The total number of individuals in management positions who identify as women or gender non-binary, non-conforming, and intersex workers in nontraditional careers, for the past ten years, disaggregated by year;
 - iii. The average salary of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, for the past ten years, disaggregated by year, gender, sexuality, race, ethnicity, zip code, and age; and
 - iv. Current actions being taken to promote the inclusion of women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, in each industry;
3. An overview of city resources and information available to such individuals, and an overview of any actions and efforts underway to support such individuals in pursuing, obtaining, succeeding in, and staying in nontraditional careers; and
4. Recommendations for potential mechanisms, resources, and avenues to build upon existing resources, strengthen support, and to empower women and gender non-binary, non-conforming, and intersex workers to pursue and succeed in nontraditional careers, including, but not limited to, recommendations for policy and legislation.
- c. Such report shall be created in consultation with the commission on gender equity, the city commission on human rights, the economic development corporation, the department of small business services, the department of consumer and worker protection, at least three individuals who are currently employed in a nontraditional career, at least two individuals who work at unions or organizations conducting work or research related to women and gender non-binary, non-conforming, and intersex workers in nontraditional careers, and at least one representative from a university or similar academic institution with academic experience and expertise in the study and analysis of labor markets and policy.

§ 2. This local law takes effect immediately.

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JAMES F. GENNARO, JENNIFER GUTIÉRREZ, KRISTIN RICHARDSON JORDAN, ALTHEA V. STEVENS; 6-0-0; Committee on Women and Gender Equity, June 1, 2022 (Remote Hearing).

Laid Over by the Council.

Report for L.U. No. 63 & Res. No. 270

Report of the Committee on Land Use in favor of approving, as modified, Application number C 200228 ZMX (4541 Furman Avenue Rezoning) submitted by Markland 4551, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 2a, changing from an M1-1 District to an R7D District and establishing within the proposed R7D District a C2-4 District, Borough of the Bronx, Community District 12, Council District 11.

The Committee on Land Use, to which the annexed Land Use item was referred on May 19, 2022 (Minutes, page 1145) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

**BRONX CB-12 - TWO APPLICATIONS RELATED TO 4541 FURMAN AVENUE
REZONING**

C 200228 ZMX (L.U. No. 63)

City Planning Commission decision approving an application submitted by Markland 4551, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 2a:

1. changing from an M1-1 District to an R7D District property bounded by White Plains Road, East 240th Street, Furman Avenue and a line 300 feet northeasterly of East 239th Street; and
2. establishing within the proposed R7D District a C2-4 District bounded by White Plains Road, East 240th Street, a line midway between White Plains Road and Furman Avenue, and a line 300 feet northeasterly of East 239th Street

as shown on a diagram (for illustrative purposes only) dated January 3, 2022, and subject to the conditions of CEQR Declaration E-656.

N 200229 ZRX (L.U. No. 64)

City Planning Commission decision approving an application submitted by Markland 4551, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area and Appendix I for the purpose of modifying the existing Transit Zone.

INTENT

To approve the amendment to rezone the project area from an M1-1 zoning district to an R7D/C2-4 zoning district; and amend the zoning text to establish the project area as a Mandatory Inclusionary Housing (MIH) area and to Appendix I to extend the boundary of Transit Zone 1 to facilitate a mixed-use development with approximately 148 units of affordable housing, approximately 7,150 square feet of retail use on the ground floor and approximately 11,100 square feet of community facility space located at 4541 Furman Avenue in the Wakefield neighborhood of the Bronx, Community District 12.

PUBLIC HEARING

DATE: May 31, 2022

Witnesses in Favor: Three

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION

DATE: June 14, 2022

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on L.U. No. 63 and approve with modifications the decision of the City Planning Commission on L.U. No. 64.

In Favor:

Riley
Moya
Louis
Abreu
Bottcher
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION

DATE: June 14, 2022

The Committee recommends that the Council approve the attached resolutions.

In Favor:

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

Against:**Abstain:**

Sanchez

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated _____, 2022, with the Council on _____, 2022, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 270

Resolution approving the decision of the City Planning Commission on ULURP No. C 200228 ZMX, a Zoning Map amendment (L.U. No. 63).

By Council Members Salamanca and Riley.

WHEREAS, Markland 4551, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 2a, changing from an M1-1 District to an R7D District and establishing within the proposed R7D District a C2-4 District, which in conjunction with the related action would facilitate a mixed-use development with approximately 148 units of affordable housing, approximately 7,150 square feet of retail use on the ground floor and approximately 11,100 square feet of community facility space located at 4541 Furman Avenue in the Wakefield neighborhood of the Bronx, Community District 12 (ULURP No. C 200228 ZMX) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on May 13, 2022 its decision dated May 11, 2022 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 200229 ZRX (L.U. No. 64), a zoning text amendment to establish a Mandatory Inclusionary Housing (MIH) area and to Appendix I to extend the boundary of Transit Zone 1;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on May 31, 2022;

WHEREAS, the Council has considered the land use and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued January 3rd, 2022 (CEQR No. 20DCP159X) which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise impacts (E-656) (the "Negative Declaration").

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-656) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 200228 ZMX incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section 2a:

1. changing from an M1-1 District to an R7D District property bounded by White Plains Road, East 240th Street, Furman Avenue and a line 300 feet northeasterly of East 239th Street; and
2. Establishing within the proposed R7D District a C2-4 District bounded by White Plains Road, East 240th Street, a line midway between White Plains Road and Furman Avenue, and a line 300 feet northeasterly of East 239th Street;

as shown on a diagram (for illustrative purposes only) dated January 3, 2022, and subject to the conditions of CEQR Declaration E-656, Borough of the Bronx, Community District 12.

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 13-0-1; *Abstain*: Pierina Ana Sanchez; Committee on Land Use, June 14, 2022 (Remote Hearing). *Other Council Members Attending: Council Member Barron.*

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

Report for L.U. No. 64 & Res. No. 271

Report of the Committee on Land Use in favor of approving, as modified, Application number N 200229 ZRX (4541 Furman Avenue Rezoning) submitted by Markland 4551, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area and Appendix I for the purpose of modifying the existing Transit Zone, Borough of the Bronx, Community District 12, Council District 11.

The Committee on Land Use, to which the annexed Land Use item was referred on May 19, 2022 (Minutes, page 1145) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 67 & Res. No. 272 printed above in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 271

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 200229 ZRX, for an amendment of the text of the Zoning Resolution (L.U. No. 64).

By Council Members Salamanca and Riley.

WHEREAS, Markland 4551, LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area and Appendix I for the purpose of modifying the existing Transit Zone, which in conjunction with the related action would facilitate a mixed-use development with approximately 148 units of affordable housing, approximately 7,150 square feet of retail use on the ground floor and approximately 11,100 square feet of community facility space located at 4541 Furman Avenue in the Wakefield neighborhood of the Bronx, Community District 12 (ULURP No. N 200229 ZRX) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on May 13, 2022, its decision dated May 11, 2022 (the “Decision”), on the Application;

WHEREAS, the Application is related to application C 200228 ZMX (L.U. No. 63), a zoning map amendment to change an M1-1 zoning district to an R7D/C2-4 zoning district;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on May 31, 2022;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued January 3rd, 2022 (CEQR No. 20DCP159X) which includes an (E) designation to avoid the potential for significant adverse impacts related to hazardous materials, air quality, and noise impacts (E-656) (the “Negative Declaration”). The Council has also considered the Technical Memorandum dated June __, 2022;

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-656), Negative Declaration and Technical Memorandum.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 200229 ZRX, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

Matter ~~double struck out~~ is old, deleted by the City Council;

Matter double-underlined is new, added by the City Council

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

The Bronx

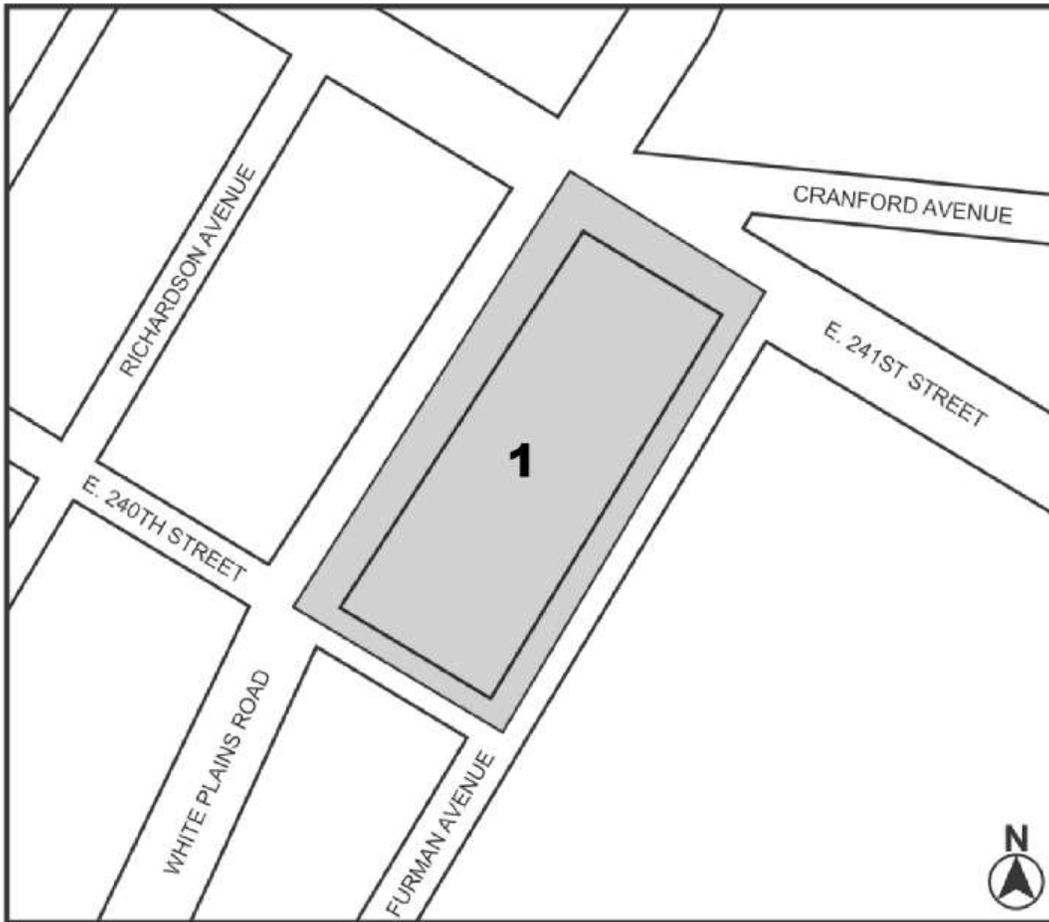
* * *

The Bronx Community District 12

* * *

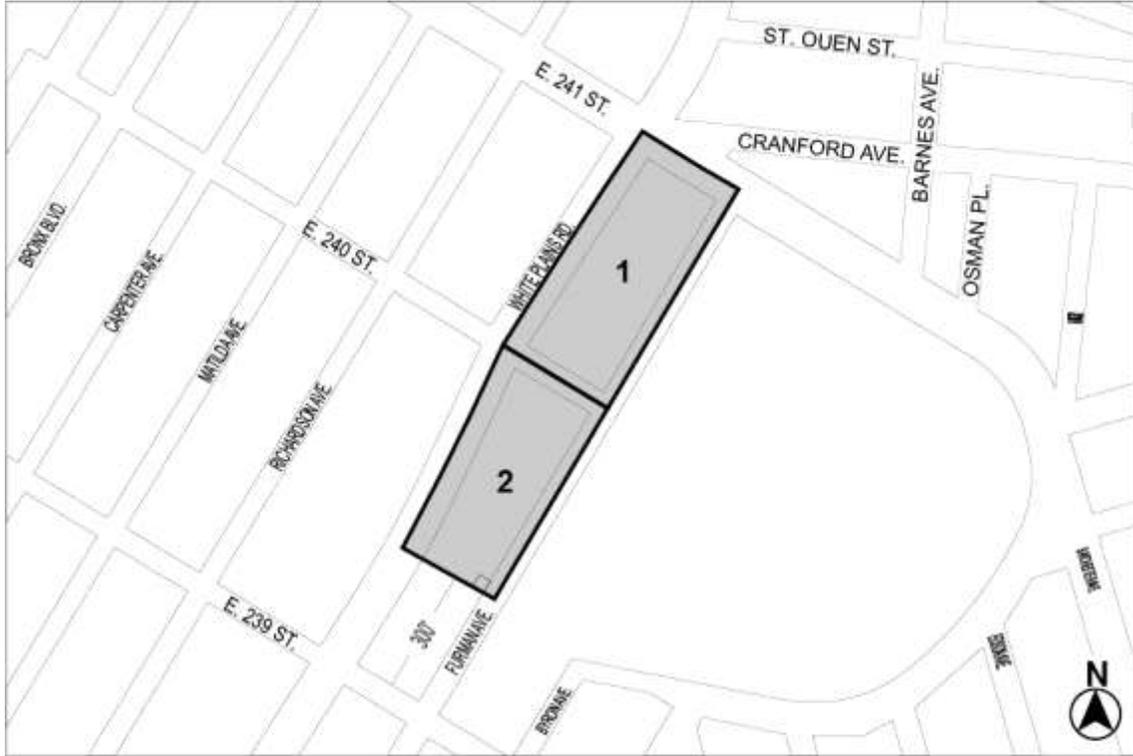
Map 1 – [date of adoption]

[EXISTING MAP]



Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
 Area 1 — 2/13/19 MIH Program Option 1 and Option 2

[PROPOSED MAP]



- Mandatory Inclusionary Housing Area** *see Section 23-154(d)(3)*
- Area 1** — 2/13/19 MIH Program Option 1 and Option 2
- Area 2** — [date of adoption] MIH Program Option 1 and Option 2

Portion of Community District 12, The Bronx
* * *

~~[PROPOSED MAP]~~

* * *

RAFAEL SALAMANCA, *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, JOSEPH C. BORELLI; 13-0-1; *Abstain*: Pierina Ana Sanchez; Committee on Land Use, June 14, 2022 (Remote Hearing). *Other Council Members Attending: Council Member Barron.*

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

Report for L.U. No. 67 & Res. No. 272

Report of the Committee on Land Use in favor of approving, as modified, Application number C 220232 ZMQ (Resilient Edgemere Community Initiative) submitted by the Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 30c and 31a, eliminating from within an existing R4 District a C1-2 District; eliminating from within an existing R4 District, a C2-2 District; eliminating from within an existing R5 District a C1-2; changing from an R4 District to an R3A District; changing from an R4-1 District to an R3A District; changing from an R4 District to an R4-1 District; changing from an R4 District to an R6A District; changing from an R5 District to an R6A District; changing from a C8-1 District to an R6A District; changing from a C3 District to an C3A District; establishing within an existing R4 District a C2-4 District; establishing within a proposed

R6A District a C2-4 District; establishing a Special Coastal Risk District (CR), Borough of Queens, Community District 14, Council District 31.

The Committee on Land Use, to which the annexed Land Use item was referred on June 2, 2022 (Minutes, page 1373) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

**QUEENS CB-14 – FIVE APPLICATIONS RELATED RESILIENT EDGEMERE
COMMUNITY INITIATIVE**

C 220232 ZMQ (L.U. No. 67)

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 30c and 31a,

1. eliminating from within an existing R4 District a C1-2 District bounded by:
 - a. a line 100 feet northerly of Beach Channel Drive, Beach 43rd Street, a line 100 feet southerly of Beach Channel Drive, and Beach 44th Street; and
 - b. a line 150 feet northerly of Beach Channel Drive, Beach 37th Street, Beach Channel Drive, and Beach 38th Street;
2. eliminating from within an existing R4 District, a C2-2 District bounded by Beach Channel Drive, Beach 39th Street, a line 150 feet southerly of Beach Channel Drive, and Beach 40th Street;
3. eliminating from within an existing R5 District a C1-2 bounded by Beach Channel Drive, Beach 49th Street, a line 275 feet northerly of Rockaway Beach Boulevard, and Beach 50th Street;
4. changing from an R4 District to an R3A District property bounded by Norton Avenue, the centerline of former Norton Avenue, a line 100 feet easterly of Beach 43rd Street, a line 335 feet northerly of Beach Channel Drive, a line 125 feet westerly of Beach 43rd Street, Edgemere Drive, Beach 44th Street, a line 180 feet southerly of Norton Avenue, and Beach 45th Street, Norton Avenue, , the northeasterly prolongation of a line 40 feet southeasterly of the northwestern streetline of Norton Avenue, and Beach 45th Street;
5. changing from an R4-1 District to an R3A District property bounded by the U.S. Pierhead and Bulkhead Line, the U.S Pierhead Line and its southerly prolongation, the centerline of former Norton Avenue, Norton Avenue, Beach 45th Street, a line 40 feet southeasterly of the northwesterly street line of Norton Avenue and its northeasterly prolongation, and the northerly centerline prolongation of Beach 47th Street;

6. changing from an R4 District to an R4-1 District property bounded by a line 40 feet southeasterly of the northwesterly street line of Norton Avenue, Norton Avenue, Beach 45th Street, a line 180 feet southerly of Norton Avenue, Beach 44th Street, Edgemere Drive, a line 125 feet westerly of Beach 43rd Street, a line 335 feet northerly of Beach Channel Drive, a line 100 feet easterly of Beach 43rd Street, a line 120 feet northerly of Beach Channel Drive, and Beach 49th Street;
7. changing from an R4 District to an R6A District property bounded by Rockaway Beach Boulevard, Beach 38th Street, a line 85 feet northerly of Shorefront Parkway, and the centerline of former Beach 43rd Street;
8. changing from an R5 District to an R6A District property bounded by Beach Channel Drive, Beach 49th Street, a line 275 Feet northerly of Rockaway Beach Boulevard and Beach 50th Street;
9. changing from a C8-1 District to an R6A District property bounded by a line 275 Feet northerly of Rockaway Beach Boulevard, Beach 49th Street, Rockaway Beach Boulevard, and Beach 50th Street;
10. changing from a C3 District to an C3A District property bounded by the southerly, southeasterly and easterly boundary line of a Park, the U.S. Pierhead and Bulkhead Line, the northerly centerline prolongation of Beach 47th Street, a line 40 feet southeasterly of the northwesterly street line of Norton Avenue, and the southeasterly prolongation of the centerline of former Alameda Avenue;
11. establishing within an existing R4 District a C2-4 District bounded by a line 100 feet northerly of Beach Channel Drive, Beach 43rd Street, a line 100 feet southerly of Beach Channel Drive, and Beach 44th Street;
12. establishing within a proposed R6A District a C2-4 District bounded by:
 - a. Beach Channel Drive, Beach 49th Street Rockaway Beach Boulevard, Beach 50th Street; and
 - b. Rockaway Beach Boulevard, Beach 38th Street, a line 85 northerly of Shore Front Parkway, and the centerline of former Beach 43rd Street;
13. establishing a Special Coastal Risk District (CR) bounded by the U.S. Pierhead and Bulkhead Line, the U.S Pierhead Line and its southerly prolongation, the centerline of former Norton Avenue, a line 100 feet easterly of Beach 43rd Street, a line 120 feet northerly of Beach Channel Drive, Beach 49th Street, the southeasterly prolongation of the centerline of former Alameda Avenue, and the southerly, southeasterly and easterly boundary line of a Park;

as shown on a diagram (for illustrative purposes only) dated December 13, 2021.

N 220233 ZRQ (L.U. No. 68)

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development (HPD), for an amendment of the Zoning Resolution of the City of New York modifying Article XIII, Chapter 7 (Special Coastal Risk District) to establish the Special

Coastal Risk District in Edgemere, Queens, and modifying APPENDIX F to establish Mandatory Inclusionary Housing areas.

C 220235 PPQ (L.U. No. 69)

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 197-c of the New York City Charter, for the disposition of city owned properties for uses identified in the Edgemere Urban Renewal Plan.

C 220236 HAQ (L.U. No. 70)

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development (HPD):

- 1) pursuant to Article 16 of the General Municipal Law of New York State for:
 - a. the designation of property located at Rockaway Beach Boulevard, Block 15852, Lots 64 and 68; Block 15851, Lots 33, 35, 40 42, 44, 58, and 59; Block 15850, Lot 6; Block 15849, Lots 6, 8, 9, 10, 17, 18, 19, 20, 27, 28, and 29; Block 15848, Lots 52, 54, 55, 57, 58, 60, 62, 63, 65, and 67; Block 15847, Lots 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, and 89; demapped roadbed of Beach 39th Street between Blocks 15848 and 15847; and demapped roadbed of Beach 43rd Street between Blocks 15852 and 15851
 - b. an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

to facilitate the development of approximately 1,222 residential housing units, and commercial, community facility and open space.

C 220237 HUQ (L.U. No. 71)

City Planning Commission decision approving an application submitted by the New York City Department of Housing Preservation and Development (HPD), pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the second amendment to the Edgemere Urban Renewal Plan.

INTENT

To approve the amendment to rezone the project area to eliminate C1-2 and C2-2 Districts, change R4, R4-1, R5, C3 and C8-1 Districts to R3A, R4-1, R6A, and C3A Districts and establish C2-4 Districts and a Special Coastal Risk District (CR); amend the zoning text to establish an MIH Area and Special Coastal Risk District (CR-5); approve a disposition of city-owned property; approve an Urban Development Action Area (UDAA) designation, project approval (UDAAP), and disposition of city-owned property; and approve an amendment to the Edgemere Urban Renewal Plan (URP), to facilitate a long-term land-use, development, and neighborhood

strategy responding to the area's flood risk on 166 acres of property generally bounded by Beach 35th Street, Rockaway Freeway, Rockaway Beach Boulevard, Beach 51st Street, and Jamaica Bay in the Edgemere neighborhood of Queens, Community District 14.

PUBLIC HEARING

DATE: June 7, 2022

Witnesses in Favor: Six

Witnesses Against: Nine

SUBCOMMITTEE RECOMMENDATION

DATE: July 11, 2022

The Subcommittee recommends that the Land Use Committee approve the decisions of the City Planning Commission on L.U. Nos. 69 through 71 and approve with modifications the decisions of the City Planning Commission on L.U. Nos. 67 and 68.

In Favor:

Feliz
De La Rosa
Marte
Ung

Against:

Nurse

Abstain:

None

COMMITTEE ACTION

DATE: July 11, 2022

The Committee recommends that the Council approve the attached resolutions.

In Favor:

Salamanca
Moya
Rivera
Riley
Brooks-Powers
Kagan
Krishnan
Sanchez
Borelli

Against:

None

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated _____, 2022, with the Council on _____, 2022, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 272

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 220232 ZMQ, a Zoning Map amendment (L.U. No. 67).

By Council Members Salamanca and Louis.

WHEREAS, the New York City Department of Housing Preservation and Development (HPD), filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 30c and 31a, by eliminating from within an existing R4 District a C1-2 District; eliminating from within an existing R4 District, a C2-2 District; eliminating from within an existing R5 District a C1-2; changing from an R4 District to an R3A District; changing from an R4-1 District to an R3A District; changing from an R4 District to an R4-1 District; changing from an R4 District to an R6A District; changing from an R5 District to an R6A District; changing from a C8-1 District to an R6A District; changing from a C3 District to an C3A District; establishing within an existing R4 District a C2-4 District; establishing within a proposed R6A District a C2-4 District; and establishing a Special Coastal Risk District (CR), which in conjunction with the related actions would facilitate a long-term land-use, development, and neighborhood strategy responding to the area's flood risk on 166 acres of property generally bounded by Beach 35th Street, Rockaway Freeway, Rockaway Beach Boulevard, Beach 51st Street, and Jamaica Bay in the Edgemere neighborhood of Queens, Community District 14 (ULURP No. C 220232 ZMQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on May 20, 2022 its decision dated May 11, 2022 (the "Decision") on the Application;

WHEREAS, the Application is related to applications N 220233 ZRQ (L.U. No. 68), a zoning text amendment to establish an MIH Area and Special Coastal Risk District (CR-5); C 220235 PPQ (L.U. No. 69), a disposition of city-owned property; C 220236 HAQ (L.U. No. 70), an Urban Development Action Area (UDAA) designation, project approval (UDAAP) and disposition of city-owned property; and C 220237 HUQ (L.U. No. 71), an amendment to the Edgemere Urban Renewal Plan (URP);

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 7, 2022;

WHEREAS, the Council has considered the land use and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration issued December 18th, 2020 (CEQR No. 21HPD009Q) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on April 29, 2022, in which potential significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-655) on the project site. The original application as analyzed in the FEIS identified significant adverse impacts related to community facilities (early childhood programs), open space (active recreation),

transportation (traffic, transit, and safety), air quality (mobile sources), and construction (noise) at certain locations, and the identified significant adverse impacts and proposed mitigation measures are summarized in Chapter 19, "Mitigation" and Chapter 20, "Alternatives" of the FEIS. The Council has also considered the Technical Memorandum dated [_____].

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
2. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
3. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, those mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 220232 ZMQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter ~~double struck out~~ is old, deleted by the City Council;
 Matter double-underlined is new, added by the City Council

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is hereby amended by changing the Zoning Map, Section Nos. 30c and 31a:

1. eliminating from within an existing R4 District a C1-2 District bounded by:
 - a. a line 100 feet northerly of Beach Channel Drive, Beach 43rd Street, a line 100 feet southerly of Beach Channel Drive, and Beach 44th Street; and
 - b. a line 150 feet northerly of Beach Channel Drive, Beach 37th Street, Beach Channel Drive, and Beach 38th Street;
2. eliminating from within an existing R4 District, a C2-2 District bounded by Beach Channel Drive, Beach 39th Street, a line 150 feet southerly of Beach Channel Drive, and Beach 40th Street;
- ~~3. eliminating from within an existing R5 District a C1-2 bounded by Beach Channel Drive, Beach 49th Street, a line 275 feet northerly of Rockaway Beach Boulevard, and Beach 50th Street;~~
- ~~4.3.~~ changing from an R4 District to an R3A District property bounded by Norton Avenue, the centerline of former Norton Avenue, a line 100 feet easterly of Beach 43rd Street, a line 335 feet northerly of Beach Channel Drive, a line 125 feet westerly of Beach 43rd Street, Edgemere Drive, Beach 44th Street, a line 180 feet southerly of Norton Avenue, and Beach 45th Street, Norton Avenue, , the northeasterly prolongation of a line 40 feet southeasterly of the northwestern streetline of Norton Avenue, and Beach 45th Street;

- ~~5.4.~~ changing from an R4-1 District to an R3A District property bounded by the U.S. Pierhead and Bulkhead Line, the U.S. Pierhead Line and its southerly prolongation, the centerline of former Norton Avenue, Norton Avenue, Beach 45th Street, a line 40 feet southeasterly of the northwesterly street line of Norton Avenue and its northeasterly prolongation, and the northerly centerline prolongation of Beach 47th Street;
- ~~6.5.~~ changing from an R4 District to an R4-1 District property bounded by a line 40 feet southeasterly of the northwesterly street line of Norton Avenue, Norton Avenue, Beach 45th Street, a line 180 feet southerly of Norton Avenue, Beach 44th Street, Edgemere Drive, a line 125 feet westerly of Beach 43rd Street, a line 335 feet northerly of Beach Channel Drive, a line 100 feet easterly of Beach 43rd Street, a line 120 feet northerly of Beach Channel Drive, and Beach 49th Street;
- ~~7.6.~~ changing from an R4 District to an R6A District property bounded by Rockaway Beach Boulevard, Beach 38th Street, a line 85 feet northerly of Shorefront Parkway, and the centerline of former Beach 43rd Street;
- ~~8.~~ ~~changing from an R5 District to an R6A District property bounded by Beach Channel Drive, Beach 49th Street, a line 275 Feet northerly of Rockaway Beach Boulevard and Beach 50th Street;~~
- ~~9.~~ ~~changing from a C8-1 District to an R6A District property bounded by a line 275 Feet northerly of Rockaway Beach Boulevard, Beach 49th Street, Rockaway Beach Boulevard, and Beach 50th Street;~~
- ~~10.7.~~ changing from a C3 District to an C3A District property bounded by the southerly, southeasterly and easterly boundary line of a Park, the U.S. Pierhead and Bulkhead Line, the northerly centerline prolongation of Beach 47th Street, a line 40 feet southeasterly of the northwesterly street line of Norton Avenue, and the southeasterly prolongation of the centerline of former Alameda Avenue;
- ~~11.8.~~ establishing within an existing R4 District a C2-4 District bounded by a line 100 feet northerly of Beach Channel Drive, Beach 43rd Street, a line 100 feet southerly of Beach Channel Drive, and Beach 44th Street;
- ~~12.9.~~ establishing within a proposed R6A District a C2-4 District bounded by ~~a. Beach Channel Drive, Beach 49th Street, Rockaway Beach Boulevard, Beach 50th Street; and~~
~~b. Rockaway Beach Boulevard, Beach 38th Street, a line 85 northerly of Shore Front Parkway, and~~
the centerline of former Beach 43rd Street;
- ~~13.10.~~ establishing a Special Coastal Risk District (CR) bounded by the U.S. Pierhead and Bulkhead Line, the U.S. Pierhead Line and its southerly prolongation, the centerline of former Norton Avenue, a line 100 feet easterly of Beach 43rd Street, a line 120 feet northerly of Beach Channel Drive, Beach 49th Street, the southeasterly prolongation of the centerline of former Alameda Avenue, and the southerly, southeasterly and easterly boundary line of a Park;

Borough of Queens, Community District 14, as shown on a diagram (for illustrative purposes only) dated December 13, 2021.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ARI KAGAN, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Botcher, Kamillah Hanks, Farah N. Louis, and Darlene Mealy; 9-0-0; Committee on Land Use, July 11, 2022 (Hybrid Hearing).

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

Report for L.U. No. 68 & Res. No. 273

Report of the Committee on Land Use in favor of approving, as modified, Application number N 220233 ZRQ (Resilient Edgemere Community Initiative) submitted by the Department of Housing Preservation and Development, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article XIII, Chapter 7 (Special Coastal Risk District) to establish the Edgemere Special Coastal Risk District, and modifying APPENDIX F to establish Mandatory Inclusionary Housing areas, Borough of Queens, Community District 14, Council District 31.

The Committee on Land Use, to which the annexed Land Use item was referred on June 2, 2022 (Minutes, page 1373) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 67 & Res. No. 272 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 273

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 220233 ZRQ, for an amendment of the text of the Zoning Resolution (L.U. No. 68).

By Council Members Salamanca and Louis.

WHEREAS, the New York City Department of Housing Preservation and Development (HPD), filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying Article XIII, Chapter 7 (Special Coastal Risk District) to establish the Special Coastal Risk District in Edgemere, Queens, and modifying APPENDIX F to establish Mandatory Inclusionary Housing areas, which in conjunction with the related actions would facilitate a long-term land-use, development, and neighborhood strategy responding to the area's flood risk on 166 acres of property generally bounded by Beach 35th Street, Rockaway Freeway, Rockaway Beach Boulevard, Beach 51st Street, and Jamaica Bay in the Edgemere neighborhood of Queens, Community District 14 (ULURP No. N 220233 ZRQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on May 20, 2022, its decision dated May 11, 2022 (the "Decision"), on the Application;

WHEREAS, the Application is related to application C 220232 ZMQ (L.U. No. 67), a zoning map amendment to eliminate C1-2 and C2-2 districts, change R4, R4-1, R5, C3 and C8-1 Districts to R3A, R4-1, R6A, and C3A Districts and establish C2-4 Districts and a Special Coastal Risk District (CR); C 220235 PPQ (L.U. No. 69), a disposition of city-owned property; C 220236 HAQ (L.U. No. 70), an Urban Development Action Area (UDAA) designation, project approval (UDAAP) and disposition of city-owned property; and C 220237 HUQ (L.U. No. 71), an amendment to the Edgemere Urban Renewal Plan (URP);

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 7, 2022;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration issued December 18th, 2020 (CEQR No. 21HPD009Q) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on April 29, 2022, in which potential significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-655) on the project site. The original application as analyzed in the FEIS identified significant adverse impacts related to community facilities (early childhood programs), open space (active recreation), transportation (traffic, transit, and safety), air quality (mobile sources), and construction (noise) at certain locations, and the identified significant adverse impacts and proposed mitigation measures are summarized in Chapter 19, "Mitigation" and Chapter 20, "Alternatives" of the FEIS. The Council has also considered the Technical Memorandum dated [_____].

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
2. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
3. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, those mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 220233 ZRQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

- Matter underlined is new, to be added;
- Matter ~~struck out~~ is to be deleted;
- Matter within # # is defined in Section 12-10;
- * * * indicates where unchanged text appears in the Zoning Resolution
- Matter ~~double struck out~~ is old, deleted by the City Council;
- Matter double-underlined is new, added by the City Council

* * *

**ARTICLE XIII
SPECIAL PURPOSE DISTRICTS**

* * *

Chapter 7
Special Coastal Risk District (CR)

* * *

137-10
GENERAL PROVISIONS

* * *

137-11
District Plan and Maps

The District Maps are located in the Appendix to this Chapter and are hereby incorporated and made part of this Resolution. They are incorporated for the purpose of specifying locations where special regulations and requirements set forth in this Chapter apply.

- | | |
|-------|--|
| Map 1 | #Special Coastal Risk District# 1 (CR-1), in Broad Channel, Community District 14, Borough of Queens |
| Map 2 | #Special Coastal Risk District# 2 (CR-2), in Hamilton Beach, Community District 10, Borough of Queens |
| Map 3 | #Special Coastal Risk District# 3 (CR-3), encompassing New York State Enhanced Buyout Areas in Graham Beach and Ocean Breeze, Community District 2, Borough of Staten Island |
| Map 4 | #Special Coastal Risk District# 3 (CR-3), encompassing New York State Enhanced Buyout Areas in Oakwood Beach, Community District 3, Borough of Staten Island |
| Map 5 | #Special Coastal Risk District# 4 (CR-4), in Gerritsen Beach, Community District 15, Borough of Brooklyn- |
| Map 6 | <u>#Special Coastal Risk District# 5 (CR-5), in Edgemere, Community District 14, Borough of Queens.</u> |

137-12
Applicability of Special Regulations

The special #use# and #bulk# regulations of this Chapter shall apply in the #Special Coastal Risk District# as set forth in the following table:

SPECIAL REGULATIONS

#Special Coastal Risk District#	#Residential Use# (137-21)	#Community Facility Use# (137-22)	Modified #Bulk# Requirements (137-31)	Modifications to Article V (137-40)	Special Requirements (137-50)
CR-1 (Broad Channel, Queens)	x	x			
CR-2 (Hamilton Beach, Queens)	x	x	x		
CR-3 (buyout areas, Staten Island)	x	x		x	x
CR-4 (Gerritsen Beach, Brooklyn)	x	x	x		
<u>CR-5 (Edgemere, Queens)</u>	<u>x</u>	<u>x</u>			

**137-20
SPECIAL USE REGULATIONS**

The special #use# regulations of this Section 137-20, inclusive, shall apply in the #Special Coastal Risk Districts# as set forth in the table in Section 137-12 (Applicability of Special Regulations).

**137-21
Residential Use**

In #Special Coastal Risk Districts#, #residential uses# shall be permitted as follows:

- (a) In #Special Coastal Risk Districts# 1 and 3, #residential uses# shall be limited to #single-family detached residences#.
- (b) In #Special Coastal Risk District# 2, #residential uses# shall be limited to #single-# or #two-family detached residences#.
- (c) In #Special Coastal Risk District# 4, #residential uses# shall be permitted as follows:
 - (1) for #zoning lots# with a #lot area# of less than 3,000 square feet, #residential uses# shall be limited to #detached# or #semi-detached single-family residences#; and
 - (2) for #zoning lots# with a #lot area# of 3,000 square feet or more, #residential uses# shall be limited to #detached# or #semi-detached# #single-# or #two-family residences#.
- (d) In #Special Coastal Risk District# 5, #residential uses# shall be permitted as follows:

- (1) in R3A and C3A Districts, #residential uses# shall be limited to #single-family detached residences#; and
- (2) in R4-1 Districts:
 - (i) for #zoning lots# with a #lot width# of less than 25 feet, #residential uses# shall be limited to #single-family detached residences#; and
 - (ii) for #zoning lots# with a #lot width# of 25 feet or more, #residential uses# shall be limited to #single-# or #two-family detached residences#.

The inclusion of #accessory# #residential uses# shall not be precluded by the provisions of this Section.

**137-22
Community Facility Use**

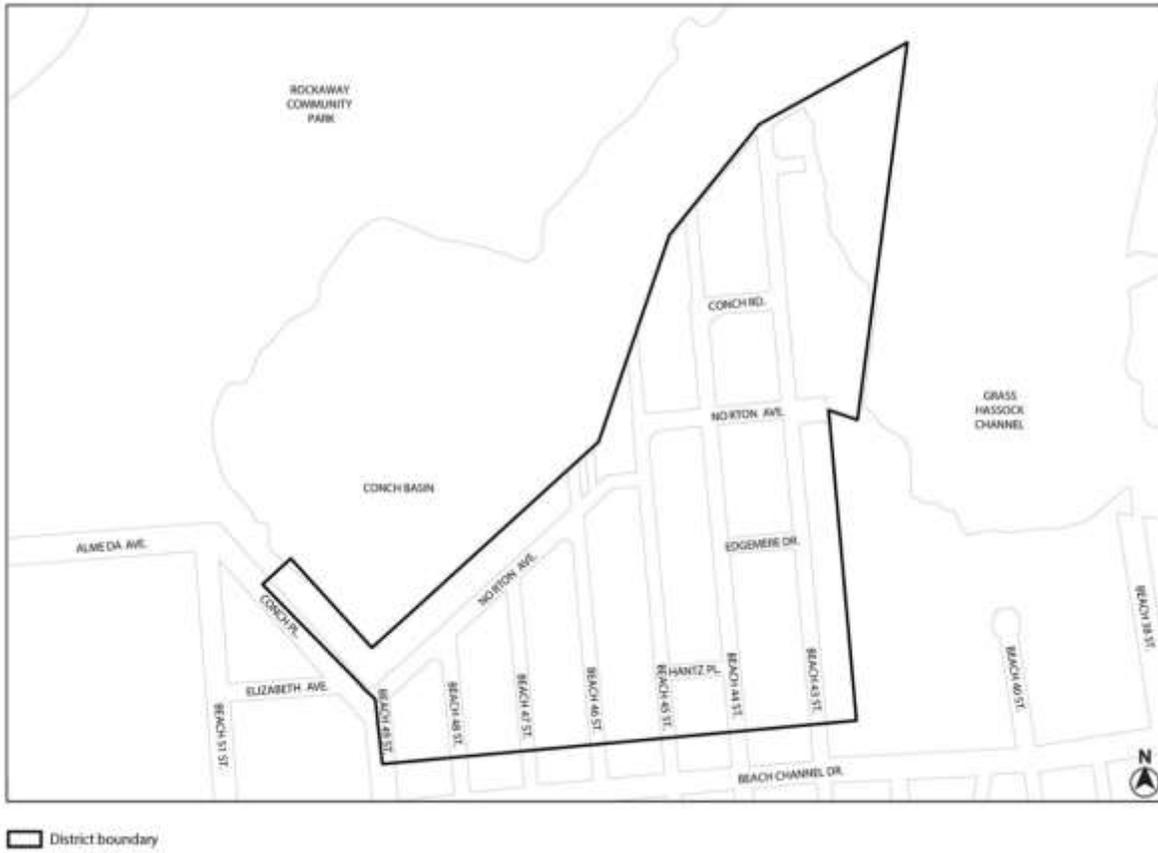
* * *

**APPENDIX
Special Coastal Risk District Plan**

* * *

Map 6 – Special Coastal Risk District 5, in Edgemere, Community District 14, Borough of Queens [date of adoption]

[PROPOSED MAP]



* * *

APPENDIX F – Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

APPENDIX F

QUEENS

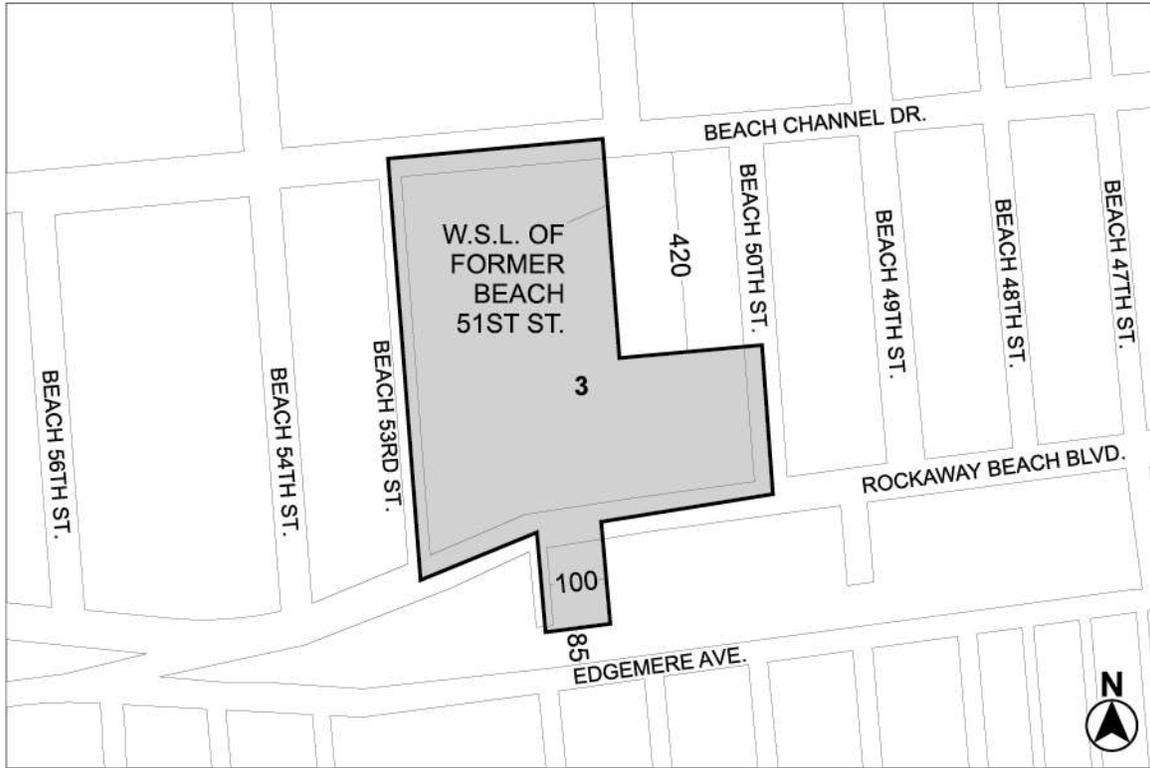
* * *

Queens Community District 14

* * *

Map 3 – (11/14/19) [date of adoption]

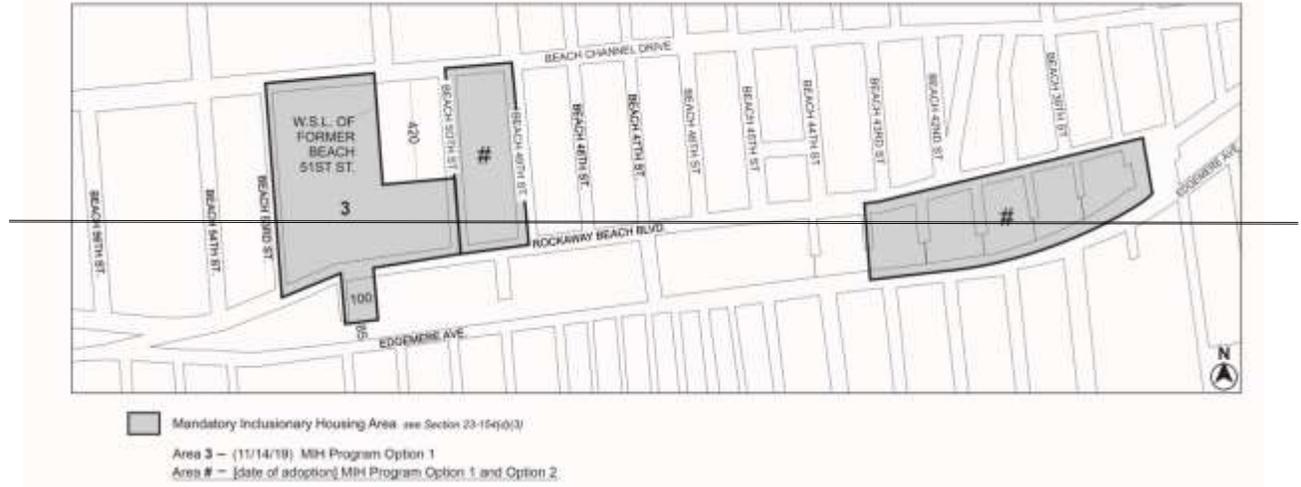
[EXISTING MAP]

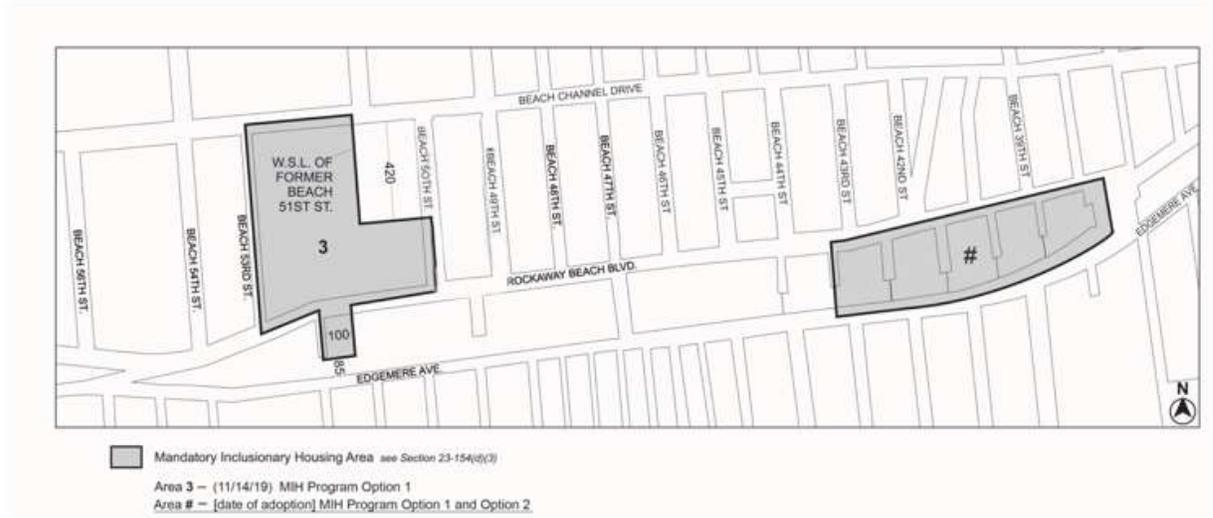


 Mandatory Inclusionary Housing Area *see Section 23-154(d)(3)*

Area 3 — (11/14/19) MIH Program Option 1

~~[PROPOSED MAP]~~



[PROPOSED MAP]

Portion of Community District 14, Queens

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ARI KAGAN, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Kamillah Hanks, Farah N. Louis, and Darlene Mealy; 9-0-0; Committee on Land Use, July 11, 2022 (Hybrid Hearing).

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

Report for L.U. No. 69 & Res. No. 274

Report of the Committee on Land Use in favor of approving, as modified, Application number C 220235 PPQ (Resilient Edgemere Community Initiative) submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 197-c of the New York City Charter, for the disposition of city owned properties for uses identified in the Edgemere Urban Renewal Plan, Borough of Queens, Community District 14, Council District 31.

The Committee on Land Use, to which the annexed Land Use item was referred on June 2, 2022 (Minutes, page 1373) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 67 & Res. No. 272 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 274

Resolution approving the decision of the City Planning Commission on Application No. C 220235 PPQ, for the disposition of city-owned properties (L.U. No. 69).

By Council Members Salamanca and Louis.

WHEREAS, the New York City Department of Housing Preservation and Development (HPD), filed an application pursuant to Section 197-c of the New York City Charter for the disposition of city-owned properties as listed in the attached properties list, which in conjunction with the related actions would facilitate a long-term land-use, development, and neighborhood strategy responding to the area’s flood risk on 166 acres of property generally bounded by Beach 35th Street, Rockaway Freeway, Rockaway Beach Boulevard, Beach 51st Street, and Jamaica Bay in the Edgemere neighborhood of Queens, Community District 14 (ULURP No. C 220235 PPQ) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on May 20, 2022, its decision dated May 11, 2022 (the "Decision") on the Application;

WHEREAS, the Application is related to applications C 220232 ZMQ (L.U. No. 67), a zoning map amendment to eliminate C1-2 and C2-2 districts, change R4, R4-1, R5, C3 and C8-1 Districts to R3A, R4-1, R6A, and C3A Districts and establish C2-4 Districts and a Special Coastal Risk District (CR); N 220233 ZRQ (L.U. No. 68), a zoning text amendment to establish an MIH Area and Special Coastal Risk District (CR-5); C 220236 HAQ (L.U. No. 70), an Urban Development Action Area (UDAA) designation, project approval (UDAAP) and disposition of city-owned property; and C 220237 HUQ (L.U. No. 71), an amendment to the Edgemere Urban Renewal Plan (URP);

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 7, 2022;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration issued December 18th, 2020 (CEQR No. 21HPD009Q) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on April 29, 2022, in which potential significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-655) on the project site. The original application as analyzed in the FEIS identified significant adverse impacts related to community facilities (early childhood programs), open space (active recreation), transportation (traffic, transit, and safety), air quality (mobile sources), and construction (noise) at certain locations, and the identified significant adverse impacts and proposed mitigation measures are summarized in Chapter 19, “Mitigation” and Chapter 20, “Alternatives” of the FEIS.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

- (1) The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
- (2) Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
- (3) The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, those mitigation measures that were identified as practicable.

The Decision, together with the FEIS and Technical Memorandum constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Section 197-d of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 220235 PPM, incorporated by reference herein, and the record before the Council, the Council approves the Decision for the disposition of the City-owned properties for uses identified in the Edgemere Urban Renewal Plan.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ARI KAGAN, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Kamillah Hanks, Farah N. Louis, and Darlene Mealy; 9-0-0; Committee on Land Use, July 11, 2022 (Hybrid Hearing).

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

Report for L.U. No. 70 & Res. No. 275

Report of the Committee on Land Use in favor of approving, as modified, Application number C 220236 HAQ (Resilient Edgemere Community Initiative) submitted by the Department of Housing Preservation and Development (HPD), pursuant to Article 16 of the General Municipal Law of New York State for the designation of an Urban Development Action Area and an Urban Development Action Area Project for such area, and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD, to facilitate the development of approximately 1,222 residential housing units, and commercial, community facility and open space on property located at (Block 15852, Lots 64 and 68); (Block 15851, Lots 33, 35, 40, 42, 44, 58, and 59); (Block 15850, Lot 6); (Block 15849, Lots 6, 8, 9, 10, 17, 18, 19, 20, 27, 28, and 29); (Block 15848, Lots 52, 54, 55, 57, 58, 60, 62, 63, 65, and 67), (Block 15847, Lots 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, and 89), the demapped roadbed of Beach 43rd Street between Blocks 15852 and 15851 and the demapped roadbed of Beach 39th Street between Blocks 15848 and 15849, Borough of Queens, Community District 14, Council District 31.

The Committee on Land Use, to which the annexed Land Use item was referred on June 2, 2022 (Minutes, page 1374) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 67 & Res. No. 272 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 275

Resolution approving the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) and the decision of the City Planning Commission, ULURP No. C 220236 HAQ, approving the designation of an Urban Development Action Area, an Urban Development Action Area Project, and the disposition of properties located at Block 15852, Lots 64 and 68; Block 15851, Lots 33, 35, 40 42, 44, 58, and 59; Block 15850, Lot 6; Block 15849, Lots 6, 8, 9, 10, 17, 18, 19, 20, 27, 28, and 29; Block 15848, Lots 52, 54, 55, 57, 58, 60, 62, 63, 65, and 67; Block 15847, Lots 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, and 89; demapped roadbed of Beach 39th Street between Blocks 15848 and 15847; and demapped roadbed of Beach 43rd Street between Blocks 15852 and 15851, Borough of Queens, Community District 14, to a developer selected by HPD (L.U. No. 70; C 220236 HAQ).

By Council Members Salamanca and Louis.

WHEREAS, the City Planning Commission filed with the Council on May 20, 2022 its decision dated May 11, 2022 (the "Decision"), on the application submitted by the New York City Department of Housing Preservation and Development (“HPD”) regarding city-owned properties located at Block 15852, Lots 64 and 68; Block 15851, Lots 33, 35, 40 42, 44, 58, and 59; Block 15850, Lot 6; Block 15849, Lots 6, 8, 9, 10, 17, 18, 19, 20, 27, 28, and 29; Block 15848, Lots 52, 54, 55, 57, 58, 60, 62, 63, 65, and 67; Block 15847, Lots 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, and 89; demapped roadbed of Beach 39th Street between Blocks 15848 and 15847; and demapped roadbed of Beach 43rd Street between Blocks 15852 and 15851, (the “Project Area”), approving:

- a) pursuant to Article 16 of the General Municipal Law of New York State the designation of Disposition Area as an Urban Development Action Area;
- b) pursuant to Article 16 of the General Municipal Law of New York State an Urban Development Action Area Project for the Disposition Area (the "Project"); and
- c) pursuant to Section 197-c of the New York City Charter the disposition of the Disposition Area to a developer to be selected by the New York City Department of Housing Preservation and Development;

which in conjunction with the related actions would facilitate a long-term land-use, development, and neighborhood strategy responding to the area’s flood risk on 166 acres of property generally bounded by Beach 35th Street, Rockaway Freeway, Rockaway Beach Boulevard, Beach 51st Street, and Jamaica Bay in the Edgemere neighborhood of Queens, Community District 14 (ULURP No. C 220236 HAQ) (the "Application");

WHEREAS, the Application is related to applications C 220232 ZMQ (L.U. No. 67), a zoning map amendment to eliminate C1-2 and C2-2 districts, change R4, R4-1, R5, C3 and C8-1 Districts to R3A, R4-1, R6A, and C3A Districts and establish C2-4 Districts and a Special Coastal Risk District (CR); N 220233 ZRQ (L.U. No. 68), a zoning text amendment to establish an MIH Area and Special Coastal Risk District (CR-5); C 220235 PPQ (L.U. No. 69), a disposition of city-owned property; and C 220237 HUQ (L.U. No. 71), an amendment to the Edgemere Urban Renewal Plan (URP);

WHEREAS, the City Planning Commission has certified its unqualified approval of UDAAP pursuant to Article 16 of the General Municipal Law;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, by letter dated May 24, 2022 and submitted to the Council on May 24, 2022, HPD submitted its requests (the “HPD Requests”) respecting the Application including the submission of the project summary for the Project (the “Project Summary”);

WHEREAS, upon due notice, the Council held a public hearing on the Application and Decision and the HPD Requests on June 7, 2022;

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

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration issued December 18th, 2020 (CEQR No. 21HPD009Q) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on April 29, 2022, in which potential significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-655) on the project site. The original application as analyzed in the FEIS identified significant adverse impacts related to community facilities (early childhood programs), open space (active recreation), transportation (traffic, transit, and safety), air quality (mobile sources), and construction (noise) at certain locations, and the identified significant adverse impacts and proposed mitigation measures are summarized in Chapter 19, “Mitigation” and Chapter 20, “Alternatives” of the FEIS.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
2. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
3. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, those mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Section 197-d of the New York City Charter, based on the environmental determination and the consideration described in the report C 220236 HAQ and incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission and the HPD Requests.

Pursuant to Article 16 of the General Municipal Law of the New York State, based on the environmental determination and the consideration described in the report C 220236 HAQ and incorporated by reference herein, the Council approves the Decision of the City Planning Commission and the HPD Requests.

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

The Council approves the designation of the Area as an urban development action area pursuant to Section 693 of the General Municipal Law.

The Council approves the Project as an urban development action area project pursuant to Section 694 of the General Municipal Law and subject to the terms and conditions of the Project Summary.

The Council approves the disposition of the Disposition Area under Section 197-d of the New York City Charter, to a developer to be selected by the New York City Department of Housing Preservation and Development for the development of the Project consistent with the Project Summary.

ATTACHMENT:

PROJECT SUMMARY

1. PROGRAM:	New Construction Finance Programs	
2. PROJECT:	Resilient Edgemere	
3. LOCATION:		
a. BOROUGH:	Queens	
b. COMMUNITY DISTRICT:	14	
c. COUNCIL DISTRICT:	31	
d. DISPOSITION AREA:	<u>BLOCK</u>	<u>LOT</u>
	15852	64
	15852	68
	15851	33
	15851	35
	15851	40
	15851	42
	15851	44
	15851	58
	15851	59
	15850	6
	15849	6
	15849	8
	15849	9
	15849	10
	15849	17
	15849	18
	15849	19
	15849	20

15849	27
15849	28
15849	29
15848	52
15848	54
15848	55
15848	57
15848	58
15848	60
15848	62
15848	63
15848	65
15848	67
15847	79
15847	80
15847	81
15847	82
15847	83
15847	84
15847	85
15847	86
15847	87
15847	88
15847	89

demapped roadbed of Beach 39th Street between Blocks 15848 and 15847

demapped roadbed of Beach 43rd Street between Blocks 15852 and 15851

4. BASIS OF DISPOSITION PRICE:

Nominal. Sponsor will pay one dollar per lot and deliver an enforcement note and mortgage for the remainder of the appraised value (“Land Debt”). For a period of at least thirty (30) years following completion of construction, the Land Debt or the City’s capital subsidy may be repayable out of resale or refinancing profits. The remaining balance, if any, may be forgiven at the end of the term.

5. TYPE OF PROJECT:

New Construction

6. APPROXIMATE NUMBER OF BUILDINGS:

5 multifamily residential and/or mixed-use buildings

7. APPROXIMATE NUMBER OF UNITS:

530

8. HOUSING TYPE:

Rental and/or Cooperative Units.
 For cooperative units, if any affordable homeownership unit remains unsold at the end of the marketing period and HPD determines in writing that (i) a sale is not feasible within a reasonable time, and (ii) a rental fallback is the best available alternative, then Sponsor may operate units as rental housing in accordance with the written instructions of HPD.

- 9. ESTIMATE OF INITIAL RENTS/PRICES:** Rents will be affordable to households with annual household incomes between 30% and 120% of the area median income (AMI). All affordable rental units will be subject to rent stabilization.
- Sales prices for any cooperative units will be affordable to families with annual household incomes between 80% and 130% of AMI.
- 10. INCOME TARGETS:** For rental units, 30% to 130% of AMI
- For cooperative units, 80% to 130% of AMI
- 11. LIENS FOR LAND DEBT/CITY SUBSIDY:** For any cooperative units, each of the Land Debt and the amount of any construction financing provided through loans from the City ("City Subsidy") will be secured by a mortgage on the Disposition Area. Upon conversion to a cooperative, the HDFC cooperative will repay the Land Debt and City Subsidy, if any, attributable to the property by delivering a note and mortgage and/or conditional grant agreement to the City. At such time, HPD may unsecure or forgive all or a portion of the Land Debt, and unsecure, but not forgive, all or a portion of the City Subsidy, based on the appraised value of a homeownership unit and/or, in the case of forgiveness of Land Debt, if HPD determines that the forgiveness is necessary to reduce the taxable consideration for a unit. The sum evidenced by the note and secured by the mortgage will be reduced to zero upon maturity of the Land Debt and City Subsidy, respectively, if the owner has complied with the program's restrictions.
- 12. PROPOSED FACILITIES:** Up to approximately 54,665 square feet of commercial and/or community facility space
- 13. PROPOSED CODES/ORDINANCES:** None
- 14. ENVIRONMENTAL STATUS:** Environmental Impact Statement
- 15. PROPOSED TIME SCHEDULE:** To be developed in phases. Approximately 10 years from the first closing to the final completion of construction

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ARI KAGAN, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Kamillah Hanks, Farah N. Louis, and Darlene Mealy; 9-0-0; Committee on Land Use, July 11, 2022 (Hybrid Hearing).

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

Report for L.U. No. 71 & Res. No. 276

Report of the Committee on Land Use in favor of approving, as modified, Application number C 220237 HUQ (Resilient Edgemere Community Initiative) submitted by the Department of Housing Preservation and Development pursuant to Section 505 of Article 15 of the General Municipal (Urban Renewal) Law of New York State and Section 197-c of the New York City Charter, for the second amendment to the Edgemere Urban Renewal Plan, Borough of Queens, Community District 14, Council District 31.

The Committee on Land Use, to which the annexed Land Use item was referred on June 2, 2022 (Minutes, page 1374) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 67 & Res. No. 272 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 276

Resolution approving the Second Amendment to the Edgemere Urban Renewal Plan for the Edgemere Urban Renewal Area and approving the decision of the City Planning Commission on ULURP No. C 220237 HUQ (L.U. No. 71).

By Council Members Salamanca and Louis.

WHEREAS, the New York City Department of Housing Preservation and Development (HPD), filed an application pursuant to Section 505 of Article 15 of the General Municipal Law (Urban Renewal) of New York State and Section 197-c of the New York City Charter, for the second amendment to the Edgemere Urban Renewal Plan for the Edgemere Urban Renewal Area, which in conjunction with the related actions would facilitate a long-term land-use, development, and neighborhood strategy responding to the area's flood risk on 166 acres of property generally bounded by Beach 35th Street, Rockaway Freeway, Rockaway Beach Boulevard, Beach 51st Street, and Jamaica Bay in the Edgemere neighborhood of Queens, Community District (ULURP No. C 220237 HUQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on May 20, 2022, its decision dated May 11, 2022 (the "Decision") on the Application;

WHEREAS, the New York City Department of Housing Preservation and Development submitted to the Council on May 24, 2022 its request for approval of the Second Amendment to the Edgemere Urban Renewal Plan for the Edgemere Urban Renewal Area, dated May 24, 2022 (the "Plan");

WHEREAS, the City Planning Commission has certified that the Plan for the Area is an appropriate plan for the Area and complies with provisions of Article 15 of the General Municipal Law, and conforms to the comprehensive community plan for the development of the municipality as a whole and is consistent with local objectives;

WHEREAS, the City Planning Commission has certified its unqualified approval of the Plan pursuant to Section 505 of the General Municipal Law;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, the Plan is subject to review and action by the Council pursuant to Section 505 of the General Municipal Law;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 7, 2022;

WHEREAS, the Council has considered the land use and financial implications and other policy issues relating to the Decision and the Plan; and

WHEREAS, the Council has considered the relevant environmental issues, including the Positive Declaration issued December 18th, 2020 (CEQR No. 21HPD009Q) and a Final Environmental Impact Statement (FEIS) for which a Notice of Completion was issued on April 29, 2022, in which potential significant adverse impacts related to hazardous materials, air quality, and noise would be avoided through the placement of (E) designations (E-655) on the project site. The original application as analyzed in the FEIS identified significant adverse impacts related to community facilities (early childhood programs), open space (active recreation), transportation (traffic, transit, and safety), air quality (mobile sources), and construction (noise) at certain locations, and the identified significant adverse impacts and proposed mitigation measures are summarized in Chapter 19, "Mitigation" and Chapter 20, "Alternatives" of the FEIS.

RESOLVED:

Having considered the FEIS with respect to the Decision and Application, the Council finds that:

1. The FEIS meets the requirements of 6 N.Y.C.R.R. Part 617;
2. Consistent with social, economic and other essential considerations, from among the reasonable alternatives thereto, the action is one which minimizes or avoids adverse environmental impacts to the maximum extent practicable; and
3. The adverse environmental impacts disclosed in the FEIS will be minimized or avoided to the maximum extent practicable by incorporating, as conditions to the approval, those mitigation measures that were identified as practicable.

The Decision, together with the FEIS constitute the written statement of facts, and of social, economic and other factors and standards that form the basis of this determination, pursuant to 6 N.Y.C.R.R. §617.11(d).

Pursuant to Section 197-d of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 220237 HUQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision.

The Council finds that the Area is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area, and tends to impair or arrest the sound growth and development of the municipality;

The Council finds that the financial aid to be provided to the municipality is necessary to enable the project to be undertaken in accordance with the Plan;

The Council finds that the Plan affords maximum opportunity to private enterprise, consistent with the sound needs of the municipality as a whole, for the undertaking of an urban renewal program;

The Council finds that the Plan conforms to a comprehensive community plan for the development of the municipality as a whole;

The Council finds that there is a feasible method for the relocation of families and individuals displaced from the Area into decent, safe and sanitary dwellings, which are or will be provided in the Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities, at rents or prices within the financial means of such families or individuals, and reasonably accessible to their places of employment;

The Council finds that the undertaking and carrying out of the urban renewal activities in stages is in the best public interest and will not cause any additional or increased hardship to the residents of the Area;

The Council approves the designation of the Area pursuant to Section 504 of the General Municipal Law; and

The Council approves the amendment of the Plan pursuant to Section 505 of the General Municipal Law and Section 197-d of the Charter.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ARI KAGAN, SHEKAR KRISHNAN, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 9-0-0; *Absent*: Erik D. Bottcher, Kamillah Hanks, Farah N. Louis, and Darlene Mealy; 9-0-0; Committee on Land Use, July 11, 2022 (Hybrid Hearing).

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

Report for L.U. No. 79 & Res. No. 277

Report of the Committee on Land Use in favor of approving, as modified, Application number C 210128 ZMQ (77 – 39 Vleigh Place Rezoning) submitted by VP Capital Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 14c, eliminating from within an existing R3-2 District a C1-2 District, changing from an R3-2 District to an R6A District, and establish within the proposed R6A District a C2-3 District, Borough of Queens, Community District 8, Council District 24.

The Committee on Land Use, to which the annexed Land Use item was referred on June 2, 2022 (Minutes, page 1572) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

**QUEENS CB-8 - TWO APPLICATIONS RELATED TO 77-39 VLEIGH PLACE
REZONING**

C 210128 ZMQ (Pre. L.U. No. 79)

City Planning Commission decision approving an application submitted by VP Capital Holdings, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14c:

1. eliminating from within an existing R3-2 District a C1-2 District bounded by 77th Road, a line 150 feet easterly of Vleigh Place, 78th Avenue, and Vleigh Place;
2. changing from an R3-2 District to an R6A District property bounded by 77th Road, a line 400 feet southwesterly of Main Street, 78th Avenue, and Vleigh Place; and
3. establishing within the proposed R6A District a C2-3 District bounded by 77th Road, a line 400 feet southwesterly of Main Street, 78th Avenue, and Vleigh Place;

as shown on a diagram (for illustrative purposes only) dated January 18, 2022, and subject to the conditions of CEQR Declaration E-657.

N 210129 ZRQ (Pre. L.U. No. 80)

City Planning Commission decision approving an application submitted by VP Capital Holdings, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

To approve the amendment to rezone the project area from an R3-2/C1-2 to an R6A/C2-3 district and amend the zoning text to designate a Mandatory Inclusionary Housing (MIH) area, to facilitate the development of an eight-story mixed-use building with 119 residential units, 36 of which would be permanently affordable, as well as community facility and commercial uses located at 77-39 Vleigh Place in the Kew Gardens Hills neighborhood of Queens, Community District 8.

PUBLIC HEARING

DATE: June 14, 2022

Witnesses in Favor: Six

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION**DATE:** June 29, 2022

The Subcommittee recommends that the Land Use Committee approve with modifications the decisions of the City Planning Commission on Pre. L.U. No. 79 and approve the decision of the City Planning Commission on Pre. L.U. No. 80.

In Favor:

Riley
Moya
Louis
Abreu
Bottcher
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** June 29, 2022

The Committee recommends that the Council approve the attached resolutions.

In Favor:

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

Against:

None

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated _____, 2022, with the Council on _____, 2022, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 277

Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 210128 ZMQ, a Zoning Map amendment (Preconsidered L.U. No. 79).

By Council Members Salamanca and Riley.

WHEREAS, VP Capital Holdings, LLC, filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14c, by eliminating from within an existing R3-2 District a C1-2 District, changing from an R3-2 District to an R6A District, and establishing within the proposed R6A District a C2-3 District, which in conjunction with the related action would facilitate the development of an eight-story mixed-use building with 119 residential units, 36 of which would be permanently affordable, as well as community facility and commercial uses located at 77-39 Vleigh Place in the Kew Gardens Hills neighborhood of Queens, Community District 8 (ULURP No. C 210128 ZMQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on June 13, 2022 its decision dated June 8, 2022 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 210129 ZRQ (Pre. L.U. No. 80), a zoning text amendment to designate a Mandatory Inclusionary Housing (MIH) area;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 14, 2022;

WHEREAS, the Council has considered the land use and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued January 18th, 2022 (CEQR No. 21DCP063Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to air quality and noise (E-657) (the "Negative Declaration").

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-657) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 210128 ZMQ incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter ~~double struck out~~ is old, deleted by the City Council;
Matter double-underlined is new, added by the City Council

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 14c:

1. eliminating from within an existing R3-2 District a C1-2 District bounded by 77th Road, a line 150 feet easterly of Vleigh Place, 78th Avenue, and Vleigh Place;

2. changing from an R3-2 District to an R6~~A~~B District property bounded by 77th Road, a line 400 feet southwesterly of Main Street, 78th Avenue, and Vleigh Place; and
3. establishing within the proposed R6~~A~~B District a C2-3 District bounded by 77th Road, a line 400 feet southwesterly of Main Street, 78th Avenue, and Vleigh Place; as shown on a diagram (for illustrative purposes only) dated January 18, 2022, and subject to the conditions of CEQR Declaration E-657, Borough of Queens, Community District 8.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 29, 2022 (Remote Hearing).

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

Report for L.U. No. 80 & Res. No. 278

Report of the Committee on Land Use in favor of approving, as modified, Application number N 210129 ZRQ (77 – 39 Vleigh Place Rezoning) submitted by VP Capital Holdings, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 8, Council District 24.

The Committee on Land Use, to which the annexed Land Use item was referred on June 2, 2022 (Minutes, page 1572) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 79 & Res. No. 277 printed above in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res No. 278

Resolution approving the decision of the City Planning Commission on Application No. N 210129 ZRQ, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 80).

By Council Members Salamanca and Riley.

WHEREAS, VP Capital Holdings, LLC, filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would facilitate the development of an eight-story mixed-use building with 119 residential

units, 36 of which would be permanently affordable, as well as community facility and commercial uses located at 77-39 Vleigh Place in the Kew Gardens Hills neighborhood of Queens, Community District 8 (ULURP No. N 210129 ZRQ) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on June 13, 2022, its decision dated June 8, 2022 (the “Decision”), on the Application;

WHEREAS, the Application is related to application C 210128 ZMQ (Pre. L.U. No. 79), a zoning map amendment to change an R3-2/C1-2 zoning district to an R6A/C2-3 zoning district;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 14, 2022;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued January 18, 2022 (CEQR No. 21DCP063Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to air quality and noise (E-657) (the “Negative Declaration”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-657) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 210129 ZRQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

QUEENS

* * *

Queens Community District 8

* * *

Map 1 – [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing Area see Section 23-154(d)(3)

Area 1 — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 8, Queens

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 29, 2022 (Remote Hearing).

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

Report for L.U. No. 81 & Res. No. 279

Report of the Committee on Land Use in favor of approving, as modified, Application number C 210234 ZMQ (11th Street & 34th Avenue Rezoning) submitted by JPP 33rd Street, LLC and Lily & John Realty Inc., pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 9a, changing from an R5 District to an M1-5/R6A District and establishing a Special Mixed Use District (MX-23), Borough of Queens, Community District 1, Council District 26.

The Committee on Land Use, to which the annexed Land Use item was referred on June 16, 2022 (Minutes, page 1572) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

QUEENS CB-1 – TWO APPLICATIONS RELATED TO 11TH STREET AND 34TH AVENUE REZONING

C 210234 ZMQ (Pre. L.U. No. 81)

City Planning Commission decision approving an application submitted by JPP 33rd Street, LLC and Lily & John Realty Inc., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a:

1. changing from an R5 District to an M1-5 / R6A District property bounded by 33rd Road, 12th Street, 34th Avenue, and 11th Street; and
2. establishing a Special Mixed Use District (MX-23) bounded by 33rd Road, 12th Street, 34th Avenue, and 11th Street,

as shown on a diagram (for illustrative purposes only) dated February 14, 2022, and subject to the conditions of CEQR Declaration E-661.

N 210235 ZRQ (Pre. L.U. No. 82)

City Planning Commission decision approving an application submitted by JPP 33rd Street, LLC and Lily & John Realty Inc., for an amendment of the Zoning Resolution of the City of New York modifying provisions of Article XII, Chapter 3 (Special Mixed Use District) and APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

To approve the amendment to rezone the project area from an R5 zoning district to an M1-4/R7A zoning district and to map a Special Mixed Use District (MX-23); and amend the zoning text to create a new Special Mixed Use District designation (MX-23) and to establish a Mandatory Inclusionary Housing (MIH) area to facilitate the development of two eight-story mixed use residential, commercial, and light-industrial buildings located at 33-33 11th Street in the Ravenswood neighborhood of Queens, Community District 1.

PUBLIC HEARING**DATE:** June 14, 2022**Witnesses in Favor:** Seven**Witnesses Against:** None**SUBCOMMITTEE RECOMMENDATION****DATE:** June 29, 2022

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on Pre. L.U. No. 81 and approve with modifications the decision of the City Planning Commission on Pre. L.U. No. 82.

In Favor:

Riley
Moya
Louis
Abreu
Bottcher
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** June 29, 2022

The Committee recommends that the Council approve the attached resolutions.

In Favor:

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

Against:

None

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated _____, 2022, with the Council on _____, 2022, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 279

Resolution approving the decision of the City Planning Commission on ULURP No. C 210234 ZMQ, a Zoning Map amendment (Preconsidered L.U. No. 81).

By Council Members Salamanca and Riley.

WHEREAS, JPP 33rd Street, LLC and Lily & John Realty Inc., filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, by changing from an R5 District to an M1-5 / R6A District and establishing a Special Mixed Use District (MX-23), which in conjunction with the related action would facilitate the development of two eight-story mixed use residential, commercial, and light-industrial buildings located at 33-33 11th Street in the Ravenswood neighborhood of Queens, Community District 1 (ULURP No. C 210234 ZMQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on June 13, 2022 its decision dated June 8, 2022 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 210235 ZRQ (Pre. L.U. No. 82), a zoning text amendment to create a new Special Mixed Use District designation (MX-23) and to establish a Mandatory Inclusionary Housing (MIH) area;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 14, 2022;

WHEREAS, the Council has considered the land use and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Conditional Negative Declaration (CND) was issued on June 6, 2022 (CEQR No. 21DCP118Q), which includes an (E) designation (E-661) for hazardous materials, air quality, and noise on the development site (Block 318, Lots 1, 15, and 22) and an (E) designation for hazardous materials and air quality on the non-applicant-owned lots (Block 318, Lots 9 and 11) to avoid the potential for significant adverse impacts. As described in the CND, the applicant will enter into a Restrictive Declaration to ensure implementation of measures relating to transportation and construction.

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 210234 ZMQ,

incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 9a:

3. changing from an R5 District to an M1-5 / R6A District property bounded by 33rd Road, 12th Street, 34th Avenue, and 11th Street; and
4. establishing a Special Mixed Use District (MX-23) bounded by 33rd Road, 12th Street, 34th Avenue, and 11th Street,

as shown on a diagram (for illustrative purposes only) dated February 14, 2022, and subject to the conditions of CEQR Declaration E-661, Borough of Queens, Community District 1.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 29, 2022 (Remote Hearing).

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

Report for L.U. No. 82 & Res. No. 280

Report of the Committee on Land Use in favor of approving, as modified, Application number N 210235 ZRQ (11th Street & 34th Avenue Rezoning) submitted by JPP 33rd Street, LLC and Lily & John Realty Inc., pursuant to Section 201 of the New York City Charter for an amendment to the Zoning City of New York, modifying provisions of Article XII, Chapter 3 (Special Mixed Use District) and APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 1, Council District 26.

The Committee on Land Use, to which the annexed Land Use item was referred on June 16, 2022 (Minutes, page 1573) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 81 & Res. No. 279 printed in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 280

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 210235 ZRQ, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 82).

By Council Members Salamanca and Riley.

WHEREAS, JPP 33rd Street, LLC and Lily & John Realty Inc., filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying provisions of Article XII, Chapter 3 (Special Mixed Use District) and APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would facilitate the development of a seven-story mixed use building containing 205 residential units and ground floor industrial and commercial space at 11-01 33rd Avenue (Block 316, Lots 1 and 13), in the Ravenswood neighborhood of Queens, Community District 1 (ULURP No. N 210235 ZRQ) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on June 13, 2022, its decision dated June 8, 2022 (the “Decision”), on the Application;

WHEREAS, the Application is related to application N 210235 ZRQ (Pre. L.U. No. 81), a zoning map amendment to change an R5 zoning district to an M1-4/R7A zoning district and to map a Special Mixed Use District (MX-23);

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 14, 2022;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Conditional Negative Declaration (CND) was issued on June 6, 2022 (CEQR No. 21DCP118Q), which includes an (E) designation (E-661) for hazardous materials, air quality, and noise on the development site (Block 318, Lots 1, 15, and 22) and an (E) designation for hazardous materials and air quality on the non-applicant-owned lots (Block 318, Lots 9 and 11) to avoid the potential for significant adverse impacts. As described in the CND, the applicant will enter into a Restrictive Declaration to ensure implementation of measures relating to transportation and construction.

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 210235 ZRQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

Matter ~~double struck out~~ is old, deleted by the City Council;
Matter double-underlined is new, added by the City Council

* * *

**ARTICLE XII
SPECIAL PURPOSE DISTRICTS**

**Chapter 3
Special Mixed Use District (MX)**

* * *

**123-60
SPECIAL BULK REGULATIONS**

* * *

**123-63
Maximum Floor Area Ratio and Lot Coverage Requirements for Zoning Lots Containing Only Residential Buildings in R6, R7, R8 and R9 Districts**

Where the designated #Residence District# is an R6, R7, R8 or R9 District, the minimum required #open space ratio# and maximum #floor area ratio# provisions of Section 23-151 (Basic regulations for R6 through R9 Districts) shall not apply. In lieu thereof, all #residential buildings#, regardless of whether they are required to be #developed# or #enlarged# pursuant to the Quality Housing Program, shall comply with the maximum #floor area ratio# and #lot coverage# requirements set forth for the designated district in Sections 23-153 (For Quality Housing buildings) or 23-155 (Affordable independent residences for seniors), as applicable.

* * *

However, in #Inclusionary Housing designated areas# and #Mandatory Inclusionary Housing areas#, as listed in the table in this Section, the maximum permitted #floor area ratio# shall be as set forth in Section 23-154 (Inclusionary Housing). The locations of such districts are specified in APPENDIX F of this Resolution.

#Special Mixed Use District#	Designated #Residence District#

MX 23 – Community District 1, Queens	<u>R6A</u> R7A

* * *

**123-66
Height and Setback Regulations**

The height of all #buildings or other structures# in #Special Mixed Use Districts# shall be measured from the #base plane#.

~~The following modifications of height and setback regulations set forth in paragraphs (a) and (b) apply in Historic Districts designated by the Landmarks Preservation Commission:~~

[Relocated below]

- (a) ~~For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the minimum base height of a #street wall# may vary between the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height required, up to the minimum base height requirements of this Chapter.~~

[Provisions moved to Section 123-663(a)(1)]

- (b) ~~In #Special Mixed Use District# 2 in the Borough of Brooklyn, where the designated #Residence District# is an R8X District, the maximum base height of a #street wall# may vary between the maximum base height set forth in this Chapter, and the height of the #street wall# of an adjacent #building# before setback, if such height is higher than the maximum base height set forth in this Chapter. For the purposes of this paragraph (b), a #building# situated directly across a #street# from a #development# shall be considered an adjacent #building#.~~

[Applicability text added for clarity]

In #Special Mixed Use Districts# where the designated #Residence District# is an R3, R4 or R5 District, the provisions of Section 123-661 (Mixed use buildings in Special Mixed Use Districts with R3, R4 or R5 District designations) shall apply. On #waterfront blocks#, as defined in Section 62-11, where the designated #Residence District# is R3, R4 or R5, the height and setback regulations of Section 62-34, inclusive, shall apply to #buildings and other structures#, except that for #mixed use buildings#, the height and setback regulations set forth in Section 123-661 (Mixed use buildings in Special Mixed Use Districts with R3, R4 or R5 District designations) shall apply.

[Applicability text added for clarity]

In #Special Mixed Use Districts# where the designated #Residence District# is an R6 through R10 District, the provisions of Section 123-662 (All buildings in Special Mixed Use Districts with R6, R7, R8, R9 and R10 District designations) shall apply. However, in certain zoning districts in certain #Special Mixed Use Districts#, such provisions are modified by the special rules of Section 123-663 (Special rules for certain districts in certain Special Mixed Use Districts).

[Relocated from above]

For any #zoning lot# located in a Historic District designated by the Landmarks Preservation Commission, the minimum base height of a #street wall# may vary between the height of the #street wall# of an adjacent #building# before setback, if such height is lower than the minimum base height required, up to the minimum base height requirements of this Chapter.

* * *

123-662

All buildings in Special Mixed Use Districts with R6, R7, R8, R9 and R10 District designations

In #Special Mixed Use Districts# where the designated #Residence District# is an R6, R7, R8, R9 or R10 District, the height and setback regulations of Sections 23-60 and 43-40 shall not apply. In lieu thereof, all #buildings or other structures# shall comply with the height and setback regulations of this Section.

- (a) Medium and high density non-contextual districts

~~(1)~~ In #Special Mixed Use Districts# where the designated #Residence District# is an R6, R7, R8, R9 or R10 District without a letter suffix, the height of a #building or other structure#, or portion thereof, located within 10 feet of a #wide street# or 15 feet of a #narrow street#, may not exceed the maximum base height

specified in Table A of this Section, except for dormers permitted in accordance with paragraph (c) of this Section. Beyond 10 feet of a #wide street# and 15 feet of a #narrow street#, the height of a #building or other structure# shall not exceed the maximum #building# height specified in Table A. However, a #building or other structure# may exceed such maximum #building# height by four #stories# or 40 feet, whichever is less, provided that the gross area of each #story# located above the maximum #building# height does not exceed 80 percent of the gross area of that #story# directly below it.

* * *

[Provisions for MX-15 moved to 123-663(b)]

- (2) ~~In #Special Mixed Use District# 15 in the Borough of Manhattan, where the designated #Residence District# is an R7-2 District, the height and setback regulations of paragraph (a)(1) of this Section shall not apply. In lieu thereof, the height and setback regulations of this paragraph (a)(2) shall apply.~~
- (i) ~~A #building or other structure#, or portion thereof, located within 10 feet of a #wide street# or 15 feet of a #narrow street#, shall rise to a minimum height of 60 feet, and may rise to a maximum height of 85 feet, except for dormers permitted in accordance with paragraph (c) of this Section.~~
- (ii) ~~At least 70 percent of the #aggregate width of street walls# shall be located on the street line and shall extend to the minimum base height of 60 feet or the height of the #building#, whichever is less. The remaining 30 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line#.~~
- (iii) ~~Existing #buildings# may be vertically #enlarged# by up to one #story# or 15 feet without regard to the #street wall# location provisions of this paragraph (a)(2). Beyond 10 feet of a #wide street# and 15 feet of a #narrow street#, the height of a #building or other structure# shall not exceed a maximum #building# height of 135 feet. However, a #building or other structure# may exceed a height of 135 feet by four #stories# or 40 feet, whichever is less, provided that the gross area of each #story# located above 135 feet does not exceed 80 percent of the gross area of that #story# directly below it.~~
- (b) Medium and high density contextual districts

[Provisions for MX-2 moved to 123-663(a)(1)]

In #Special Mixed Use Districts# where the #Residence District# designation is an R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9X, R10A or R10X District, the height and setback provisions of Section 23-662 shall apply. However, where the #Residence District# designation is an R6A, R6B, R7A, R7D, R8A or R8X District located outside the #Manhattan Core#, for #buildings# with #qualifying ground floors# utilizing the additional heights set forth in paragraph (b) of Section 23-662, the supplemental ground floor provisions set forth in paragraph (b)(2) of such Section shall be modified so that any permitted non-#residential use# in the #Manufacturing District# that is paired with such #Residence District# may be utilized to satisfy the ground floor #use# and depth requirements of Section 26-52 (Ground Floor Use and Depth Requirements). Where the #Residence District# designation is an R10X District, a tower may be provided in accordance with the provisions of Section 23-663. In addition, in all applicable districts, for #buildings# meeting the criteria set forth in paragraph (a) of Section 23-664 (Modified height and setback regulations for certain Inclusionary Housing buildings or affordable independent residences for seniors), the height and setback provisions of paragraph (b) of Section 23-664 shall apply. Separate maximum #building# heights are set forth within Sections 23-662 and 23-664 for #Quality Housing buildings# with #qualifying ground floors# as well as for those with #non-qualifying ground floors#. ~~In R8X Districts within #Special Mixed Use District# 2, the maximum #building# height for any #development# or #enlargement# that is not predominantly #commercial#, #manufacturing#, or a combination of #commercial# and #manufacturing#, shall be governed by the maximum #building# height and~~

setback regulations applicable to an R8A District. For the purposes of this provision, “predominantly” shall mean at least 75 percent of the #floor area# of a #building#.

* * *

123-663
Special rules for certain districts in certain Special Mixed Use Districts

For zoning districts in certain #Special Mixed Use Districts# specified by this Section, the height and setback regulations of paragraphs (a) and (b) of Section 123-662 (All buildings in Special Mixed Use Districts with R6, R7, R8, R9 and R10 District designations) shall be modified as follows:

- (a) In R8X Districts within #Special Mixed Use District# 2:
 - (1) the maximum #building# height for any #development# or #enlargement# that is not predominantly #commercial#, #manufacturing#, or a combination of #commercial# and #manufacturing#, shall be governed by the underlying maximum #building# height and setback regulations applicable to an R8A District. For the purposes of this provision, “predominantly” shall mean at least 75 percent of the #floor area# of a #building#; and
 - (2) in Historic Districts designated by the Landmarks Preservation Commission, the maximum base height of a #street wall# may vary between the maximum base height of this Section, and the height of the #street wall# of an adjacent #building# before setback, if such height is higher than such maximum base height. For the purposes of this paragraph, a #building# situated directly across a #street# from a #development# shall be considered an adjacent #building#.
- (b) In R7-2 Districts within #Special Mixed Use District# 15:
 - (1) a #building or other structure#, or portion thereof, located within 10 feet of a #wide street# or 15 feet of a #narrow street#, shall rise to a minimum height of 60 feet, and may rise to a maximum height of 85 feet;
 - (2) at least 70 percent of the #aggregate width of street walls# shall be located on the #street line# and shall extend to the minimum base height of 60 feet or the height of the #building#, whichever is less. The remaining 30 percent of the #aggregate width of street walls# shall be located within eight feet of the #street line#; and
 - (3) existing #buildings# may be vertically #enlarged# by up to one #story# or 15 feet without regard to the #street wall# location provisions of this paragraph. Beyond 10 feet of a #wide street# and 15 feet of a #narrow street#, the height of a #building or other structure# shall not exceed a maximum #building# height of 135 feet. However, a #building or other structure# may exceed a height of 135 feet by four #stories# or 40 feet, whichever is less, provided that the gross area of each #story# located above 135 feet does not exceed 80 percent of the gross area of that #story# directly below it.
- (c) In R6A Districts within #Special Mixed Use District# 23, where such R6A District is paired with an M1-5 District, the underlying height and setback regulations applicable to an R7A District shall apply.

* * *

123-90
SPECIAL MIXED USE DISTRICTS SPECIFIED

The Special Mixed Use District is mapped in the following areas:

* * *

#Special Mixed Use District# - 23 [date of adoption]
Ravenswood, Queens

The #Special Mixed Use District# - 23 is established in Northwest Ravenswood in Queens as indicated on the #zoning maps#.

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

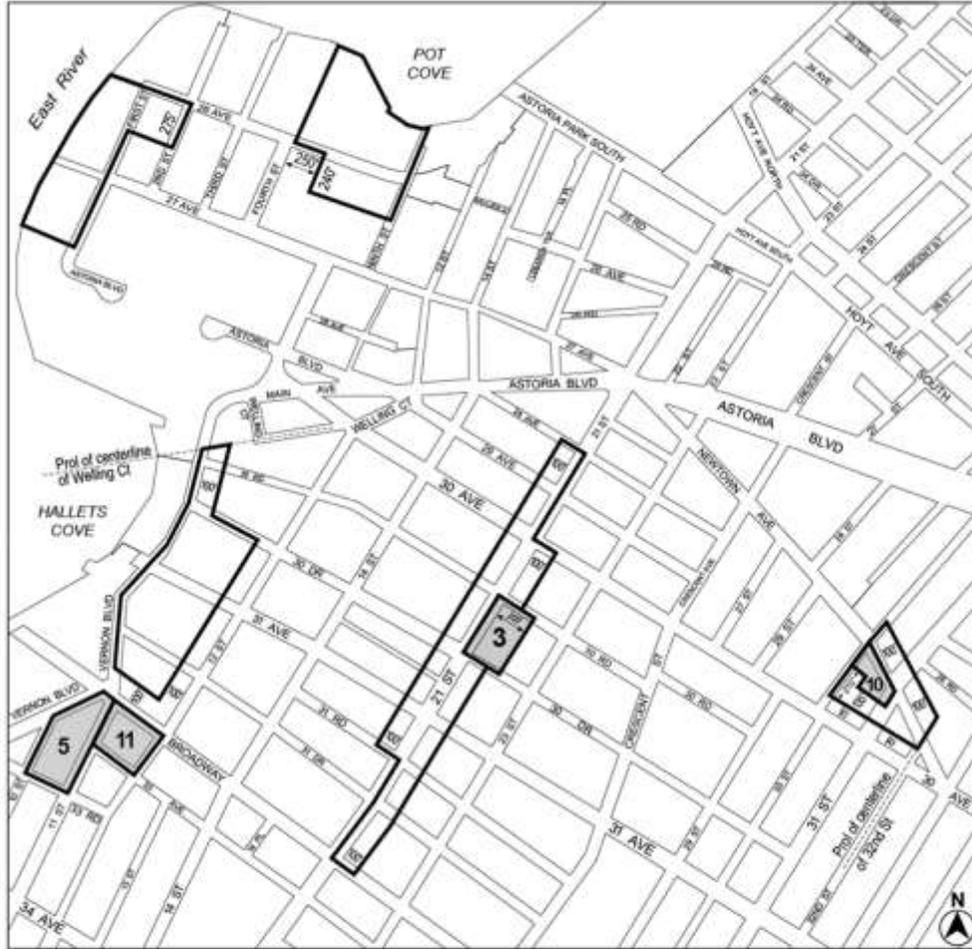
QUEENS

* * *

Queens Community District 1

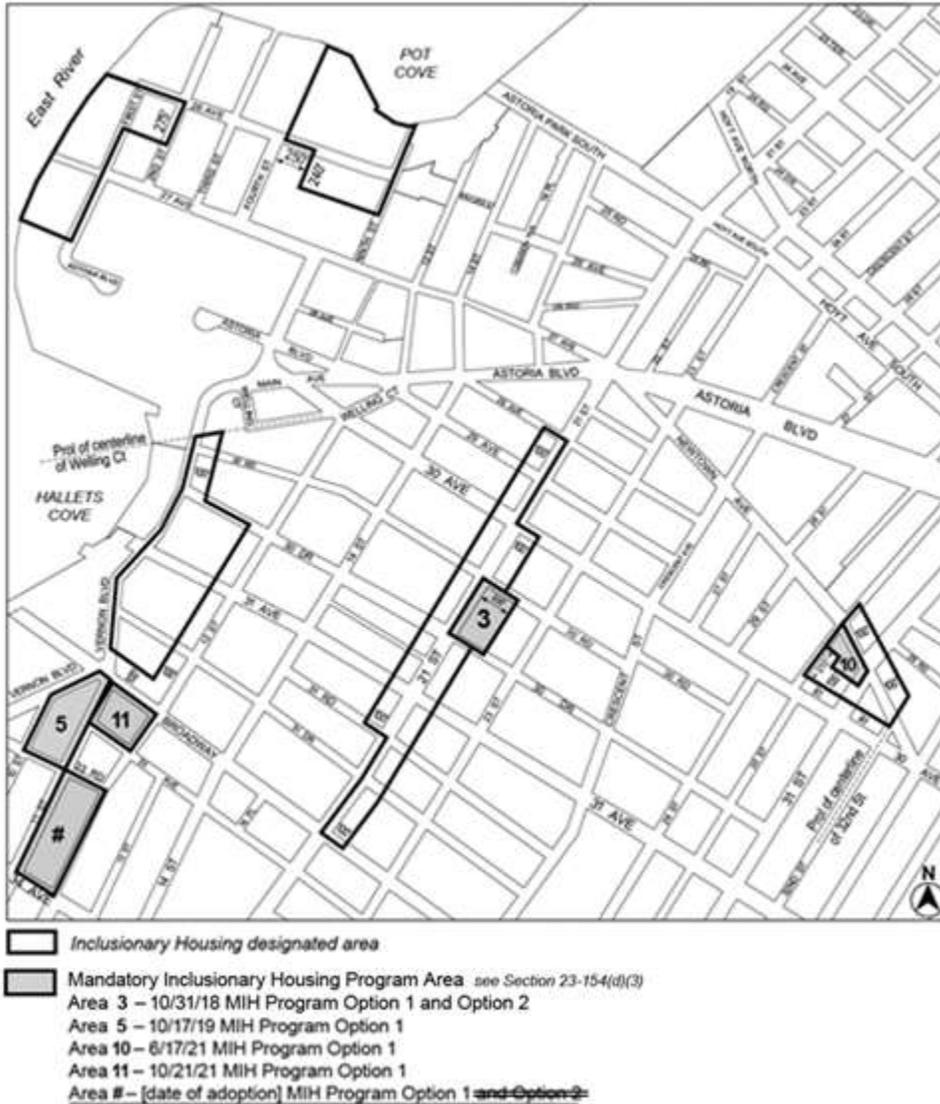
* * *

Map 1 – (~~10/17/19~~)-[date of adoption]



-  Inclusionary Housing designated area
-  Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
 - Area 3 – 10/31/18 MIH Program Option 1 and Option 2
 - Area 5 – 10/17/19 MIH Program Option 1
 - Area 10 – 6/17/21 MIH Program Option 1
 - Area 11 – 10/21/21 MIH Program Option 1

[PROPOSED MAP]



Portion of Community District 1, Queens

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 29, 2022 (Remote Hearing).

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

Report for L.U. No. 83 & Res. No. 281

Report of the Committee on Land Use in favor of approving, as modified, Application number C 210375 ZMQ (Wetherole Street and 67th Avenue Rezoning) submitted by Novel Medicine, P.C., pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section No. 14a, changing from an R4B District to an R6A District, Borough of Queens, Community District 6, Council District 29.

The Committee on Land Use, to which the annexed Land Use item was referred on June 16, 2022 (Minutes, page 1573) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

SUBJECT

QUEENS CB-6 - TWO APPLICATIONS RELATED TO WETHEROLE STREET AND 67TH AVENUE REZONING

C 210375 ZMQ (Pre. L.U. No. 83)

City Planning Commission decision approving an application submitted by Novel Medicine, P.C., pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14a, changing from an R4B District to an R6A District property bounded by a line 100 feet northeasterly of Wetherole Street, 67th Avenue, Wetherole Street, and a line 175 feet northwesterly of 67th Avenue, Borough of Queens, Community District 6, as shown on a diagram (for illustrative purposes only) dated January 31, 2022, and subject to the conditions of CEQR Declaration E-649.

N 210376 ZRQ (Pre. L.U. No. 84)

City Planning Commission decision approving an application submitted Novel Medicine, P.C., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

INTENT

To approve the amendment to rezone the project area from an R4B zoning district to an R6A zoning district and to amend the zoning text to establish a Mandatory Inclusionary Housing (MIH) area to facilitate the development of an eight-story residential building located at 66-45 Wetherole Street in the Forest Hills neighborhood of Queens, Community District 6.

PUBLIC HEARING

DATE: June 14, 2022

Witnesses in Favor: Two

Witnesses Against: None

SUBCOMMITTEE RECOMMENDATION**DATE:** June 29, 2022

The Subcommittee recommends that the Land Use Committee approve the decision of the City Planning Commission on Pre. L.U. No. 83 and approve with modifications the decision of the City Planning Commission on Pre. L.U. No. 84.

In Favor:

Riley
Moya
Louis
Abreu
Bottcher
Hanks
Schulman
Carr

Against:

None

Abstain:

None

COMMITTEE ACTION**DATE:** June 29, 2022

The Committee recommends that the Council approve the attached resolutions.

In Favor:

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

Against:

None

Abstain:

None

FILING OF MODIFICATIONS WITH THE CITY PLANNING COMMISSION

The City Planning Commission filed a letter dated _____, 2022, with the Council on _____, 2022, indicating that the proposed modifications are not subject to additional environmental review or additional review pursuant to Section 197-c of the City Charter.

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

Res. No. 281

Resolution approving the decision of the City Planning Commission on ULURP No. C 210375 ZMQ, a Zoning Map amendment (Preconsidered L.U. No. 83).

By Council Members Salamanca and Riley.

WHEREAS, Novel Medicine, P.C., filed an application pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14a, by changing from an R4B District to an R6A District, which in conjunction with the related action would facilitate the development of an eight-story residential building located at 66-45 Wetherole Street in the Forest Hills neighborhood of Queens, Community District 6 (ULURP No. C 210375 ZMQ) (the "Application");

WHEREAS, the City Planning Commission filed with the Council on June 13, 2022 its decision dated June 8, 2022 (the "Decision") on the Application;

WHEREAS, the Application is related to application N 210376 ZRQ (Pre. L.U. No. 84), a zoning text amendment to establish a Mandatory Inclusionary Housing (MIH) area;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 14, 2022;

WHEREAS, the Council has considered the land use and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued January 31st, 2022 (CEQR No. 21DCP128Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to air quality (E-649) (the "Negative Declaration").

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-649) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, C 210375 ZMQ incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section No. 14a, changing from an R4B District to an R6A District property bounded by a line 100 feet northeasterly of Wetherole Street, 67th Avenue, Wetherole Street, and a line 175 feet northwesterly of 67th Avenue, Borough of Queens, Community District 6, as shown on a diagram (for illustrative purposes only) dated January 31, 2022, and subject to the conditions of CEQR Declaration E-649.

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 29, 2022 (Remote Hearing).

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

Report for L.U. No. 84 & Res. No. 282

Report of the Committee on Land Use in favor of approving, as modified, Application number N 210376 ZRQ (Wetherole Street and 67th Avenue Rezoning) submitted by Novel Medicine, P.C., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, Borough of Queens, Community District 6, Council District 29.

The Committee on Land Use, to which the annexed Land Use item was referred on June 16, 2022 (Minutes, page 1573) and which same Land Use item was coupled with the resolution shown below and referred to the City Planning Commission, respectfully

REPORTS:

(For text of the updated report, please see the Report of the Committee on Land Use for L.U. No. 83 & Res. No. 281 printed above in the General Order Calendar section of these Minutes)

Accordingly, this Committee recommends its adoption, as modified.

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

Res. No. 282

Resolution approving with modifications the decision of the City Planning Commission on Application No. N 210376 ZRQ, for an amendment of the text of the Zoning Resolution (Preconsidered L.U. No. 84).

By Council Members Salamanca and Riley.

WHEREAS, Novel Medicine, P.C., filed an application pursuant to Section 201 of the New York City Charter, for an amendment of the text of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area, which in conjunction with the related action would facilitate the development of an eight-story residential building located at 66-45 Wetherole Street in the Forest Hills neighborhood of Queens, Community District 6 (ULURP No. N 210376 ZRQ) (the “Application”);

WHEREAS, the City Planning Commission filed with the Council on June 13, 2022, its decision dated June 8, 2022 (the “Decision”), on the Application;

WHEREAS, the Application is related to application C 210375 ZMQ (Pre. L.U. No. 83), a zoning map amendment to change an R4B zoning district to an R6A zoning district;

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on June 14, 2022;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues, including the Negative Declaration issued January 31st, 2022 (CEQR No. 21DCP128Q), which includes an (E) designation to avoid the potential for significant adverse impacts related to air quality (E-649) (the “Negative Declaration”).

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment as set forth in the (E) Designation (E-649) and Negative Declaration.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, and based on the environmental determination and consideration described in the report, N 210376 ZRQ, incorporated by reference herein, and the record before the Council, the Council approves the Decision of the City Planning Commission with the following modifications:

Matter underlined is new, to be added;

Matter ~~struck out~~ is to be deleted;

Matter within # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

Matter ~~double struck out~~ is old, deleted by the City Council;

Matter double-underlined is new, added by the City Council

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

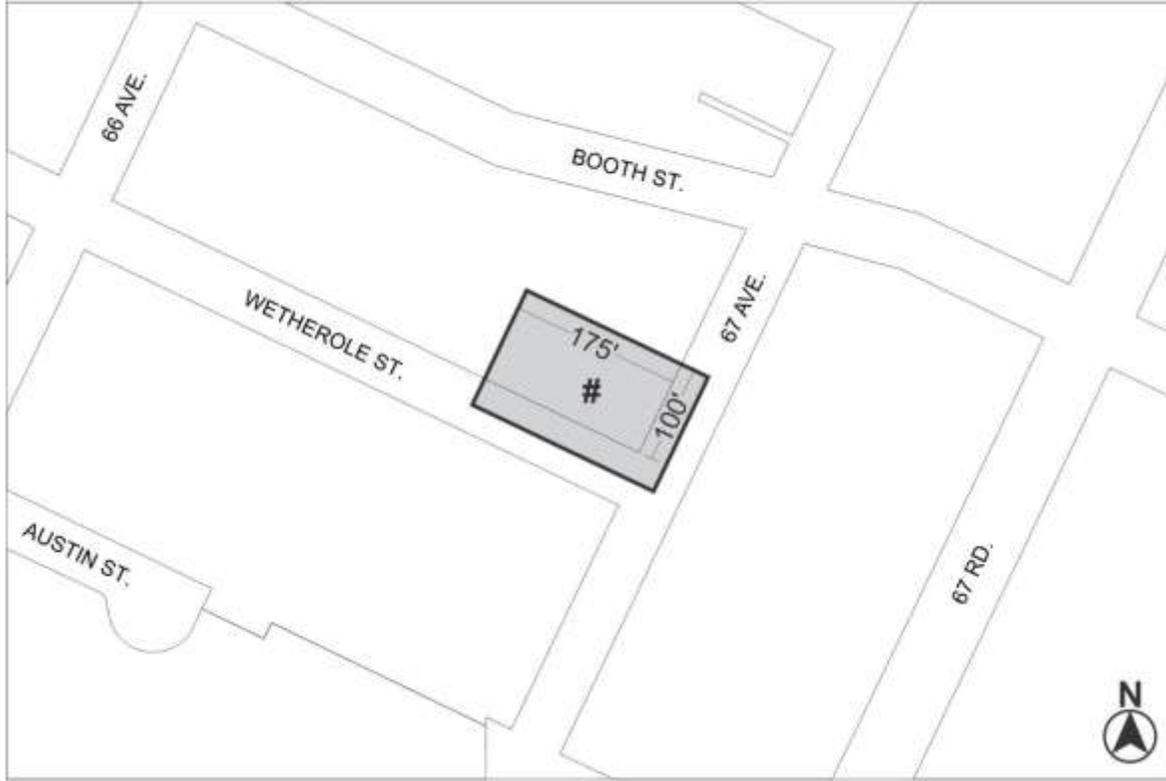
QUEENS

* * *

Queens Community District 6

* * *

Map # – [date of adoption]



Mandatory Inclusionary Housing Area see Section 23-154(d)(3)
 Area # — [date of adoption] — MIH Program Option 1 ~~and Option 2~~

Portion of Community District 6, Queens

* * *

RAFAEL SALAMANCA, Jr., *Chairperson*; FRANCISCO P. MOYA, CARLINA RIVERA, FARAH N. LOUIS, KEVIN C. RILEY, SELVENA N. BROOKS-POWERS, ERIK D. BOTTCHEER, KAMILLAH HANKS, ARI KAGAN, SHEKAR KRISHNAN, DARLENE MEALY, PIERINA ANA SANCHEZ, JOSEPH C. BORELLI; 13-0-0; Committee on Land Use, June 29, 2022 (Remote Hearing).

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

Resolution approving various persons Commissioners of Deeds

By the Presiding Officer –

Resolved, that the following named persons be and hereby are appointed Commissioners of Deeds for a term of two years:

<i>Approved New Applicants</i>		
<i>Name</i>	<i>Address</i>	<i>District #</i>
Lauren Goodwin	2007 Lafontaine Ave, Apt 4K Bronx, New York 10457	15
Verna-Lee Andrew	2061 Valentine Ave, Apt 1 Bronx, New York 10457	15
Tracey Jordan	144-31 226th Street, #2 Queens, New York 11413	31
Sheyla Dominguez Solano	151 Hemlock Street Brooklyn, New York 11208	37
Lisa Buckery	1415 Linden Blvd, Apt 9D Brooklyn, New York 11212	42

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

ROLL CALL ON GENERAL ORDERS FOR THE DAY
(Items Coupled on General Order Calendar)

- (1) **M-75 & Res 264 -** **David Gold** for appointment as a member of the New York City Planning Commission.
- (2) **M-76 & Res 265 -** **Rasmia Kirmani-Frye** for appointment as a member of the New York City Planning Commission.
- (3) **M-77 & Res 266 -** **Christine Yoon** for appointment as a member of the New York City Board of Standards and Appeals.
- (4) **Preconsidered M-80 & Res 267 -** **Juan Camilo Osorio**, to the Council for its advice and consent regarding his appointment to the City Planning Commission.
- (5) **Preconsidered M-81 & Res 268 -** **Nicole Yearwood**, Council candidate for appointment to the Equal Employment Practices Commission.
- (6) **Preconsidered M-82 & Res 269 -** **Ngozi Okaro**, Council candidate for appointment to the Equal Employment Practices Commission.
- (7) **Int 212-B -** Utilization of and applications for multi-agency emergency housing assistance, exits from city-administered facilities and the financings, starts and completions of permanent housing for those exiting city-administered facilities.
- (8) **Int 372-A -** Creation of an Office of the Utility Advocate.
- (9) **Int 465-A -** Provision of medical services related to reproductive health care.
- (10) **Int 466-A -** Prohibiting the use of city resources to enforce abortion restrictions.
- (11) **Int 474-A -** Public information and outreach campaign regarding safe access to reproductive health care.
- (12) **Int 475-A -** Cause of action related to interference with reproductive or endocrine medical care.

- (13) **Int 480-A -** The naming of 78 thoroughfares and public places.
- (14) **Int 506-A -** Implement an outreach and education campaign on facilities that deceptively advertise or are otherwise misleading when offering reproductive health services.
- (15) **Int 507-A -** Department of Health and Mental Hygiene to make medication abortion available at no cost to a patient at its health clinics.
- (16) **Preconsidered Res 255 -** New designation and changes in the designation of certain organizations to receive funding in the Expense Budget (**Transparency Resolution**).
- (17) **L.U. 45 & Res 261 -** **App. G 220012 XAM (34 Morningside Avenue Cluster)** Borough of Manhattan, Community District 10, Council District 9.
- (18) **L.U. 63 & Res 270 -** **App. C 200228 ZMX (4541 Furman Avenue Rezoning)** Borough of the Bronx, Community District 12, Council District 11.
- (19) **L.U. 64 & Res 271 -** **App. N 200229 ZRX (4541 Furman Avenue Rezoning)** Borough of the Bronx, Community District 12, Council District 11.
- (20) **L.U. 67 & Res 272 -** **App. C 220232 ZMQ (Resilient Edgemere Community Initiative)** Borough of Queens, Community District 14, Council District 31.
- (21) **L.U. 68 & Res 273 -** **App. N 220233 ZRQ (Resilient Edgemere Community Initiative)** Borough of Queens, Community District 14, Council District 31.
- (22) **L.U. 69 & Res 274 -** **App. C 220235 PPQ (Resilient Edgemere Community Initiative)** Borough of Queens, Community District 14, Council District 31.

- (23) **L.U. 70 & Res 275 -** **App. C 220236 HAQ (Resilient Edgemere Community Initiative)** Borough of Queens, Community District 14, Council District 31.
- (24) **L.U. 71 & Res 276 -** **App. C 220237 HUQ (Resilient Edgemere Community Initiative)** Borough of Queens, Community District 14, Council District 31.
- (25) **L.U. 78 & Res 262 -** **App. C 200317 ZMK (41 Summit Street Rezoning)** Borough of Brooklyn, Community District 6, Council District 39.
- (26) **L.U. 79 & Res 277 -** **App. C 210128 ZMQ (77 - 39 Vleigh Place Rezoning)** Borough of Queens, Community District 8, Council District 24.
- (27) **L.U. 80 & Res 278 -** **App. N 210129 ZRQ (77 - 39 Vleigh Place Rezoning)** Borough of Queens, Community District 8, Council District 24.
- (28) **L.U. 81 & Res 279 -** **App. C 210234 ZMQ (11th Street & 34th Avenue Rezoning)** Borough of Queens, Community District 1, Council District 26.
- (29) **L.U. 82 & Res 280 -** **App. N 210235 ZRQ (11th Street & 34th Avenue Rezoning)** Borough of Queens, Community District 1, Council District 26.
- (30) **L.U. 83 & Res 281 -** **App. C 210375 ZMQ (Wetherole Street and 67th Avenue Rezoning)** Borough of Queens, Community District 6, Council District 29.
- (31) **L.U. 84 & Res 282 -** **App. N 210376 ZRQ (Wetherole Street and 67th Avenue Rezoning)** Borough of Queens, Community District 6, Council District 29.
- (32) **Preconsidered L.U. 85 & Res 263 -** **App. G 220016 SCX (Approximately 696-Seat Primary School Facility)** Borough of the Bronx, Community District 8, Council District 11, Community School District 10.

(33) Resolution approving various persons Commissioners of Deeds.

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

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, 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) - **48**.

The General Order vote recorded for this Stated Meeting was 48-0-0 as shown above with the exception of the votes for the following legislative items:

The following was the vote recorded for **Int. No. 466-A**:

Affirmative – Abreu, Avilés, Ayala, Barron, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, Yeger, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **42**.

Negative – Ariola, Carr, Holden, Paladino, Vernikov, and the Minority Leader (Council Member Borelli) - **6**.

The following was the vote recorded for **Int. No. 474-A**:

Affirmative – Abreu, Avilés, Ayala, Barron, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **41**.

Negative – Ariola, Carr, Holden, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) – **7** . .

The following was the vote recorded for **Int. No. 475-A**:

Affirmative – Abreu, Avilés, Ayala, Barron, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, Yeger, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **42**.

Negative – Ariola, Carr, Holden, Paladino, Vernikov, and the Minority Leader (Council Member Borelli) – **6**.

The following was the vote recorded for **Int. No. 480-A**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, 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) - **47**.

Abstention – Yeger – **1**.

The following was the vote recorded for **Int. No. 506-A**:

Affirmative – Abreu, Avilés, Ayala, Barron, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **41**.

Negative – Ariola, Carr, Holden, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) – **7**.

The following was the vote recorded for **Int. No. 507-A**:

Affirmative – Abreu, Avilés, Ayala, Barron, Brannan, Brewer, Brooks-Powers, Cabán, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Restler, Richardson Jordan, Riley, Rivera, Salamanca, Sanchez, Schulman, Stevens, Ung, Velázquez, Williams, Won, the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **41**.

Negative – Ariola, Carr, Holden, Paladino, Vernikov, Yeger, and the Minority Leader (Council Member Borelli) – **7**.

The following was the vote recorded for **M-75 & Res. No. 264**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Brannan, Brewer, Brooks-Powers, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Riley, Rivera, Salamanca, Schulman, Stevens, Ung, Velázquez, Vernikov, Williams, Yeger, the Minority Leader (Council Member Borelli), the Majority Leader (Council Member Powers) and the Speaker (Council Member Adams) - **41**.

Negative – Richardson Jordan - **1**.

Abstention – Barron, Caban, Hanif, Restler, Sanchez, and Won – **6**.

The following was the vote recorded for **M-76 & Res. No. 265**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, 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) - **47**.

Negative – Barron - **1**.

The following was the vote recorded for **M-77 & Res. No. 266**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, 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**.

Abstention – Barron and Sanchez - **2**.

The following was the vote recorded for **Preconsidered M-80 & Res. No. 267**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, 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) - **47**.

Abstention – Barron – **1**.

The following was the vote recorded for **L.U. No. 63 & Res. No. 270; L.U. No. 78 & Res. No. 262; L.U. No. 79 & Res. No. 277; L.U. No. 80 & Res. No. 278; L.U. No. 81 & Res. No. 279; L.U. No. 82 & Res. No. 280; L.U. No. 83 & Res. No. 281; and L.U. No. 84 & Res. No. 282**:

Affirmative – Abreu, Ariola, Avilés, Ayala, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, 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) - **47**.

Negative – Barron – **1**.

The following was the vote recorded for **L.U. No. 64 & Res. No. 271:**

Affirmative – Abreu, Ariola, Avilés, Ayala, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Nurse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, 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**.

Negative – Barron – **1**.

Abstention – Sanchez – **1**.

The following was the vote recorded for **L.U. No. 68 & Res. No. 273; L.U. No. 69 & Res. No. 274; and L.U. No. 71 & Res. No. 276:**

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Gutiérrez, Hanif, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, 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) - **47**.

Negative – Nurse – **1**.

The following was the vote recorded for **L.U. No. 70 & Res. No. 275:**

Affirmative – Abreu, Ariola, Avilés, Ayala, Barron, Brannan, Brewer, Brooks-Powers, Cabán, Carr, De La Rosa, Dinowitz, Farías, Feliz, Gennaro, Hanif, Holden, Hudson, Joseph, Kagan, Krishnan, Lee, Louis, Marte, Menin, Moya, Narcisse, Ossé, Paladino, Restler, Richardson Jordan, Riley, Rivera, Salamanca, 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**.

Negative – Nurse – **1**.

Abstention – Gutierrez – **1**.

*The following Introductions were sent to the Mayor for his consideration and approval:
Int. Nos. 212-B, 372-A, 465-A, 466-A, 474-A, 475-A, 480-A, 506-A, and 507-A.*

RESOLUTIONS

presented for voice-vote

The following are the respective Committee Reports for each of the Resolutions referred to the Council for a voice-vote pursuant to Rule 8.50 of the Council:

Report for voice-vote item Res. No. 162

Report of the Committee on Consumer and Worker Protection in favor of approving a Resolution calling on the New York State Legislature to pass, and the Governor to sign, amendments to article 4 of the Public Service Law to prevent a utility's rate case from exceeding a certain percentage each year.

The Committee on Consumer and Worker Protection, to which the annexed resolution was referred on May 19, 2022 (Minutes, page 1098), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Consumer and Worker Protection for Int. No. 372-A printed in the Reports of the Standing Committee section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 162:)

Res. No. 162

Resolution calling on the New York State Legislature to pass, and the Governor to sign, amendments to article 4 of the Public Service Law to prevent a utility's rate case from exceeding a certain percentage each year.

By Council Members Lee, Louis, Nurse, Yeger, Kagan, Menin, Marte, Farías, Williams, Holden, Brooks-Powers, Schulman, Dinowitz, Ossé, Narcisse, Richardson Jordan, Bottcher, Abreu, Restler, Avilés, Hudson, De La Rosa, Cabán, Gennaro, Ariola and Paladino.

Whereas, The New York Public Service Commission (PSC) regulates the State's electric, gas, steam, telecommunications and water utilities; and

Whereas, The Commission also oversees the cable industry; and

Whereas, The Commission is housed within the Department of Public Service (DPS) and the Chair, designated by the Governor, also serves as the Chief Executive Officer of the Department; and

Whereas, A key responsibility of the PSC is approving rate increases, proposed by the various utility companies, and ensuring that New Yorkers are receiving adequate service; and

Whereas, In New York City, Consolidated Edison of New York (ConEd) holds a virtual monopoly over the electricity market, serving all parts of New York City (except for Rockaway, Queens), and Westchester County; and

Whereas, Although there are alternative electricity suppliers, all of these Energy Service Companies (ESCOs) still rely on existing utilities' infrastructure to deliver the electricity; and

Whereas, Therefore, most New York City residents are at the mercy of ConEd's billing practices; and

Whereas, The PSC exists to offer some protection to consumers – being a check on superfluous rate increases and ensuring a consistent and reliable delivery of utilities; and

Whereas, However, over the past few years, the PSC has approved rate case increases for ConEd, and New Yorkers have had their electricity bills soar; and

Whereas, This is despite the fact that New York City residents have experienced numerous blackouts and decreased services, even during heatwaves; and

Whereas, In fact, while investigating ConEd’s preparation for tropical Storm Isaias and its ability to restore power after the storm hit, the DPS threatened to revoke its franchise; and

Whereas, Despite these demonstrated failures in service, the PSC continues to approve rate case increases; and

Whereas, According to advocates such as Susan Lerner from Common Cause NY, the PSC Commissioners are typically plucked from private industry and are more concerned with industry profit than consumer wellbeing; and

Whereas, ConEd is proposing an 11.2 percent increase in electric rates and an 18.2 percent increase in gas rates starting in January 2023; and

Whereas, According to ConEd, annual increases in utility rates are needed for ConEd to operate its energy system, invest in energy efficiency and public improvement projects and advance NYS’s clean energy transition; and

Whereas, ConEd also pays \$2.5 billion in property taxes annually to municipal and state entities, the majority of which goes to the City of New York; and

Whereas, According to ConEd, “the costs of taxes are socialized across our customer base”; and

Whereas, ConEd has therefore acknowledged that part of its annual rate case is for City residents to pay for ConEd’s property taxes; and

Whereas, ConEd reported over \$11.716 billion in operating revenues in 2021, up from \$10.647 billion in 2020; and

Whereas, City residents have meanwhile struggled to recover from the economic impact of the pandemic; and

Whereas, The NYC Independent Budget Office predicts that New York City will not recover all of the jobs lost in 2020 until 2025; and

Whereas, As ConEd proposes another rate case increase for January 2023, City residents struggling to pay their bills will enter even greater debt; and

Whereas, ConEd is a member of the industry group Edison Electric Institute, which spends millions of dollars annually on state and federal lobbying efforts; and

Whereas, Given its near monopoly status as a utility in NYC, ConEd has near assurance that it will continue to generate profits in future years; and

Whereas, Beyond the PSC rejecting a rate case proposal, there are no mechanisms to prevent a utility from proposing an exorbitantly high rate case; and

Whereas, To enhance consumer protections and hold ConEd and other utilities more accountable, there should be a percentage cap that an annual rate case cannot exceed; and

Whereas, This regulation would prevent utilities from proposing excessive rate case increases, therefore requiring utilities to invest more of their own money to pay taxes or public improvement projects instead of passing these costs on to City residents; now, therefore, be it

Resolved, That the Council of the City of New York on the New York State Legislature to pass, and the Governor to sign, amendments to article 4 of the Public Service Law to prevent a utility’s case rate from exceeding a certain percentage each year.

MARJORIE VELÁZQUEZ, Chairperson; SHAUN ABREU, AMANDA FARIAS, SHEKAR KRISHNAN, JULIE MENIN, CHI A. OSSÉ; 6-0-0; *Absent:* Council Members Erik D. Bottcher and Gale A. Brewer; *Maternity Leave:* Julie Won; Committee on Consumer and Worker Protection, July 13, 2022 (Hybrid Hearing). *Other Council Members Attending: Council Members Salamanca and Lee.*

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.

Report for voice-vote item Res. No. 172

Report of the Committee on Consumer and Worker Protection in favor of approving a Resolution calling on New York State to increase the number of Commissioners on the Public Service Commission and permit New York City to appoint two of its Commissioners.

The Committee on Consumer and Worker Protection, to which the annexed resolution was referred on May 19, 2022 (Minutes, page 1132), respectfully

REPORTS

(For text of report, please see the Report of the Committee on Consumer and Worker Protection for Int. No. 372-A printed in the Reports of the Standing Committee section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 172:)

Res. No. 172

Resolution calling on New York State to increase the number of Commissioners on the Public Service Commission and permit New York City to appoint two of its Commissioners.

By Council Members Salamanca, Yeger, Nurse, Narcisse, Hudson, Ossé, De La Rosa, Dinowitz, Avilés, Lee, Gennaro and Ariola.

Whereas, The New York Public Service Commission (PSC) regulates the State's electric, gas, steam, telecommunications and water utilities; and

Whereas, The Commission also oversees the cable industry; and

Whereas, The Commission is housed within the Department of Public Service (DPS) and the Chair, designated by the Governor, also serves as the Chief Executive Officer of the Department; and

Whereas, There may be up to seven commissioners on the PSC, all of which are appointed by the governor and approved by the state Senate; and

Whereas, A full term for a commissioner is six years; and

Whereas, A key responsibility of the PSC is approving rate increases, proposed by the various utility companies, and ensuring that New Yorkers are receiving adequate service; and

Whereas, In New York City, Consolidated Edison (Con Ed) holds a virtual monopoly over the electricity market, serving all parts of New York City (except for Rockaway, Queens), and Westchester County; and

Whereas, Although there are alternative electricity suppliers, all of these Energy Service Companies (ESCOs) still rely on existing utilities' infrastructure to deliver the electricity; and

Whereas, Therefore, most New York City residents are at the mercy of Con Ed's billing practices; and

Whereas, The PSC exists to offer some protection to consumers – being a check on superfluous rate increases and ensuring a consistent and reliable delivery of utilities; and

Whereas, However, over the past few years, the PSC has approved rate increases for Con Ed, and New Yorkers have had their electricity bills soar; and

Whereas, This is despite the fact that New York City residents have experienced numerous blackouts and decreased services, even during searing heatwaves; and

Whereas, In fact, while investigating Con Ed's preparation for tropical Storm Isaias and its ability to restore power after the storm hit, the DPS threatened to revoke its franchise; and

Whereas, In 2018, meanwhile, DPS reached a settlement agreement with Con Ed for \$9.5 million, after numerous violations were issued to Con Ed due to its failure to adequately prepare for winter storms earlier that year; and

Whereas, Despite these demonstrated failures in service, the PSC continues to approve rate increases; and

Whereas, According to advocates such as Susan Lerner from Common Cause NY, the PSC Commissioners are typically plucked from private industry and are more concerned with industry profit than consumer wellbeing; and

Whereas, Furthermore, unlike other states, New York's PSC does not require the body to include a member representing consumers; and

Whereas, New York City should be permitted to appoint at least two members to the board who represent the interests of our City's consumers; and

Whereas, The City's appointments should be made by the Mayor with the approval of the New York City Council; now, therefore, be it

Resolved, That the Council of the city of New York calls on New York State to increase the number of Commissioners on the Public Service Commission and permit New York City to appoint two of its Commissioners.

MARJORIE VELÁZQUEZ, Chairperson; SHAUN ABREU, AMANDA FARIAS, SHEKAR KRISHNAN, JULIE MENIN, CHI A. OSSÉ; 6-0-0; *Absent:* Council Members Erik D. Bottcher and Gale A. Brewer; *Maternity Leave:* Julie Won; Committee on Consumer and Worker Protection, July 13, 2022 (Hybrid Hearing). *Other Council Members Attending: Council Members Salamanca and Lee.*

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.

Report for voice-vote item Res. No. 173-A

Report of the Committee on Consumer and Worker Protection in favor of approving, as amended, a Resolution calling upon the Governor and New York State Legislature to expand financial relief programs to assist City residents struggling to pay their utility bills.

The Committee on Consumer and Worker Protection, to which the annexed resolution was referred on May 19, 2022 (Minutes, page 1138), respectfully

REPORTS

(For text of report, please see the Report of the Committee on Consumer and Worker Protection for Int. No. 372-A printed in the Reports of the Standing Committee section of these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 173-A:)

Res. No. 173-A

Resolution calling upon the Governor and New York State Legislature to expand financial relief programs to assist City residents struggling to pay their utility bills.

By Council Members Ung, Yeger, Louis, Nurse, Narcisse, Restler, Ossé, De La Rosa, Dinowitz, Williams, Cabán, Avilés, Lee, Gennaro and Ariola.

Whereas, Consolidated Edison Company of New York (ConEd) supplies energy services to approximately 10 million people within New York City and Westchester County; and

Whereas, In 2020, ConEd reported \$10.647 billion in operating revenues, with total assets amounting to \$50.967 billion; and

Whereas, In January of 2022, City residents experienced dramatic and unexpected increases in their ConEd bills, caused by an increase in in the cost of energy; and

Whereas, According to ConEd, the average energy price charged by power generators increased from \$50 per megawatts per hour (MWh) in December 2022 to \$140 per MWh in January of 2022; and

Whereas, This increase, coupled with the 10% increase in customer usage in January of 2022 due to cold weather, resulted in large monthly increases for some customers; and

Whereas, Many City residents are still dealing with the economic devastation caused by the pandemic; and

Whereas, As of February 2022, the City's unemployment rate was 7 percent, nearly twice the national rate, and the City had regained only 70 percent of its pandemic jobs deficit, in contrast to 91 percent nationally; and

Whereas, Accordingly, many City residents lack the financial resources to pay for such price increases; and

Whereas, Across NYS, almost 1.3 million residential gas and electric customers are 60 or more days behind on their bills, totaling over \$1.7 billion; and

Whereas, The current outstanding debt owed to utilities is over double the debt owed before the pandemic; and

Whereas, Over 411,500 City and Westchester residents are 60 or more days behind on their ConEd bills, totaling over \$819 million owed; and

Whereas, According to Richard Berkley, executive director of the Public Utility Project, the problem of unpaid utility debt has reached a new high, may result in multi-generational debt and is a "massive crisis"; and

Whereas, As the statewide moratorium on utility shut-offs for nonpayment expired on December 21, 2021, people behind on their utility bills have received termination notices; and

Whereas, According to David Springe, Executive Director of the National Association of State Utility Consumer Advocates, "People end up unable to keep their home or apartment or dwelling because they lose electricity or they lose water, they end up homeless"; and

Whereas, Numerous financial relief programs exist for City residents unable to pay their utility bills; and

Whereas, The Home Energy Assistance Program (HEAP) is a NYS administered relief program to help low-income residents pay the cost of heating their homes; and

Whereas, Qualifying applicants to HEAP can receive up to \$751 in heating assistance, but eligible customers must be receiving SNAP, Temporary Assistance for Needy Families, or Supplementary Security Income; and

Whereas, From October 1, 2021 through February 23, 2022, over 1.4 million regular benefits totaling \$212 million have been issued through HEAP; and

Whereas, NYS also developed an Emergency HEAP program to provide financial relief to residents facing the risk of a utility shut-off; and

Whereas, The HEAP Regular Arrears Supplement is a benefit for residents that have gas and electric utility arrears; and

Whereas, The Regular Arrears Supplement is a one-time benefit funded by the Federal American Rescue Plan Act of 2021; and

Whereas, The supplement is a benefit based on the actual amount of a customer's current utility arrears, up to a maximum of \$10,000 per applicant; and

Whereas, Despite the existence of these programs, however, qualifying for aid can be difficult; and

Whereas, According to Megan Sergi, program director at the Center for Urban Community Services, "We've seen some people who have been given a lot of assistance if they fit in all the right buckets and checkmarks... You have to meet a lot of criteria to fit the right profile"; and

Whereas, The AARP and Public Utility Law Project wrote a letter to Governor Hochul requesting \$1.25 billion be allocated to address energy utility arrears; and

Whereas, On April 9, 2022, Governor Hochul announced the allocation of \$250 million in utility arrears assistance in the NYS budget; and

Whereas, According to AARP New York State Director Beth Finkel, "any amount short of \$500 million to address utility arrears will leave New Yorkers in the dark"; and

Whereas, On June 16, 2022, Governor Hochul announced the creation of the Electric and Gas Utility Bill Credit Program, a \$557 million credit to help low-income gas and electric utility customers pay off utility arrears; and

Whereas, Under the program, the PSC is providing a one-time credit to customers enrolled in the Energy Affordability Program, which will eliminate unpaid utility bills through May 1, 2022; and

Whereas, While this program will provide relief to struggling New Yorkers, the program's funding is not sufficient to match the current need; and

Whereas, Outstanding utility debt will impair City residents' credit; and

Whereas, New Yorkers in utility arrears will have to choose between housing, medical needs, food or paying off their arrears; and

Whereas, Low to moderate income New Yorkers not in utility arrears may also have difficulty affording ConEd's high and unexpected January 2022 utility bills; and

Whereas, The communities experiencing the most significant impact of rising utility prices are low-income communities and communities of color, who have been hit hardest by the pandemic; and

Whereas, With reduced economic spending, the City's recovery from the pandemic will be hampered; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the Governor and New York State Legislature to expand financial relief programs to assist City residents struggling to pay their utility bills

MARJORIE VELÁZQUEZ, Chairperson; SHAUN ABREU, AMANDA FARIAS, SHEKAR KRISHNAN, JULIE MENIN, CHI A. OSSÉ; 6-0-0; *Absent:* Council Members Erik D. Bottcher and Gale A. Brewer; *Maternity Leave:* Julie Won; Committee on Consumer and Worker Protection, July 13, 2022 (Hybrid Hearing). *Other Council Members Attending: Council Members Salamanca and Lee.*

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.

Report for voice-vote item Res. No. 174-A

Report of the Committee on Consumer and Worker Protection in favor of approving, as amended, a Resolution calling upon Consolidated Edison to improve communication with City residents about increases in utility costs.

The Committee on Consumer and Worker Protection, to which the annexed resolution was referred on May 19, 2022 (Minutes, page 1140), respectfully

REPORTS

(For text of report, please see the Report of the Committee on Consumer and Worker Protection for Int. No. 372-A printed in the Reports of the Standing Committee section of these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 174-A:)

Res. No. 174-A

Resolution calling upon Consolidated Edison to improve communication with City residents about increases in utility costs.

By Council Members Velázquez, Yeger, Ung, Nurse, Narcisse, Bottcher, Restler, Ossé, Louis, De La Rosa, Dinowitz, Cabán, Lee, Avilés and Gennaro.

Whereas, Consolidated Edison Company of New York (ConEd) supplies energy services to around 10 million people within New York City and Westchester County; and

Whereas, In 2020, ConEd reported \$10.647 billion in operating revenues, with total assets amounting to \$50.967 billion; and

Whereas, In January of 2022, City residents experienced dramatic and unexpected increases in their ConEd bills, caused by an increase in the cost of energy; and

Whereas, According to ConEd, the average energy price charged by power generators increased from \$50 per megawatt per hour (MWh) in December 2022 to \$140 per MWh in January of 2022; and

Whereas, This increase, coupled with the 10% increase in customer usage in January of 2022 due to cold weather, resulted in large monthly increases for City residents; and

Whereas, City residents reported increases of up to 300 percent in their gas and electric bills, a staggering surge that many New Yorkers cannot afford; and

Whereas, The financial impact of the COVID-19 pandemic is still affecting New Yorkers across the five boroughs; and

Whereas, The NYC Independent Budget Office predicts that New York City will not recover all of the jobs lost in 2020 until 2025; and

Whereas, Families in New York City who are struggling to pay rent should not have to choose between buying groceries and staying warm in their homes during the winter; and

Whereas, The unexpected increase of hundreds of dollars in gas and electric bills will further devastate households and force New Yorkers into greater debt; and

Whereas, ConEd has a robust notification system to alert City residents before major storms of the possibility of power outages; and

Whereas, City residents can sign up for ConEd's text alert system, which updates residents on the expected severity of impending storms; and

Whereas, The purpose of this notification system is to equip City residents with the necessary time and information to prepare for potential outages; and

Whereas, Many City residents were shocked in February when they saw their gas and electric bills; and

Whereas, Had residents been made aware of the expected increases, they would have had more time to limit their utility usage, decreasing their January utility bills; and

Whereas, As soon as ConEd was aware of the increase in energy costs, they should have made it a priority to develop a comprehensive notification system to alert all New Yorkers about the impending price increases; and

Whereas, To ensure City residents are better informed of potential changes in their utility bills, ConEd should update customers monthly through text, mailed notices, and email on their energy forecasting so City residents know whether their utility bill will remain stable, increase, or decrease; now, therefore, be it,

Resolved, That the Council of the City of New York calls upon Consolidated Edison to improve communication with City residents about increases in utility costs.

MARJORIE VELÁZQUEZ, Chairperson; SHAUN ABREU, AMANDA FARIAS, SHEKAR KRISHNAN, JULIE MENIN, CHI A. OSSÉ; 6-0-0; *Absent*: Council Members Erik D. Bottcher and Gale A. Brewer; *Maternity Leave*: Julie Won; Committee on Consumer and Worker Protection, July 13, 2022 (Hybrid Hearing). *Other Council Members Attending: Council Members Salamanca and Lee.*

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.

Report for voice-vote item Res. No. 195

Report of the Committee on Women and Gender Equity in favor of approving a Resolution calling upon the New York State Legislature to pass, and the Governor to sign, The Reproductive Freedom and Equity Program (S.9078/A.10148A), which would establish a grant program to provide funding to New York abortion providers and non-profit organizations to increase access to abortion care.

The Committee on Women and Gender Equity, to which the annexed resolution was referred on June 2, 2022 (Minutes, page 1301), respectfully

REPORTS

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 465-A printed in the Reports of the Standing Committee section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 195:)

Res. No. 195

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, The Reproductive Freedom and Equity Program (S.9078/A.10148A), which would establish a grant program to provide funding to New York abortion providers and non-profit organizations to increase access to abortion care.

By Council Members Brewer, Menin, Rivera, Louis, Hudson, Brannan, Hanif, Joseph, Nurse, Bottcher, Abreu, Narcisse, Restler, Won, Avilés, Cabán, Gutiérrez, Powers, Ossé, Ung, Schulman, Krishnan, Farías, Williams, The Speaker (Council Member Adams), Restler, De La Rosa, Dinowitz, Marte, Ayala, Sanchez, Lee and Richardson Jordan.

Whereas, Abortion, a simple and common medical procedure that ends a pregnancy, is essential healthcare for millions of individuals; and

Whereas, A lack of access to safe, timely, affordable and respectful abortion care poses a risk to not only the physical, but also the mental and social well-being of women, girls and others who can become pregnant; and

Whereas, In 1970, the State of New York (“New York” or “State”) became one of the first states in the country to decriminalize abortion, three years prior to the Supreme Court of the United States (“Supreme Court” or “SCOTUS”) decision in *Roe v. Wade*, which created the constitutional right to seek an abortion; and

Whereas, Despite a constitutional and state right to abortion care, barriers to accessing abortions persist, disproportionately impacting those who have trouble accessing healthcare, especially people of color and other marginalized, low-income people; and

Whereas, Barriers to accessing abortion care can include an inability to afford the cost of care, the distance one must travel to access it, the costs associated with travel, such as transportation, childcare, lodging, lost wages and more; and

Whereas, Such barriers to care are often intensified for immigrants, young people, people with disabilities and those living in rural areas; and

Whereas, According to a recently leaked initial draft majority opinion by the Supreme Court in the case *Dobbs v. Jackson Women’s Health Organization*, SCOTUS has voted to strike down the landmark *Roe v. Wade* decision; and

Whereas, According to an analysis conducted by the Guttmacher Institute, if SCOTUS overturns or fundamentally weakens *Roe v. Wade*, 26 states have laws or constitutional amendments already in place that would make them certain or likely to ban abortion; and

Whereas, As a consequence, at least 36 million women, girls and others who can become pregnant would lose access to care; and

Whereas, Access to abortion varies by geographic region; many of the most hostile states are concentrated in the Midwest, the Plains and the South, meaning that accessing care by traveling to a neighboring state may not be possible for many; and

Whereas, Following state bans on abortion across the country, New York would be the nearest provider of care for an estimated 190,000 to 280,000 more individuals of reproductive age; and

Whereas, Prior to *Roe v. Wade*, per historian Ruth Rosen, “[a]dvocates of abortion reform estimated that close to one million women had illegal abortions annually... and they attributed some five thousand deaths directly to illegal abortions”; and

Whereas, Rosen’s quote exemplifies how, throughout history, laws banning abortion do not prevent them from happening and instead makes them humiliating and unsafe, to the point of sometimes being fatal; and

Whereas, Between 1970 and the passage of *Roe v. Wade*, New York was a magnet for women who wanted abortions but were unable to access care in their home state; and

Whereas, During that time, health officials estimated that more than 400,000 abortions were performed in the State, nearly two-thirds of which were for women who had traveled from outside New York to take advantage of the policy; and

Whereas, Abortion restrictions are borne out of discrimination and systemic racism and disproportionately impact those who have limited resources to overcome financial and logistic barriers, including young people, people with disabilities, people who identify as LGBTQI+, people with low incomes and those in rural areas, as well as Black, Indigenous and other people of color; and

Whereas, S.9078/A.10148A, sponsored by State Senator Cordell Cleare and State Assembly Member Jessica González-Rojas respectively, would establish the Reproductive Freedom and Equity Program (“Program”) to provide support to abortion providers, increase access to care, fund uncompensated care, and address the support needs of individuals accessing abortion care; and

Whereas, Under the Program, which will be funded through the State budget process, the State Department of Health would issue grant funding for which abortion providers and non-profit organizations that facilitate access to care are eligible to apply; and

Whereas, This funding would support provider capacity building in the event *Roe v. Wade* is overturned or otherwise diminished, fund uncompensated care for those who lack coverage or for those whose coverage is not usable and support the practical support needs for individuals facing barriers to abortion care; and

Whereas, In 2019, the State Legislature passed the Reproductive Health Act to codify the protections of *Roe v. Wade* into State law, affirming the right of an individual to access abortion care in New York; and

Whereas, New York City (“City”) has also been a leader in abortion care access; in 2019, the City Council made history when it allocated \$250,000 to the New York Abortion Access Fund allow about 500 low-income women who travel from other states to obtain abortions in the City; and

Whereas, Establishing the Program is a necessary extension of the State legislature’s work to protect the right to abortion in New York; and

Whereas, With SCOTUS poised to overturn or dramatically weaken federal protections around the right to abortion care, the State must be prepared to respond to the dramatically changing national landscape of abortion access; and

Whereas, By supporting access to abortion, New York will be standing up for the human rights of pregnant people and doing its part to ensure abortion is affordable and available for everyone who needs it; now, therefore be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, The Reproductive Freedom and Equity Program (S.9078/A.10148A), which would establish a grant program to provide funding to New York abortion providers and non-profit organizations to increase access to abortion care.

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JAMES F. GENNARO, JENNIFER GUTIÉRREZ, KRISTIN RICHARDSON JORDAN, ALTHEA STEVENS; 6-0-0; Committee on Women and Gender Equity, July 14, 2022 (Hybrid Hearing). *Other Council Members Attending: Council Members Hanif and Brooks-Powers.*

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 those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Powers) declared the Resolution to be adopted.

The following 6 Council Members formally noted their intention to vote negative on this item:

Council Members Ariola, Carr, Paladino, Holden, Yeger, and the Minority Leader (Council Member Borelli).

The following Council Member formally noted her intention to abstain from voting on this item:
Council Member Vernikov.

Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 196-A

Report of the Committee on Women and Gender Equity in favor of approving, as amended, a Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.9137/A.10356, which would allow out-of-state physicians to provide reproductive health services in this state while awaiting full licensure.

The Committee on Women and Gender Equity, to which the annexed resolution was referred on June 2, 2022 (Minutes, page 1303), respectfully

REPORTS

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 465-A printed in the Reports of the Standing Committee section of these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 196-A:)

Res. No. 196-A

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, S.9137/A.10356, which would allow out-of-state physicians to provide reproductive health services in this state while awaiting full licensure.

By Council Members Brooks-Powers, Louis, Hudson, Hanif, Joseph, Nurse, Ung, Bottcher, Abreu, Restler, Won, Avilés, Cabán, Farías, Ossé, De La Rosa, Dinowitz, Narcisse, Brewer, Marte, Krishnan, Ayala, Williams, Lee, Powers, Richardson Jordan and The Speaker (Council Member Adams).

Whereas, Abortion care is an essential component of sexual and reproductive healthcare that nearly one-in-four women in the United States (U.S.) will obtain by age 45, per an analysis by the Guttmacher Institute; and

Whereas, In 1970, the State of New York (“New York” or “State”) became one of the first states in the country to decriminalize abortion, three years prior to the Supreme Court of the United States (“Supreme Court” or “SCOTUS”) decision in *Roe v. Wade*, which created the constitutional right to seek an abortion; and

Whereas, Between 1970 and the passage of *Roe v. Wade*, New York was a magnet for women who wanted abortions but were unable to access care in their home state; and

Whereas, During that time, health officials estimated that more than 400,000 abortions were performed in New York, nearly two-thirds of which were for women who had traveled from out-of-state to take advantage of the policy; and

Whereas, Now, according to a recently leaked initial draft majority opinion by the Supreme Court in the case *Dobbs v. Jackson Women’s Health Organization*, SCOTUS has voted to strike down the landmark *Roe v. Wade* decision that had stood for nearly 50 years; and

Whereas, According to an analysis conducted by the Guttmacher Institute, if SCOTUS overturns or fundamentally weakens *Roe v. Wade*, 26 states have laws or constitutional amendments already in place that would make them certain or likely to ban abortion; and

Whereas, As a consequence, at least 36 million women, girls and others who can become pregnant would lose access to care; and

Whereas, Following state bans on abortion across the country, New York would be the nearest provider of care for an estimated 190,000 to 280,000 more individuals of reproductive age; and

Whereas, As such, it is anticipated that, once again, an influx of out-of-state residents will seek reproductive health services in New York; and

Whereas, The State must therefore be prepared to respond to the dramatically changing national landscape of abortion access; and

Whereas, S.9137/A.10356, sponsored by State Senator James Gaughran and State Assembly Member Kimberly Jean-Pierre respectively, would allow out-of-state physicians who are board certified in obstetrics and gynecology, and who are in good standing in their home state or territory, to provide reproductive health services in New York while awaiting full licensure; and

Whereas, This bill is meant to ensure that New York will have enough providers to meet increased demand; and

Whereas, It is not uncommon for New York to permit out-of-state practitioners practice privileges in the State; out-of-state practitioners were granted practice privileges in New York during the COVID-19 pandemic, and they are also regularly provided with temporary practice authority for largely attended events, such as marathons; and

Whereas, In 2019, the State Legislature passed the Reproductive Health Act to codify the protections of *Roe v. Wade* into State law, affirming the right of an individual to access abortion care in New York; and

Whereas, New York City (“City”) has also been a leader in abortion care access; in 2019, the City Council made history when it allocated \$250,000 to the New York Abortion Access Fund allow about 500 low-income women who travel from other states to obtain abortions in the City; and

Whereas, Abortion restrictions are borne out of discrimination and systemic racism and disproportionately impact those who have limited resources to overcome financial and logistic barriers, including young people, people with disabilities, people who identify as LGBTQI+, people with low incomes and those in rural areas, as well as Black, Indigenous and other people of color; and

Whereas, New Yorkers cannot remain silent as the Supreme Court is poised to violate the human rights of pregnant people in complete disregard for the human right to bodily autonomy, which could also set a dangerous legal precedent to overturn healthcare and other legal rights for other marginalized and vulnerable people; 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.9137/A.10356, which would allow out-of-state physicians to provide reproductive health services in this state while awaiting full licensure.

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JAMES F. GENNARO, JENNIFER GUTIÉRREZ, KRISTIN RICHARDSON JORDAN, ALTHEA STEVENS; 6-0-0; Committee on Women and Gender Equity, July 14, 2022 (Hybrid Hearing). *Other Council Members Attending: Council Members Hanif and Brooks-Powers.*

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 those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Powers) declared the Resolution to be adopted.

The following 5 Council Members formally noted their intention to vote negative on this item:
Council Members Ariola, Carr, Paladino, Holden, and the Minority Leader (Council Member Borelli).

The following 2 Council Member formally noted their intention to abstain from voting on this item:
Council Members Vernikov and Yeger.

Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 197

Report of the Committee on Women and Gender Equity in favor of approving a Resolution declaring New York City a safe city for all those in need of abortion-related care.

The Committee on Women and Gender Equity, to which the annexed resolution was referred on June 2, 2022 (Minutes, page 1306), respectfully

REPORTS

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 465-A printed in the Reports of the Standing Committee section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 197:)

Res. No. 197

Resolution declaring New York City a safe city for all those in need of abortion-related care.

By Council Members Cabán, Velázquez, the Public Advocate (Mr. Williams) and Council Members Hudson, Brannan, Hanif, Brewer, Joseph, Nurse, Ung, Louis, The Speaker (Council Member Adams), Restler, Won, Avilés, Farías, Ossé, De La Rosa, Dinowitz, Narcisse, Marte, Krishnan, Ayala, Sanchez, Lee Powers and Richardson Jordan.

Whereas, According to Amnesty International, an abortion is a medical procedure that ends a pregnancy; and

Whereas, Abortion is a basic healthcare need for millions of people who can become pregnant, and, worldwide, an estimated 1 in 4 pregnancies end in an abortion every year; and

Whereas, Regardless of whether abortion is legal or not, people still require and regularly access abortion services; and

Whereas, According to the Guttmacher Institute, a United States-based reproductive health non-profit, the abortion rate is 37 per 1,000 people in countries that prohibit abortion altogether or allow it only in instances to save a person's life, and 34 per 1,000 people in countries that broadly allow for abortion, a difference that is not statistically significant; and

Whereas, According to the World Health Organization, lack of access to safe, timely, affordable, and respectful abortion care poses a risk to not only the physical, but also the mental and social, well-being of people who can become pregnant; and

Whereas, Worldwide, 45 percent of all abortions are unsafe; and

Whereas, According to the Kaiser Family Foundation, in recent years many states in the United States have passed laws restricting access to abortion, and the Trump administration had made a number of changes to federal reproductive health policy, including major changes to the federal Title X family planning program; and

Whereas, On Monday, May 2, 2022, the news outlet Politico published what appears to be an initial draft majority opinion, written by Justice Samuel Alito and reportedly circulated inside the court, suggesting that the U.S. Supreme Court intends to strike down *Roe v. Wade*, which established a person's constitutional right to abortion; and

Whereas, Since the leak, advocates and policymakers have reignited their efforts to either protect or restrict abortion access; and

Whereas, According to a Kaiser Family Foundation poll released in 2020, a majority of the public do not want to see the Supreme Court overturn *Roe v. Wade*; and

Whereas, While most Republicans (57 percent) would like to see *Roe* overturned, larger majorities of Democrats (91 percent) and independents (70 percent) do not want it overturned; and

Whereas, Most people (67 percent) think state regulations on abortion providers or people seeking abortions are intended to make access to abortion more difficult as opposed “to protecting the health and safety of women” (32 percent); and

Whereas, According to a 2022 Pew Research Center survey, approximately six in 10 U.S. adults (61 percent) believe abortion should be legal in “all or most cases”; and

Whereas, The American College of Obstetricians and Gynecologists (ACOG), along with other medical organizations, opposes interference with the patient-clinician relationship and affirm the importance of this relationship in the provision of high-quality medical care; and

Whereas, ACOG affirms that individuals require access to safe, legal abortion, and that adolescents, people of color, those living in rural areas, those with low incomes, and incarcerated people can face disproportionate effects of restrictions on abortion access; and

Whereas, Despite public opinion and the growing need to increase access to high quality and equitable health care, including care to combat the maternal health crisis, many states and the Supreme Court have nonetheless indicated the threat of continued abortion restrictions; and

Whereas, One can look at Texas, where abortion is effectively outlawed by prohibiting abortion after six weeks, to see how restricted access to abortion can impact a person’s care; and

Whereas, National Public Radio (NPR) reported that individuals seeking abortions in Texas have been put in potentially life-threatening situations and have needed to seek care outside of the state, which is unattainable for many individuals due to financial and logistical reasons; and

Whereas, In many states, abortion care is hard to access due to lack of health care infrastructure, education, and other factors; and

Whereas, As we continue to see the rights of women, girls, and people who can become pregnant restricted, New York City publicly declares that it is a safe haven for all those needing abortion-related care; and

Whereas, New York City and State are committed to providing care and support to those needing abortion-related care, and are acting swiftly to draft and pass abortion-related legislation furthering the protections of those seeking abortions both within the state and from other parts of the country; and

Whereas, Abortion is health care, and access to health care is a fundamental human right; now, therefore, be it

Resolved, That the Council of the City of New York declares New York City a safe city for all those in need of abortion-related care.

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JAMES F. GENNARO, JENNIFER GUTIÉRREZ, KRISTIN RICHARDSON JORDAN, ALTHEA STEVENS; 6-0-0; Committee on Women and Gender Equity, July 14, 2022 (Hybrid Hearing). *Other Council Members Attending: Council Members Hanif and Brooks-Powers.*

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 those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Powers) declared the Resolution to be adopted.

The following 5 Council Members formally noted their intention to vote negative on this item: Council Members Ariola, Carr, Paladino, Holden, and the Minority Leader (Council Member Borelli).

The following 2 Council Member formally noted their intention to abstain from voting on this item: Council Members Vernikov and Yeger.

Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 200-A

Report of the Committee on Women and Gender Equity in favor of approving, as amended, a Resolution declaring January 22, 2023 as *Roe v. Wade* Day in the City of New York to commemorate the 50th anniversary of the landmark United States Supreme Court decision.

The Committee on Women and Gender Equity, to which the annexed resolution was referred on June 2, 2022 (Minutes, page 1344), respectfully

REPORTS

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 465-A printed in the Reports of the Standing Committee section of these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 200-A:)

Res. No. 200-A

Resolution declaring January 22, 2023 as *Roe v. Wade* Day in the City of New York to commemorate the 50th anniversary of the landmark United States Supreme Court decision.

By Council Members Menin, Hanif, Brooks-Powers, Nurse, Ung, Abreu, Louis and The Speaker (Council Member Adams), Restler, Avilés, Cabán, Farías, Ossé, De La Rosa, Dinowitz, Narcisse, Marte, Krishnan, Ayala, Lee, Powers and Richardson Jordan.

Whereas, In 1970, Jane Roe filed a lawsuit on behalf of herself and others against Dallas County Texas District Attorney Henry Wade, challenging a Texas law making abortion illegal except by a doctor's orders to save a woman's life; and

Whereas, In the lawsuit, Roe argued that Texas's abortion laws were unconstitutionally vague and abridged her right of personal privacy as protected by the First, Fourth, Fifth, Ninth and Fourteenth Amendments; and

Whereas, On January 22, 1973, the United States (U.S) Supreme Court issued a 7-2 decision in favor of Jane Roe, ruling that women had a fundamental right to choose whether or not to have an abortion without excessive government restriction, thereby striking down Texas's abortion ban as unconstitutional; and

Whereas, *Roe v. Wade* held the U.S. Constitution provided a right to privacy protecting a person's right to choose, and also decided the right to abortion is not absolute and must be balanced against the government's interest in protecting health and prenatal life; and

Whereas, According to the World Health Organization (WHO), unsafe abortion is a leading but preventable cause of maternal deaths and morbidities around the world, and the proportion of unsafe abortions is significantly higher in countries with highly restrictive abortion laws than in countries with less restrictive laws; and

Whereas, According to the 2020 WHO list of essential health care services, comprehensive abortion care can be effectively managed by a wide range of health workers using medication or a surgical procedure and is deemed a safe health care intervention; and

Whereas, In 1970, New York State legalized abortion up to 24 weeks into a pregnancy, becoming the first state in the country to provide the freedom of choice for individuals to terminate their pregnancies regardless of residency; and

Whereas, On January 22, 2019, New York State enacted the Reproductive Health Act (RHA), removing abortion (as a homicide exception) from the State criminal code, codifying the rights to an abortion laid out in *Roe v. Wade*, and expanding the types of health care professionals permitted to practice abortion health services; and

Whereas, On June 24, 2022, in a 5-4 decision, the US Supreme Court overturned *Roe v. Wade*, ending the landmark ruling that had established the constitutional right to abortion; and

Whereas, According to the Centers for Disease Control and Prevention (CDC) in 2019, 7,000 or nine percent of pregnancy termination procedures in New York State were for people from other states, and in preparation for the dismantling of *Roe v. Wade*, the CDC estimated the number of pregnancy terminations in New York State to increase by four and half times to 32,000 from Ohio and Pennsylvania residents alone; and

Whereas, In anticipation of the Supreme Court overturning *Roe v. Wade*, New York State Governor Hochul's Fiscal Year 2023 Budget announced a \$35 million investment to directly support abortion providers and enshrined into law a requirement for health plans to cover abortion services without cost-sharing in order to provide access for the possible influx of individuals seeking safe and affordable care; and Whereas, New York has historically upheld a person's right to reproductive healthcare choices by safeguarding and expanding legislative protections in favor of promoting gender equality and reproductive justice for all; now, therefore be it

Resolved, That the Council of the City of New York recognizes January 22, 2023 as *Roe v. Wade* Day in the City of New York to commemorate the 50th anniversary of the landmark United States Supreme Court decision.

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JAMES F. GENNARO, JENNIFER GUTIÉRREZ, KRISTIN RICHARDSON JORDAN, ALTHEA STEVENS; 6-0-0; Committee on Women and Gender Equity, July 14, 2022 (Hybrid Hearing). *Other Council Members Attending: Council Members Hanif and Brooks-Powers.*

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 those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Powers) declared the Resolution to be adopted.

The following 5 Council Members formally noted their intention to vote negative on this item: Council Members Ariola, Carr, Paladino, Holden, and the Minority Leader (Council Member Borelli).

The following 2 Council Member formally noted their intention to abstain from voting on this item: Council Members Vernikov and Yeger.

Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 242-B

Report of the Committee on Civil and Human Rights in favor of approving a Resolution congratulating the State Legislature for approving S.15002/A.41002, a resolution proposing an amendment to the New York State Constitution in relation to equal protection, and calling on the Legislature to approve this amendment again next session so that it may be submitted to the voters of New York State for approval.

The Committee on Civil and Human Rights, to which the annexed resolution was referred on June 16, 2022 (Minutes, page 1540), respectfully

REPORTS

(For text of report, please see the Report of the Committee on Civil and Human Rights for Int. No. 474-A printed above in the Reports of the Standing Committee section of these Minutes)

Accordingly, this Committee recommends its adoption, as amended.

(The following is the text of Res. No. 242-B:)

Res. No. 242-B

Resolution congratulating the State Legislature for approving S.15002/A.41002, a resolution proposing an amendment to the New York State Constitution in relation to equal protection, and calling on the Legislature to approve this amendment again next session so that it may be submitted to the voters of New York State for approval.

By Council Members Menin, Bottcher, Hanif, Williams, Richardson Jordan, Farías, Ossé, Louis, Narcisse, Salamanca, Cabán, Avilés, Lee, Brooks-Powers and The Speaker (Council Member Adams).

Whereas, The New York State Constitution ("the Constitution") does not currently include a comprehensive equal rights provision; and

Whereas, An amendment to the Constitution is necessary to ensure legal equality for all New Yorkers;

Whereas, S.51002/A.41002, sponsored by Senate Majority Leader and President Pro Tempore Andrea Stewart-Cousins and Assembly Member Rebecca Seawright, respectively, proposes an amendment ("the amendment") to Article 1 of the Constitution; and

Whereas, In its current state, Article 1, Section 11 of the Constitution states that, "No person shall, because of race, color, creed or religion be subjected to any discrimination in his or her civil rights by any other person or by any firm, corporation or institution, or by the state or any agency or subdivision of the state", and

Whereas, This list of protected classes is limited and does not offer comprehensive protection to all New Yorkers; and

Whereas, S.15002/A.41002 would amend the Constitution by adding an equal rights provision that would expand the list of protected classes to include ethnicity, national origin, age, disability, or sex, including sexual orientation, gender identity, gender expression, pregnancy, pregnancy outcomes, and reproductive healthcare and autonomy; and

Whereas, The Constitution was last amended to address the topic of equal rights in 1938, which predates the Civil Rights Movement, as well as major advancements toward equality, including steps towards gender and LGBTQ equality, and therefore does not address the protection of equal rights with respect to these essential rights; and

Whereas, On July 1, 2022, the amendment passed both the Senate and Assembly during a special session of the Legislature; and

Whereas, The amendment must now pass the newly elected Legislature next year before it can go before voters; now, therefore, be it

Resolved, That the Council of the City of New York congratulates the State Legislature for approving S.15002/A.41002, a resolution proposing an amendment to the New York State Constitution in relation to equal protection, and calling on the Legislature to approve this amendment again next session so that it may be submitted to the voters of New York State for approval.

NANTASHA M. WILLIAMS, *Chairperson*; RAFAEL SALAMANCA, Jr., RITA C. JOSEPH, CHRISTOPHER MARTE; 4-0-0; *Absent*: Kristin Richardson Jordan and Inna Vernikov; Committee on Civil and Human Rights, July 13, 2022 (Hybrid Hearing). *Other Council Members Attending: Council Members Menin and Hanif.*

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 those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Powers) declared the Resolution to be adopted.

The following 5 Council Members formally noted their intention to vote negative on this item: Council Members Ariola, Carr, Paladino, Holden, and the Minority Leader (Council Member Borelli).

The following 2 Council Member formally noted their intention to abstain from voting on this item: Council Members Vernikov and Yeger.

Adopted by the Council by voice-vote.

Report for voice-vote item Res. No. 245

Report of the Committee on Women and Gender Equity in favor of approving a Resolution calling on the United States Senate to pass and the President to sign the Women’s Health Protection Act.

The Committee on Women and Gender Equity, to which the annexed resolution was referred on June 16, 2022 (Minutes, page 1555), respectfully

REPORTS:

(For text of report, please see the Report of the Committee on Women and Gender Equity for Int. No. 465-A printed in the Reports of the Standing Committee section of these Minutes)

Accordingly, this Committee recommends its adoption.

(The following is the text of Res. No. 245:)

Res. No. 245

Resolution calling on the United States Senate to pass and the President to sign the Women’s Health Protection Act.

By the Public Advocate (Mr. Williams) and Council Members Cabán, Hanif, Louis, Narcisse, Avilés, Joseph, Farías, Ossé, De La Rosa, Dinowitz, Marte, Krishnan, Ayala, Sanchez, Lee, Won, Powers, Richardson Jordan and The Speaker (Council Member Adams).

Whereas, A citizen’s rights to make decisions about their own bodies, their families, and their lives are basic human rights; and

Whereas, Reproductive rights and abortion services are essential health care and the cornerstone of a sound public health system; and

Whereas, Ensuring access to abortion care is central to the pursuit of reproductive justice; and

Whereas, According to the Guttmacher Institute, nearly 1 in 4 women in America will have an abortion by age 45; and

Whereas, The 1973 U.S. Supreme Court case Roe v. Wade was a landmark decision in which the Court ruled that a person may choose to have an abortion until a fetus becomes viable (usually between 24 and 28 weeks after conception), based on the right to privacy contained in the Due Process Clause of the Fourteenth Amendment; and

Whereas, Nonetheless, access to abortion services has been obstructed across the United States in various ways, including blockades of health care facilities, restrictions on insurance coverage, medically unnecessary regulations and many more that neither confer any health benefit nor further the safety of abortion services; and

Whereas, According to the Center for Reproductive Rights, nearly 500 state laws restricting abortion have been enacted since 2011, nearly 90 percent of American counties are without a single abortion provider and five states are down to their last abortion clinic; and

Whereas, The harms of abortion restrictions fall especially heavily on people with low-income, immigrants, women of color, those in the LGBTQ+ community, people with disabilities, and other marginalized or multi-marginalized groups; and

Whereas, According to a study by Advancing New Standards in Reproductive Health (ANSIRH), individuals who are forced to carry an unwanted pregnancy are more likely to experience intimate partner violence, health problems, poverty, and ongoing financial distress and eviction than those who are able to access wanted abortion care; and

Whereas, With a leaked draft opinion from the Supreme Court suggesting that *Roe v. Wade* is on the brink of being overturned in the highest court in the land, it is essential to enshrine the right to abortion access into federal law; and

Whereas, S.1975, sponsored by U.S. Senator Richard Blumenthal, and H.R. 3755, sponsored by Representative Judy Chu, also known as the Women Health Protection Act (WHPA), would protect the federal right to abortion and would block the barrage of state bans and restrictions on abortion intended to impede or outright deny access; and

Whereas, The House of Representatives passed WHPA on September 24, 2021, yet the Senate has failed to move forward with the bill; and

Whereas, WHPA would protect a person's freedom to make decisions about their own reproductive health care and a health care provider's ability to provide the full range of reproductive health services, including abortion; and

Whereas, Reproductive justice is a human right that can and will be achieved when all people regardless of race, color, national origin, immigration status, sexual orientation, age, or disability status, have the economic, social, and political power and resources to define and make decisions about their bodies, health, sexuality, families, and communities; now, therefore, be it

Resolved That the Council of the City of New York calls upon the United States Senate to pass and the President to sign the Women's Health Protection Act.

TIFFANY CABÁN, *Chairperson*; KEVIN C. RILEY, JAMES F. GENNARO, JENNIFER GUTIÉRREZ, KRISTIN RICHARDSON JORDAN, ALTHEA STEVENS; 6-0-0; Committee on Women and Gender Equity, July 14, 2022 (Hybrid Hearing). *Other Council Members Attending: Council Members Hanif and Brooks-Powers.*

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 those in favor, the Majority Leader and Acting President Pro Tempore (Council Member Powers) declared the Resolution to be adopted.

The following 5 Council Members formally noted their intention to vote negative on this item: Council Members Ariola, Carr, Paladino, Holden, and the Minority Leader (Council Member Borelli).

The following 2 Council Member formally noted their intention to abstain from voting on this item: Council Members Vernikov and Yeger.

Adopted by the Council by voice-vote.

INTRODUCTION AND READING OF BILLS

Int. No. 561

By The Speaker (Council Member Adams), Council Member Rivera, the Public Advocate (Mr. Williams), and Council Members Williams, Hudson, Cabán, Hanif, Brooks-Powers, Brewer and Joseph.

A Local Law in relation to establishing a guaranteed income pilot program

Be it enacted by the Council as follows:

Section 1. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Area median income. The term “area median income” means the income limits as defined annually by the United States department of housing and urban development (HUD) for the New York, NY HUD Metro FMR Area (HMFA).

City. The term “city” means the city of New York.

Commissioner. The term “commissioner” means the commissioner of social services.

Department. The term “department” means the department of social services.

Designated organizations. The term “designated organizations” means at least five community-based organizations designated by the commissioner that provide support services.

Eligible household. The term “eligible household” means a household that has an annual gross income of no more than 80 percent of the area median income, adjusted for the size of the household, with a head of household between the ages of 18 and 65 who resides in the city.

Participants. The term “participants” means a group of eligible households who receive a cash payment of \$500 per month and support services through the guaranteed income pilot program established pursuant to subdivision d of this section.

Relevant agencies. The term “relevant agencies” means the department of consumer and worker protection, the department of youth and community development, the center for innovation through data intelligence, the mayor’s office of data analytics, the mayor’s office of economic opportunity, any successor of an agency specified in this definition and any other agency that the commissioner deems relevant.

Support service. The term “support service” means a social service, including, but not limited to, benefits counseling, financial counseling, job placement assistance and legal services.

b. Feasibility study and report. Subject to appropriation, not later than 90 days after the effective date of this local law, the commissioner, in consultation with the relevant agencies and the designated organizations, shall conduct a feasibility study to determine the design of a guaranteed income pilot program as described in subdivision d of this section. Not later than 270 days after the effective date of this local law, the commissioner shall submit a report on such study to the mayor and speaker of the council and post such report on the department’s website. Such report shall include, but need not be limited to:

1. The design of the guaranteed income pilot program, including, but not limited to, the design of the baseline survey as described in subdivision c of this section, the design of the program described in subdivision d of this section, the metrics to evaluate such program and the rationale for each such design component;

2. The staffing needs for the pilot program, including, but not limited to, an external entity to administer and evaluate such program;

3. The process for selecting the participants in the program, including, but not limited to, whether the participants consist of a specific population, such as households residing in community districts with the highest rates of poverty in the city, households aging out of foster care or homeless youth households;

4. The plan to protect the privacy of any information that the participants provide during the pilot program;

5. The provision of support services to the participants; and

6. The plan to administer the pilot program in a culturally appropriate manner.

c. Baseline survey and report. 1. The commissioner, in consultation with the relevant agencies and the designated organizations, shall administer a baseline survey to participants before, during and after the

guaranteed income pilot program established pursuant to subdivision d of this section to assess the impact of such program on the participants quality of life. The quality of life metrics that such survey shall assess include, but are not limited to, education status, employment status, food insecurity status, health status, housing status, income group and public benefits status.

2. The first baseline survey shall be administered not later than 180 days after submission of the feasibility report required by subdivision b of this section. The second baseline survey shall be administered not later than 18 months after the commencement of the guaranteed income pilot program. The third baseline survey shall be administered not later than 180 days after the conclusion of the guaranteed income pilot program. The commissioner shall submit a report on the findings of each such survey to the mayor and speaker of the council and post such reports on the department's website.

d. Guaranteed income pilot program. Subject to appropriation, beginning not later than 180 days after the submission of the feasibility report required by subdivision b of this section, the commissioner, in consultation with the relevant agencies and the designated organizations, shall establish a 3-year pilot program that provides a cash payment of \$500 per month and support services to 1,000 eligible households, based on the findings of the feasibility study required by subdivision b of this section. The commissioner, in consultation with the relevant agencies and the designated organizations, shall administer such program, including, but not limited to, the application for such program, the distribution of the cash payments and support services to the participants.

e. Progress report. Not later than 2 years after the commencement of the guaranteed income pilot program established pursuant to subdivision d of this section, the commissioner, in consultation with the relevant agencies and the designated organizations, shall issue a progress report on such pilot program, which the commissioner shall submit to the mayor and speaker of the council and post on the department's website. The information in such report shall be anonymized and include, but need not be limited to, the following:

1. The number of participant and the following information for the head of each such household:

- (a) Age group, within ranges as determined by the department;
- (b) Community district;
- (c) Disability status;
- (d) Ethnicity;
- (e) Gender;
- (f) Household size;
- (g) Primary language;
- (h) Race;
- (i) Sexual orientation; and
- (j) Veteran status;

3. A description of the impact, if any, that the cash payments had on the participants, as indicated by the results of the baseline survey and any interviews with such households; and

4. A description of the challenges implementing the pilot program and the efforts to address such challenges, if any.

f. Final report. Not later than 1 year after the conclusion of the guaranteed income pilot program established pursuant to subdivision d of this section, the commissioner, in consultation with the relevant agencies and the designated organizations, shall submit a final report on such program to the mayor and speaker of the council and post such report on the department's website. The information in such report shall be anonymized and include, but need not be limited to, the following:

1. The information in the progress report required by subdivision e of this section, updated for the final report;

2. The budget of the pilot program;

3. Any recommendations for improving the pilot program; and

4. Any recommendations about next steps for such program, including potentially expanding such program.

g. Data sharing. For the duration of the pilot program, the relevant agencies shall share relevant data with the department.

h. Other public benefits or assistance programs. Any cash payments provided to eligible households pursuant to this local law shall not be taken into account as income for purposes of determining eligibility for any other public benefits or assistance programs.

§ 2. This local law takes effect immediately.

Referred to the Committee on General Welfare.

Int. No. 562

By Council Members Avilés, Rivera, Cabán, Hanif and Joseph.

A Local Law to amend the New York city charter, in relation to the voter assistance advisory committee providing poll site interpreters in all designated citywide languages

Be it enacted by the Council as follows:

Section 1. Section 1054 of the New York city charter is amended by adding a new subdivision d to read as follows:

d. The committee shall provide interpreters for all designated citywide languages pursuant to section 23-1101 of the administrative code, excluding those languages for which the board of elections in the city of New York provide interpreters, to all poll sites which contain an election district with 50 or more voting age residents with limited English proficiency based on United States census data, or american community survey data, whose primary language is one of such designated citywide languages. Such data shall be reviewed every two years, beginning on January 1, 2023. To the extent permissible under state law, such interpreters shall be made available to the public within such poll sites, provided that where it is not permissible then such interpreters shall be made available to the public within a legally permissible distance of such poll site.

§ 2. This local law takes effect six months after becoming law.

Referred to the Committee on Governmental Operations.

Preconsidered Res. No. 255

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

By Council Member Brannan.

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

Whereas, On June 30, 2021, the Council of the City of New York (the “City Council”) adopted the expense budget for Fiscal Year 2022 with various programs and initiatives (the “Fiscal 2022 Expense Budget”); and

Whereas, On June 30, 2020 the Council adopted the expense budget for Fiscal Year 2021 with various programs and initiatives (the “Fiscal 2021 Expense Budget”); and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2023, Fiscal 2022, and Fiscal 2021 Expense Budgets by approving the new designation and changes in the designation of certain organizations receiving local, youth, aging, and anti-poverty discretionary funding, and by approving the new designation and changes in the designation of certain organizations to receive funding pursuant to certain initiatives in accordance therewith; and

Whereas, The City Council is hereby implementing and furthering the appropriations set forth in the Fiscal 2023, Fiscal 2022, and Fiscal 2021 Expense Budgets by approving new Description/Scope of Services for certain organizations receiving local discretionary funding and funding pursuant to a certain initiative; now, therefore, be it

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2023 Expense Budget, as set forth in Chart 1; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 2; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving funding pursuant to the anti-poverty discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 3; and be it further

Resolved, That the City Council approves the new designation and the changes in the designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 4; and be it further

Resolved, That the City Council approves the new designation and the changes in designation of certain organization receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 5; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Speaker's Initiative to Address Citywide Needs Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 6; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Community Safety and Victim Services Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 7; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 8; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 9; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 10; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Digital Inclusion and Literacy Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 11; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 12; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 13; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 14; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Support Our Seniors Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 15; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Legal Services for Low-Income New Yorkers in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 16; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Construction Site Safety Training in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 17; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Physical Education and Fitness Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 18; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the LGBTQ Inclusive Curriculum in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 19; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Adult Literacy Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 20; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Autism Awareness in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 21; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Cancer Services in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 22; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Ending the Epidemic in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 23; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Geriatric Mental Health Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 24; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to the Opioid Prevention Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 25; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Financial Empowerment for NYC's Renters in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 26; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Stabilizing NYC in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 27; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to the Alternatives to Incarceration Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 28; and be it further

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Support for Victims of Human Trafficking in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 29; and be it further

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

Resolved, That the City Council approves the new designation of certain organizations receiving funding pursuant to Supports for Persons Involved in the Sex Trade in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 31; and be it further

Resolved, That the City Council approves the new designation of a certain organization receiving funding pursuant to Access Health Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 32; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 33; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2022 Expense Budget, as set forth in Chart 34 and be it further

Resolved, That the City Council approves the changes in the designation of a certain organization receiving youth discretionary funding in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 35; and be it further

Resolved, That the City Council approves the changes in the designation of certain organizations receiving funding pursuant to the A Greener NYC Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 36; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving funding pursuant to the Cultural After-School Adventure (CASA) in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 37; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 38; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the Cultural Immigrant Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 39; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving funding pursuant to SU-CASA in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 40; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving funding pursuant to the Neighborhood Development Grant Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 41; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving funding pursuant to Support our Seniors in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 42; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving funding pursuant to Pandemic Support for Human Service Providers in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 43; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the Speaker's Initiative to Address Citywide Need in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 44; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving youth discretionary funding in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 45; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to A Greener NYC in accordance with the Fiscal 2021 Expense Budget; as set forth in Chart 46; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving local discretionary funding pursuant to the Fiscal 2021 Expense Budget, as set forth in Chart 47; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the Parks Equity Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 48; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving aging discretionary funding in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 49; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to Support our Seniors in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 50; and be it further

Resolved, That the City Council approves the changes in designation of certain organizations receiving funding pursuant to Food Pantries in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 51; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 52; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the NYC Cleanup Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 53; and be it further

Resolved, That the City Council approves the changes in designation of a certain organization receiving funding pursuant to the Anti-Poverty Initiative in accordance with the Fiscal 2021 Expense Budget, as set forth in Chart 54; and be it further

Resolved, That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local, youth, aging, and anti-poverty discretionary funding, and funding pursuant to the Boroughwide Needs Initiative in accordance with the Fiscal 2023 Expense Budget, as set forth in Chart 55; and be it further

Resolved, That the City Council amends the description for the Description/Scope of Services for certain organizations receiving local discretionary funding, and funding pursuant to the Boroughwide Needs Initiative and the Speaker's Initiative in accordance with the Fiscal 2022 Expense Budget, as set forth in Chart 56.

Adopted by the Council (preconsidered and approved by the Committee on Finance; for text of the Exhibit Charts, please refer to the attachments section of [the Res. No. 255 of 2022 file](#) in the legislation section of the New York City Council website at <https://council.nyc.gov>).

Int. No. 563

By Council Members Brewer, Hanif, Cabán and Joseph

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

Be it enacted by the Council as follows:

Section 1. Section 20-924 of the administrative code of the city of New York, as added by local law 46 of 2013, is amended to read as follows:

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

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

c. Upon receiving a complaint alleging a violation of this chapter, the department shall investigate such complaint. Within fourteen days of written notification of an investigation by the department, the person or entity under investigation shall provide the department with a written response and such other information as the department may request. The department shall keep complainants reasonably notified regarding the status of their complaint and any resultant investigation. If, as a result of an investigation of a complaint or an investigation conducted upon its own initiative, the department believes that a violation has occurred, it shall issue to the offending person or entity a notice of violation. The commissioner shall prescribe the form and wording of such

notices of violation. The notice of violation shall be returnable to the administrative tribunal authorized to adjudicate violations of this chapter.

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

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

f. 1. Any person claiming to be aggrieved by a violation of this chapter shall have a cause of action in any court of competent jurisdiction for compensatory damages, injunctive and declaratory relief, attorney's fees and costs, and such other relief as such court deems appropriate, including the following remedies for violations of this chapter: (i) for each instance of sick time taken by an employee but unlawfully not compensated by the employer, three times the wages that should have been paid under this chapter or two hundred fifty dollars, whichever is greater; (ii) for each instance of sick time requested by an employee but unlawfully denied by the employer and not taken by the employee or unlawfully conditioned upon searching for or finding a replacement worker, or for each instance an employer requires an employee to work additional hours without the mutual consent of such employer and employee in violation of section 20-915 of this chapter to make up for the original hours during which such employee is absent pursuant to this chapter: five hundred dollars; (iii) for each instance of unlawful retaliation not including discharge from employment: full compensation including wages and benefits lost, five hundred dollars and equitable relief as appropriate; and (iv) for each instance of unlawful discharge from employment: full compensation including wages and benefits lost, two thousand five hundred dollars and equitable relief, including reinstatement, as appropriate.

2. When determining compensatory damages for a violation of any provisions of this chapter, a court may consider: the goals of deterring future violations, encouraging employees to report violations, and protecting and improving the public health; the degree of good or bad faith of the employer; the gravity of the violation; any history of previous violations; and the compliance or noncompliance with recordkeeping, notice, and other requirements of this chapter.

h. Submitting a complaint to the department shall be neither a prerequisite nor a bar to bringing a private action.

i. A person must file a complaint with the department, or a court of competent jurisdiction, within two years of when that person knew or should have known of an alleged violation of this chapter, except that any person who filed a timely complaint with the department prior to the effective date of the local law that amended this subdivision whose complaint has not been finally resolved by the department shall have the right to file a complaint in a court of competent jurisdiction notwithstanding the requirement that such complaint be filed with a court of competent jurisdiction within two years of when that person knew or should have known of any alleged violation.

[f].i. The department shall annually report on its website the number and nature of the complaints received pursuant to this chapter, the results of investigations undertaken pursuant to this chapter, including the number

of complaints not substantiated and the number of notices of violations issued, the number and nature of adjudications pursuant to this chapter, and the average time for a complaint to be resolved pursuant to this chapter.

§ 2. This local law takes effect on January 1, 2023.

Referred to the Committee on Civil Service and Labor.

Preconsidered Int. No. 564

By Council Members Cabán, Hudson, Hanif and Menin.

A Local Law in relation to establishing a commission on LGTBQIA+ older adults within the department for the aging

Be it enacted by the Council as follows:

Section 1. Definitions. For the purposes of this local law, the following terms have the following meanings: City. The term “city” means the city of New York.

Commission. The term “commission” means the commission on LGBTQIA+ older adults and aging within the department for the aging.

LGBTQIA+ older adults. The term “LGBTQIA+ older adults” means adults 55 years of age or older who are lesbian, gay, bisexual, transgender, intersex, gender non-conforming, two-spirit, non-binary, same-gender-loving, queer or any other diverse sexual orientation or gender identity.

§ 2. Commission on LGBTQIA+ older adults and aging established. The department shall establish a commission on LGBTQIA+ older adults and aging within the department.

§ 3. Membership. a. The commission shall consist of the following members:

1. One person who is a member of an organization based in New York city that advocates for LGBTQIA+ older adults;

2. One person who is a member of a community-based, multi-site healthcare organization based in New York city which was founded to serve LGBTQIA+ people;

3. One person who is a member of an HIV/AIDS service organization;

4. One person who is a member of a trans-led advocacy organization focused on action that leads to improved outcomes and opportunities for transgender and gender non-conforming communities;

5. One person who is a member of a labor organization that represents workers that provide care and services for older adults in long-term care facilities or older adult care centers;

6. Three persons who are members of organizations that serve Black, Asian-American, Pacific Islander, Indigenous or Latinx LGBTQIA+ people;

7. One person who is a member of an organization based in New York city which serves people with disabilities; and

8. Any other person or persons appointed by the commissioner.

b. All appointments required by this section shall be made no later than 90 days after the effective date of this local law.

c. At its first meeting, the commission shall select a chair from among its members by majority vote.

d. No member of the commission may be removed except for cause and upon notice and hearing by the appropriate appointing or designating official or delegation. Any vacancy shall be filled in the same manner as the original appointment.

e. Members of the commission shall serve without compensation.

§ 4. Duties. The commission created pursuant to this local law shall investigate, analyze and study the health, housing, financial, psychosocial, home-and-community-based services, assisted living and long-term care needs of LGBTQIA+ older adults and their caregivers. Such commission shall make recommendations to

improve access to benefits, services, and supports for LGBTQIA+ older adults and their caregivers. The commission, in formulating its recommendations, shall take into account the best policies and practices in other municipalities and jurisdictions. Specifically, the commission shall:

- a. Examine the impact of State and local laws, policies and regulations on LGBTQIA+ older adults and make recommendations to ensure equitable access, treatment, care and benefits and overall quality of life;
- b. Examine best practices for increasing access, reducing isolation, preventing abuse and exploitation, promoting independence and self-determination, strengthening caregiving, eliminating disparities and improving overall quality of life for LGBTQIA+ older adults;
- c. Examine the impact of race, ethnicity, sex assigned at birth, socioeconomic status, disability, sexual orientation, gender identity, and other characteristics on access to services for LGBTQIA+ older adults and make recommendations to ensure equitable access, treatment, care, benefits and overall quality of life;
- d. Examine the experiences and needs of LGBTQIA+ older adults living with HIV/AIDS and make recommendations to ensure equitable access, treatment, care, benefits and overall quality of life;
- e. Examine strategies to increase provider awareness of the needs of LGBTQIA+ older adults and their caregivers and to improve the competence of and access to treatment, services, and ongoing care, including preventive care;
- f. Examine the feasibility of developing citywide training curricula to improve provider competency in the delivery of culturally responsive health, housing and long-term support services to LGBTQIA+ older adults and their caregivers;
- g. Assess the funding and programming needed to enhance services to the growing population of LGBTQIA+ older adults;
- h. Examine whether certain policies and practices, or the absence thereof, promote the premature admission of LGBTQIA+ older adults to institutional care, and examine whether potential cost-savings exist for LGBTQIA+ older adults as a result of providing lower cost and culturally responsive home and community-based alternatives to institutional care;
- i. Examine outreach protocols to reduce apprehension among LGBTQIA+ older adults and caregivers of utilizing mainstream providers; and
- j. Examine citywide strategies for the collection of sexual orientation and gender identity data and the impact of these strategies on the provision of services to LGBTQIA+ older adults.

§ 5. Meetings. The commission shall meet no less than once each quarter to carry out the duties described in section 4.

§ 6. Report. a. No later than one year after the effective date of this local law, the commission shall submit a report to the mayor, the commissioner of aging and the speaker of the council, setting forth its recommendations, including, but not limited to, recommendations for legislation and policy relating to LGBTQIA+ older adults. The report shall include a summary of information the commission considered in formulating its recommendations.

b. No later than two years after the submission of the first report required by subdivision a of this section, the commission shall submit a second report to the mayor, the commissioner of aging and the speaker of the council containing updates to the findings and recommendations contained in the first report.

c. The commissioner shall publish the commission's reports electronically on the website of the department for the aging no later than 10 days after their submissions to the mayor and the speaker of the council.

d. The commission shall terminate 180 days after the date on which it submits the report required by subdivision b of section 6.

§ 2. This local law takes effect immediately and is deemed repealed four years after it becomes law.

Referred to the Committee on Aging (preconsidered but laid over by the Committee on Aging).

Res. No. 256

Resolution calling upon the United States Congress to pass, and the President to sign, the COVID-19 Long Haulers Act.

By Council Members Cabán, Hanif, Joseph and Menin.

Whereas, According to the Centers for Disease Control and Prevention (CDC), people who have been infected with the virus that causes COVID-19 can experience long-term effects; and

Whereas, Post-COVID conditions, or what doctors refer to as “post-acute sequelae of SARS CoV-2 infection (PASC),” are also referred to as “long COVID,” “long-haul COVID,” “post-acute COVID-19,” “long-term effects of COVID,” and “chronic COVID”; and

Whereas, Long COVID conditions are a wide range of new, returning, or ongoing health problems that people experience after first being infected with the virus that causes COVID-19; and

Whereas, Anyone who was infected can experience long COVID, and, while most people with long COVID experienced symptoms days after being infected with SARS CoV-2 and were aware they had COVID-19, some people who later experienced long COVID were never aware of their initial infection; and

Whereas, Long COVID can include a wide range of ongoing health problems that last weeks, months, or years; and

Whereas, Symptoms of long COVID can include tiredness, fatigue that interferes with daily life, fever, and respiratory and heart symptoms, such as difficulty breathing or shortness of breath, cough, chest pain, fast-beating or pounding heart; and

Whereas, Symptoms can also include neurological symptoms, such as difficulty thinking or concentrating (sometimes referred to as “brain fog”), headaches, sleep problems, dizziness when a person stands up, sensations of pins-and-needles, changes in smell or taste, depression or anxiety, digestive symptoms, joint or muscle pain, rash, or changes in menstrual cycle; and

Whereas, People who have had COVID-19 may be more likely to develop new health conditions such as diabetes, heart conditions, or neurological conditions compared with people who have not had COVID-19; and

Whereas, According to the news outlet Axios, as many as 24 million Americans may have experienced long COVID symptoms; and

Whereas, CDC estimates of the proportion of people who had COVID-19 that go on to experience post-COVID conditions include 13.3 percent at one month or longer after infection, and 2.5 percent at three months or longer, based on self-reporting; and

Whereas, For those who were hospitalized, more than 30 percent experienced long COVID symptoms at 6 months; and

Whereas, Utilizing CDC estimates, at least tens of thousands of New Yorkers may be living with some long-term health impacts of COVID-19; and

Whereas, Given the disproportionate impact of COVID-19 on Black and Latino communities, immigrant communities, older communities, and others, particularly at the beginning of the pandemic when vaccines were not available, important and clear equity concerns are tied to this topic; and

Whereas, H.R.2754, sponsored by Representative Donald Beyer, requires multiple agencies to carry out research and other activities concerning individuals experiencing long COVID-19, including health disparities related to this condition; and

Whereas, H.R.2754, otherwise known as the COVID-19 Long Haulers Act, requires the Patient-Centered Outcomes Research Trust Fund to support a patient registry to collect information on the symptoms, treatment, demographics, and other relevant data of COVID-19 patients; and

Whereas, The Act also requires the Agency for Healthcare Research and Quality (AHRQ) to conduct or support research on the U.S. health care system's response to long COVID, and AHRQ would also develop protocols and guidance to educate medical professionals about long COVID diagnostics, treatment, and care; and

Whereas, The Act requires the CDC to disseminate information about the common symptoms, treatment options, and disparities that pertain to long COVID and related post-infectious illnesses;

Whereas, The Act also calls on the Centers for Medicare & Medicaid Services to expand its Chronic Conditions Data Warehouse to collect data on items and services furnished through Medicaid or the Children's Health Insurance Program to individuals who experience long COVID; and

Whereas, The Act includes health equity related research and actions, including requiring AHRQ to evaluate whether diagnosis, access to care, or treatment associated with medical providers and care delivered in different settings varied by gender, disability, geography, race, and ethnicity; and

Whereas, The COVID-19 Long Haulers Act will increase research, education, and understanding of long COVID, and will help address the related health, social, and fiscal impacts; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass, and the President to sign, the COVID-19 Long Haulers Act.

Referred to the Committee on Health.

Res. No. 257

Resolution expressing solidarity with unionization drives across New York City's workforce and affirming the right to have union elections free from anti-democratic union-busting practices.

By Council Members Cabán, Avilés, De La Rosa, the Public Advocate (Mr. Williams) and Council Members Powers, Brewer, Hanif, Louis, Hudson, Nurse, Ossé, Ung, Restler, Feliz, Williams, Won, Sanchez, Stevens, Joseph, Gutiérrez and Menin.

Whereas, The freedom of workers to join together in unions and negotiate with employers through collective bargaining, is widely recognized as a fundamental right across the world. In the United States, this right is protected by the United States Constitution; and

Whereas, When Americans have wanted to make the economy fairer and more responsive to the needs of workers, they have traditionally joined together in unions to do so; and

Whereas, Unions fought for—and work to strengthen—many of the standards and norms that protect and uplift Americans today, including Social Security, child labor laws, antidiscrimination laws, health and safety laws, Unemployment Insurance, the 40-hour workweek, and the federal minimum wage; and

Whereas, According to a 2021 report from the Bureau of Labor Statistics, nationally, just 10.3% of workers are unionized, hailing from diverse sectors, but the largest numbers are found in the public sector and private sector industries such as education and health services; and

Whereas, The COVID-19 pandemic and its effects on the workforce has spurred a surge of labor organizing across the nation, prompting work stoppages and unionization campaigns in unconventional sectors, in an effort to promote self-determination and worker power; and

Whereas, American workers and labor groups filed 1,174 petitions to unionize from October through March 2022, 57% more than the same period in 2021; and

Whereas, Burgeoning unionization campaigns have emerged in industries and occupations where they have not existed before, such as digital journalists, New York City Council staffers, gig economy workers, and graduate and adjunct faculty at universities; and

Whereas, Workers across the country have been bolstered by successful victories over large corporations to unionize essential industries, including Amazon and Starbucks workers; and

Whereas, In April 2022, Amazon Workers at the Staten Island warehouse, known as JFK8, voted in favor of being represented by a worker-led union, Amazon Labor Union, citing the need to defend against Amazon's abusive practices, such as aggressive production quotas, dehumanizing work environments, unsafe workplaces, and low wages; and

Whereas, Following the successful organizing of three Starbucks stores in and around Buffalo, New York, approximately 250 Starbucks stores filed petitions with the National Labor Relations Board (NLRB) and as of

May 4th, 2022, 50 Starbucks stores have successfully voted to unionize, including four stores in New York City; and

Whereas, These efforts have prevailed despite fierce union-busting tactics deployed by corporate opposition, including one-on-one meetings with supervisors, mandatory employee meetings, also known as “captive audience” meetings, union-busting consultants, retaliatory terminations, videos, and leaflets all discouraging workers from organizing that have been well documented by media sites, including the New York Times and Washington Post; and

Whereas, Amazon and Starbucks’ obstruction of worker unionization drives are only made more egregious by the rising wealth of Jeff Bezos and Howard Shultz’s billionaire class during the pandemic; and

Whereas, According to a 2021 report from the Brookings Institute, from January 2020 through October 2021, the value of founder Jeff Bezos’ Amazon shares rose by \$110 billion, while founder and current CEO Howard Schultz’s Starbucks shares increased by more than \$750 million; and

Whereas, Throughout the pandemic unionized workers have had influence in how their employers navigate the pandemic, demonstrating that when workers have been able to act collectively and through their union, they have been able to secure enhanced safety measures, additional premium pay, and paid sick time; now, therefore, be it

Resolved, that that the Council of the City of New York expresses solidarity with unionization drives across New York City’s workforce and affirms the right to have union elections free from anti-democratic union-busting practices.

Referred to the Committee on Civil Service and Labor.

Int. No. 565

By Council Members De La Rosa, Gutiérrez, Louis, Hanif, Marte and Joseph (by request of the Manhattan Borough President).

A Local Law in relation to the creation of a COVID-19 memorial task force

Be it enacted by the Council as follows:

Section 1. Definitions. For purposes of this local law, the following terms have the following meanings: City. The term “city” means the city of New York.

COVID-19. The term “COVID-19” means the 2019 novel coronavirus or 2019-nCoV.

Task force. The term “task force” means the COVID-19 memorial task force established by this local law.

§ 2. Task force established. There is hereby established a task force to be known as the COVID-19 memorial task force.

§ 3. Duties. The task force shall consider the various factors involved in creating a memorial on Hart Island dedicated to those who died as a direct result of COVID-19, including potential sites on Hart Island for the memorial, resources necessary to create such memorial and the level of coordination among appropriate stakeholders that would be necessary for the creation of such memorial. The task force shall make recommendations in furtherance of creating such memorial and such recommendations shall take into account potential effects on the health and welfare of persons in the city, the projected costs of implementing such recommendations, anticipated effects on stakeholders and any other considerations the task force deems relevant.

§ 4. Membership. a. The task force shall be composed of the following members:

1. The commissioner of cultural affairs or such commissioner’s designee, who shall serve as chair;
2. The commissioner of parks and recreation or such commissioner’s designee;
3. Two members appointed by the mayor, provided that at least 1 such member is a family member of a person who died as a direct result of COVID-19 and is buried on Hart Island; and

4. Two members appointed by the speaker of the council, provided that at least 1 such member is a family member of a person who died as a direct result of COVID-19 and is buried on Hart Island.

b. The mayor may invite officers and representatives of relevant federal, state and local agencies and authorities to participate in the work of the task force.

c. All appointments required by this section shall be made no later than 90 days after the effective date of this local law.

d. Each member of the task force shall serve at the pleasure of the officer who appointed the member. In the event of a vacancy on the task force, a successor shall be appointed in the same manner as the original appointment for the remainder of the unexpired term. All members of the task force shall serve without compensation.

§ 5. Meetings. a. The chair shall convene the first meeting of the task force no later than 30 days after the last member has been appointed, except that where not all members of the task force have been appointed within the time specified in section four, the chair shall convene the first meeting of the task force within 10 days of the appointment of a quorum.

b. The task force may invite experts and stakeholders to attend its meetings and to provide testimony and information relevant to its duties.

c. The task force shall meet no less than once each quarter to carry out the duties described in section three.

d. The meeting requirement of subdivision c shall be suspended when the task force submits its report as required by section six.

§ 6. Report. a. No later than 270 days after the effective date of this local law, the task force shall submit a report to the mayor and to the speaker of the council setting forth its recommendations for a memorial on Hart Island dedicated to those who died as a direct result of COVID-19. The report shall include a summary of information the task force considered in formulating its recommendations.

b. The commissioner of cultural affairs shall publish the task force's report electronically on the website for the department of cultural affairs no later than 10 days after submitting such report to the mayor and to the speaker of the council.

§ 7. Agency support. Each agency affected by this local law shall provide appropriate staff and resources to support the work of such agency related to the task force.

§ 8. Termination. The task force shall terminate 180 days after the date on which it submits its report, as required by section six.

§ 9. Effective date. This local law takes effect immediately.

Referred to the Committee on Parks and Recreation.

Int. No. 566

By Council Members Feliz, Hanif, Marte and Brewer

A Local Law to amend the administrative code of the city of New York, in relation to requiring all children with an individualized education program to be transported in buses with air-conditioning

Be it enacted by the Council as follows:

Section 1. Section 19-605 of the administrative code of the city of New York, as added by local law number 63 for the year 2003, is amended to read as follows:

§ 19-605[.] Air-conditioning. a. *Definitions. For purposes of this section, the term "child with a disability" has the same meaning as is ascribed to such term in subdivision 1 of section 4401 of the education law.*

b. Any bus or other motor vehicle transporting a child with a disability to and from a school in the city pursuant to any agreement or contract shall be air-conditioned when the ambient outside temperature exceeds [seventy] 70 degrees Fahrenheit. Drivers of all such vehicles shall utilize such air conditioning systems in order

to make the internal climate of such vehicles comfortable to passengers in order to protect or enhance the health of children with disabilities. Any failure, mechanical or otherwise, of an air-conditioning system required by this section shall be repaired and restored to operable condition as soon as is practicable, but in no event more than three business days subsequent to the failure. [For purposes of this section, “child with a disability” shall mean a child with a disability as defined in section 4401(1) of the education law who requires an air-conditioned environment for health reasons.]

[b.] c. The penalty provisions set forth in section 19-607 [of this chapter] shall not apply to any violation of the provisions of this section. Any owner, operator or contractor responsible for transporting a child with a disability to and from a school in the city pursuant to any agreement or contract shall be liable for a civil penalty of [four hundred dollars] \$400 for each violation of this section.

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

Referred to the Committee on Education.

Int. No. 567

By Council Members Feliz and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting homeless families with children from being housed in private buildings with multiple class C housing maintenance code violations

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 21-328 to read as follows:

§ 21-328 Housing families in private buildings with multiple class C violations prohibited. The department shall not temporarily house any homeless families with children in private buildings with more than five class C violations issued by the department of housing preservation and development until such violations have been corrected as certified by the department of housing preservation and development.

§ 2. This local law takes effect immediately, except that it shall not apply to homeless families with children housed in private buildings with more than five class C violations on the effective date of this local law.

Referred to the Committee on General Welfare.

Res. No. 258

Resolution supporting the Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022.

By Council Members Gennaro, Cabán, Louis, Hanif, Nurse and Joseph.

Whereas, According to the United States (U.S.) Global Change Research Program’s Fourth National Climate Assessment, failure to sufficiently mitigate global carbon emissions will result in increased rates of sea level rise, increased frequency of extreme weather events, and rising temperatures, which are expected to cause ongoing damage to critical infrastructure, property, and economic productivity; and

Whereas, New York City’s geographic location makes it particularly vulnerable to the threat of rising sea levels as well as the increased frequency of hurricanes and tropical storms; and

Whereas, A predecessor of the “Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022” was passed by the New York State Legislature as part of the 2020-21 budget under the name “Restore Mother

Nature Environmental Bond Act,” and was expected to be included as a statewide ballot question for the general election in November of 2020; and

Whereas, The Restore Mother Nature Environmental Bond Act was pulled from inclusion on the November ballot due to the financial impact of COVID-19 on the state budget, before being reintroduced as the Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022; and

Whereas, The Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022, though approved by both the State Assembly and State Senate, and passed as part of the Fiscal Year 2022-23 State Budget, will require the approval of New York State residents via a ballot question during the November 2022 general election; and

Whereas, The Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022 would authorize the issuance of 4.2 billion dollars in bonds to finance critical environmental restoration and resiliency projects across the state of New York; and

Whereas, The Bond Act would allocate 1.2 billion dollars toward reducing flood risk in vulnerable areas, 1.5 billion dollars toward climate change mitigation efforts, 650 million dollars toward water quality improvement and resilient infrastructure, and 650 million dollars toward the preservation and enhancement of open space and recreational amenities; and

Whereas, The Bond Act would seek to address flood risk by fortifying natural barriers and restoring critical habitats such as marshes and wetlands that can absorb excess rainwater and reduce the risk of tidal flooding, as well as expanding New York State’s Buyouts and Acquisitions programs to cover the preemptive purchase of coastal and wetland property to convert into natural barriers; and

Whereas, a study conducted by The National Institute of Building Sciences found that every dollar spent on hazard mitigation can save six dollars in future physical disaster losses, even before factoring in economic disruption and social impact from future events; and

Whereas, This Bond Act would advance climate change mitigation work by funding projects such as green and energy-efficient building upgrades, carbon sequestration and emissions mitigation projects, climate adaptation and mitigation projects, the care and maintenance of urban forestry, and air and water pollution reduction efforts, including a specific sub-allocation for the electrification of school buses; and

Whereas, The Bond Act also designates that a portion of the total funding must be allocated to disadvantaged communities that bear a disproportionate share of negative environmental consequences, such as those New York City neighborhoods which were most heavily impacted by the COVID-19 crisis and were already overburdened by numerous environmental health hazards and proximity to polluting infrastructure; and

Whereas, If approved by the voters of New York State, the Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022, would enable New York State and City to directly address hazardous conditions in those disadvantaged communities, making those communities more resilient and more livable now and in the future; now, therefore, be it

Resolved, That the Council of the City of New York supports the New York State Clean Water, Clean Air, and Green Jobs Environmental Bond Act of 2022.

Referred to the Committee on Environmental Protection.

Int. No. 568

By Council Members Gutiérrez, Won, Cabán, Louis, Hanif and Menin.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on discounted internet service program utilization rates and improving outreach to eligible households

Be it enacted by the Council as follows:

Section 1. Title 23 of the administrative code of the city of New York is amended by adding a new chapter 13 to read as follows:

*CHAPTER 13
DISCOUNTED INTERNET SERVICE PROGRAM*

§ 23-1301 Definitions. For the purposes of this chapter, the following terms have the following meanings:
Commissioner. The term “commissioner” means the commissioner of information technology and telecommunications.

Department. The term “department” means the department of information technology and telecommunications.

Discounted internet access program. The term “discounted internet access program” means a program based on an agreement between the city of New York and internet service providers that offers reduced price internet service to low-income families and seniors.

§ 23-1302 Utilization report. No later than September 30, 2023, and on or before September 30 annually thereafter, the commissioner shall prepare and submit to the mayor and the council, and post on the department’s website, a report which shall include:

- a. The benefits available through the discounted internet access program;*
- b. The criteria used to determine eligibility for the discounted internet access program;*
- c. The number of households eligible to receive discounted internet access through such program and their general geographical distribution;*
- d. The number of households that are receiving discounted internet access through such program and their general geographical distribution; and*
- e. A plan to promote awareness and utilization of the discounted internet access program.*

§ 23-1303 Public outreach. The commissioner shall conduct outreach through the plan developed under section 23-1302 and target public facilities to promote awareness of the discount internet access program among eligible households.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of information technology and telecommunications may take such measures as are necessary for its implementation, including the promulgation of rules, before such date.

Referred to the Committee on Technology.

Int. No. 569

By Council Members Hanif, Avilés, Cabán, Marte and Joseph.

A Local Law to amend the administrative code of the city of New York, in relation to an immigrant workers’ bill of rights

Be it enacted by the Council as follows:

Section 1. Section 32-101 of the administrative code of the city of New York, as added by local law number 98 for the year 2016, is amended to read as follows:

§ 32-101 [Reserved.] Definitions. a. As used in this chapter, the following terms have the following meanings:

Designated citywide languages. The term “designated citywide languages” has the meaning ascribed to such term in section 23-1101.

Employee. The term “employee” has the meaning ascribed to such term in subdivision 2 of section 190 of the labor law.

Employer. The term “employer” has the meaning ascribed to such term in subdivision 3 of section 190 of the labor law.

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.

Office. The term “office” means the office of labor standards as established pursuant to subdivision (e) of section 2203 of the charter.

§ 2. Chapter 1 of title 32 of the administrative code of the city of New York is amended by adding a new section 32-102 to read as follows:

§ 32-102 *Immigrant workers’ bill of rights.* a. No later than November 1, 2022, the office, in coordination with the mayor’s office of immigrant affairs and the commission on human rights, shall publish and make available a notice for employers to provide to employees informing employees of protections and rights under relevant federal, state and local laws that apply to all employees in the city, regardless of immigration status. Such notice shall also contain information on what to expect if immigration enforcement authorities come to an individual’s workplace, and resources and contact information for immigration legal services, the commission on human rights and the office. Such notice shall be made available in a downloadable format on the city’s website in English and the designated citywide languages. The office shall update such notice if any changes are made to the requirements of relevant federal, state or local laws.

b. An employer shall:

1. Provide to each employee, no later than April 1, 2023, and annually thereafter, a physical or electronic copy of the notice described in subdivision a of this section;

2. Provide a physical or electronic copy of the notice described in subdivision a of this section to employees upon commencement of employment; and

3. Conspicuously post the notice described in subdivision a of this section at an employer’s place of business in an area accessible and visible to employees.

c. The notices required to be provided or posted pursuant to subdivision b of this section shall be in English and any language spoken as a primary language by at least five percent of employees, if the office has made the notice available in that language.

d. Any employer whose business is operated online or through a mobile application shall make available online or on such mobile application the notice described in subdivision a of this section for employees to view.

e. No later than February 1, 2023, the office shall conduct outreach regarding the notice described in subdivision a of this section and the requirements under this section to employers and employees in the city.

f. Any employer who violates any provision of this section shall be liable for a civil penalty of \$250 for the first offense, and for subsequent violations that occur within two years of any previous violation of this section, a civil penalty up to \$750 for the second violation and up to \$2,000 for each succeeding violation. The penalties imposed pursuant to this subdivision shall be imposed on a per worker and per instance basis for each violation. A proceeding to recover any civil penalty authorized pursuant to this subdivision may be brought in any tribunal established within the office of administrative trials and hearings or within any agency of the city designated to conduct such proceedings.

§ 3. This local law takes effect 30 days after it becomes law.

Referred to the Committee on Immigration.

Int. No. 570

By Council Members Hanif, De La Rosa, Marte, Brannan, Narcisse, Brewer, Ung, Gutiérrez, Cabán, Louis, Brooks-Powers and Joseph.

A Local Law to amend the New York city charter, in relation to establishing an office of translation and interpretation within the office of immigrant affairs

Be it enacted by the Council as follows:

Section 1. Section 18 of the New York city charter is amended by adding a new subdivision h to read as follows:

h. There is hereby established an office of translation and interpretation within the office of immigrant affairs, the head of which shall be the director of the office of immigrant affairs. Within appropriations therefor, the office of translation and interpretation shall employ individuals who are proficient in the designated citywide languages, as defined in section 23-1101 of the administrative code, for the purpose of providing translation and interpretation services to the city and its agencies. The office of translation and interpretation shall have the power and duty to:

- 1. Upon request, translate documents created by agencies into the designated citywide languages;*
- 2. Provide interpretation services to agencies for the designated citywide languages; and*
- 3. Perform any other appropriate function related to providing translation and interpretation services to city agencies, including identifying translation and interpretation services for languages other than the designated citywide languages.*

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

Referred to the Committee on Immigration.

Int. No. 571

By Council Members Holden, Yeger and Louis.

A Local Law to amend the administrative code of the city of New York, in relation to delayed repairs to sidewalks damaged by city-owned trees

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 Notice regarding delayed sidewalk repairs. For any repair work scheduled to be performed by or on behalf of the department on a sidewalk damaged by a tree under the jurisdiction of the department that is delayed or canceled, the department shall provide electronic notice of such delay or cancellation to the community board for the community district where such sidewalk is located, the council member in whose district the sidewalk is located and the borough president for the borough where such sidewalk is located. Such notice shall be provided no later than 3 days after the department makes a decision to delay or cancel such repair work.

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

Referred to the Committee on Parks and Recreation.

Int. No. 572

By Council Members Holden and Velázquez.

A Local Law to amend the administrative code of the city of New York, in relation to consumer protections and home repair work

Be it enacted by the Council as follows:

Section 1. Section 20-397 of the administrative code of the city of New York is amended by adding a new subdivision six to read as follows:

§ 20-397 Exceptions. No contractor's license shall be required in the following instances:

1. An individual who performs labor or services for a contractor for wages or salary.
2. A plumber, electrician, architect, professional engineer, or any other such person who is required by state or city law to attain standards of competency or experience as a prerequisite to engaging in such craft or profession, or any person required to be licensed pursuant to article six-D of the general business law to engage in the business of installing, servicing, or maintaining security or fire alarm systems, and who is acting exclusively within the scope of the craft, profession or business for which he or she is currently licensed pursuant to such other law.
3. Any retail clerk, clerical, administrative, or other employee of a licensed contractor, as to a transaction on the premises of the contractor.
4. This subchapter shall not apply to or affect the validity of a home improvement contract otherwise within the purview of this subchapter which is made prior to October first, nineteen hundred sixty-eight.
5. Any home improvement, where the aggregate contract price for all labor materials and other items is less than two hundred dollars. This exemption does not apply where the work is only part of a larger or major operation, whether undertaken by the same or a different contractor, or in which a division of the operation is made in contracts of amounts less than two hundred dollars for the purpose of evasion of this provision or otherwise.

6. *Notwithstanding the aforementioned, nothing in this section shall prevent the department from enforcing any of the provisions of this title that are not contained in this subchapter against any person, firm, partnership, joint venture, corporation or association that is: (i) employed for the purposes of doing home improvement work; and (ii) not required to obtain a department issued contractor's license pursuant to this section. The department shall notify the commissioner of buildings of any violation of this title committed by a person, firm, partnership, joint venture, corporation or association that is licensed or certified pursuant to chapter four of title 28 of this code.*

§ 2. This local law takes effect immediately after it becomes law.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 573

By Council Members Holden, Bottcher, Cabán, Joseph, Powers, Marte, Ariola, Hanif, Richardson Jordan and Gutiérrez.

A Local Law to amend the administrative code of the city of New York, in relation to the operation of horse drawn carriages and to replace the horse drawn carriage industry with a horseless electric carriage program, and to repeal sections 17-334.1, 19-174, subdivision c of section 20-374, sections 20-377, 20-377.1, 20-380, 20-381, 20-381.1, 20-381.2, 20-382 and subdivisions b, c, and d of section 20-383 of the administrative code of the city of New York, relating to the regulation of horses used in the operation of a horse drawn cab and horse drawn cabs

Be it enacted by the Council as follows:

§ 1. Section 17-326 of the administrative code of the city of New York, as amended by local law number 203 for year 2019, is amended to read as follows:

§ 17-326 Definitions. Whenever used in this subchapter, the following terms have the following meanings: ASPCA. The term "ASPCA" means the American Society for the Prevention of Cruelty to Animals.

[Carriage horse. The term "carriage horse" means any horse which is used by its owner or any other person to pull any vehicle, carriage, sled, sleigh or other device in exchange for a fee. A horse rented or leased by its

owner to another for any of the foregoing purposes shall be deemed to be a carriage horse for the purposes of this subchapter. A horse used for any other purpose shall not be deemed to be a carriage horse for the purposes of this subchapter.

Equine heat index. The term "equine heat index" means the sum of the air temperature, in degrees Fahrenheit, and the relative humidity at a particular point in time.]

Owner. The term "owner" means the owner of a horse which is required to be licensed pursuant to this subchapter and the owner of a rental horse business in which such horse is used.

Person. The term "person" means an individual, partnership, corporation, association or other legal entity.

[Relative humidity. The term "relative humidity" means the value, expressed as a percentage, determined by a device designed to measure relative humidity.]

Rental horse. The term "rental horse" means a horse which is used in a rental horse business.

Rental horse business. The term "rental horse business" means a business enterprise which provides or offers the use of a horse to the public for a fee for the purpose of riding [or drawing a horse drawn vehicle or which operates a horse drawn vehicle for hire such as a horse drawn cab].

Riding horse. The term "riding horse" means a horse which is available to the public for a fee for the purpose of riding.

Stable. The term "stable" means any place, establishment or facility where one or more rental horses are housed or maintained.

Under tack. The term "under tack" means that a horse is equipped for riding or driving.

Veterinarian. The term "veterinarian" means a person licensed to practice veterinary medicine in the state of New York.

Work. A horse is considered to be at "work" when it is out of its stable and presented to the public as being available for riding, [pulling carriages, vehicles or other devices,] or when it is saddled [or in harness] or when it is being ridden [or is pulling a carriage, vehicle or device].

§ 2. Subdivisions b and e of section 17-327 of the administrative code of the city of New York, and subdivision d of such section, as amended by local law number 80 for the year 2020, is amended and new subdivision f is added to read as follows:

b. A license shall be issued for a term of one year from the date of issuance thereof and shall be renewed prior to the expiration of such term; *provided, however, that no new applications for licenses for a horse used in the operation of a horse drawn cab shall be accepted after the enactment date of the local law that added this section and any licenses valid on that date shall be eligible for renewal for a limited term and shall expire on June 1, 2024.*

d. Application for a license or the renewal of a license shall be made to the department of health and mental hygiene. Such application shall contain the name and address of the owner of the horse and of the owner of the rental horse business in which such horse is to be used if such person is not the owner of the horse, the age, sex, color, markings and any other identifying marks such as brands or tattoos of the horse, the location of the stable where the horse is to be kept and any other information which the commissioner of health and mental hygiene may require. An application with respect to a horse which is used in the operation of a "horse drawn cab" [as defined in subchapter twenty-one of chapter two of title twenty of this code] shall include the identification number required to be inscribed on such [horses] *horse's* hoof pursuant to the rules and regulations of the department [of consumer affairs]. The application shall be accompanied by the license or renewal fee.

e. No license shall be transferable. *1. Upon the transfer of ownership of any horse to a new owner, the new owner shall obtain a license for such horse within fifteen days after the date of the transfer of ownership; provided, however that a license for a horse used in the operation of a horse drawn cab shall be surrendered to the commissioner by the former owner. Notwithstanding subdivision b, a new owner shall be eligible for a license for horse used in the operation of horse drawn cab and for the renewal of such license, provided that such license shall expire on June 1, 2024.*

2. Holders of licenses for horses used in the operation of horse drawn cabs who retain such a license and are eligible for renewal pursuant to subdivision b shall be permitted to substitute or replace a licensed horse that is lame, suffers from a physical condition or other illness making it unsuitable for work, or that retires, with another licensed horse, and maintain the number of licenses for a horse or horses used in the operation of horse

drawn cabs that such licensee holds, provided that such licensee has complied with the requirements of section 17-329.

f. The commissioner may promulgate such rules and regulations as are necessary to implement the provisions of this section.

§ 3. Section 17-329 of the administrative code of the city of New York is amended to read as follows:

§ 17-329 Disposition of licensed horse. *a. The owner of a licensed horse shall notify the department [shall be notified] of the [transfer of ownership or other] proposed disposition of a licensed horse [within ten] at least 5 days [thereafter] prior to the proposed disposition. Such notice shall include the date of the proposed disposition and [if sold in New York city,] the name [and], address and telephone number of the prospective buyer or other transferee, the certification required pursuant to subdivision b of this section, and such other information as the commissioner may prescribe.*

b. A licensed horse shall not be [sold or] disposed of except in a humane manner, which, for the purposes of this subchapter, shall mean a licensed horse may not be sold or otherwise transferred to an individual or organization for purposes of slaughter, resale for slaughter, or holding or transport for slaughter. The owner of a licensed horse shall provide a statement in a form prescribed by the commissioner certifying that such horse will be sold or otherwise transferred not for purposes of slaughter, resale for slaughter, or holding or transport for slaughter or any other inhumane purpose.

§ 4. Section 17-330 of the administrative code of the city of New York, as added by local law number 2 for the year 1994, and subdivision b, c, g, l, n, p, q, and r of such section as amended by local law number 10 for the year 2010, subdivision j of such section as amended by local law number 80 for the year 2020, and subdivision o as amended by local law number 203 for the year 2019, is amended to read as follows:

§ 17-330 Regulations. *a. The commissioner, with the advice of the advisory board as hereinafter established, shall promulgate such regulations as are necessary to carry out the provisions of this subchapter and to promote the health, safety and well being of the horses which are required to be licensed hereunder and of members of the public who hire such horses.*

b. [1.] Horses shall not be left untethered or unattended except when confined in a stable or other enclosure. When tethered, all horses shall be secured by the use of a rope attached to the halter, not to the bit or bridle.

[2. Horse bridles and halters shall be used on carriage horses at all times when operating a carriage.]

c. [Standing stalls for carriage horses shall be sixty square feet or larger, with a minimum width of seven feet, and shall be configured to permit a carriage horse to turn around and safely lay down within the stall.] Horses shall be un-tied when stabled. A halter shall be on the horse or hung outside each stall at all times.

d. Horses shall be adequately quartered. Stables and stalls shall be clean and dry and sufficient bedding of straw, shavings or other suitable materials shall be furnished and changed as often as necessary to maintain them in a clean and dry condition. Adequate heating and ventilation shall be maintained in stables as prescribed by the commissioner.

e. Owners shall insure that appropriate and sufficient food and drinking water are available for each horse and that while working each horse is permitted to eat and drink at reasonable intervals.

f. Owners shall not allow a horse to be worked on a public highway, path or street during adverse weather or other dangerous conditions which are a threat to the health or safety of the horse. A horse being worked when such conditions develop shall be immediately returned to the stable by the most direct route.

g. [1. Carriage horses shall not be at work for more than nine hours in any continuous twenty-four hour period.] Riding horses shall not be at work for more than eight hours in any continuous twenty-four hour period. Rest periods for [carriage horses and] riding horses shall be of such duration and at such intervals as the commissioner shall prescribe[, but rest periods for carriage horses shall in no event be for less than fifteen minutes after each two hour working period, and the time of such rest period shall be included in calculating the number of hours the horse has worked in any twenty-four hour period. During such rest periods, the person in charge of such carriage horses shall make fresh water available to the horse.

2. Carriage horses shall receive no less than five weeks of vacation or furlough every twelve months at a horse stable facility which allows daily access to paddock or pasture turnout. Proof of such vacation or furlough shall be provided upon request to the department and/or the ASPCA.]

h. [Carriage horses shall not be driven at a pace faster than a trot.] Riding horses may be ridden at a canter but shall not be galloped.

i. Horses shall be suitably trimmed or shod, and saddles, bridles, bits, road harnesses and any other equipment used on or with a horse at work shall be maintained and properly fitted as prescribed by regulation of the commissioner.

j. Stables in which horses used in a rental horse business are kept shall be open for inspection by authorized officers, veterinarians and employees of the department, and any persons designated by the commissioner to enforce the provisions of this subchapter, agents of the ASPCA, police officers, and employees of the department of consumer and worker protection.

k. An owner shall be jointly liable with the person to whom a horse is rented for any violation of this subchapter or of any regulations promulgated hereunder committed by such person if the owner had knowledge or notice of the act which gave rise to the violation at the time of or prior to its occurrence or under the circumstances should have had knowledge or notice of such act and did not attempt to prevent it from occurring.

l. An owner of a rental horse business shall keep such records as the commissioner of health shall prescribe including but not limited to a consecutive daily record of the movements of each licensed horse including the driver's name and identification number, if applicable, rider's name, the horse's identification number, vehicle license plate number, if applicable, time of leaving stable and time of return to stable. An owner of a rental horse business shall also keep written protocols for emergencies, including but not limited to primary and secondary emergency contact information for each horse owner and insurance company information, if applicable. Such records shall be kept on the premises of the stable where the horses are kept and shall be available for inspection. The commissioner may, in his or her discretion, require a time clock, date stamp or time stamp where such commissioner believes it is appropriate.

m. A horse required to be licensed pursuant to this subchapter which is lame or suffers from a physical condition or illness making it unsuitable for work may be ordered to be removed from work by the commissioner or his or her designee or by an agent of the ASPCA or a veterinarian employed or retained by such commissioner or ASPCA to inspect licensed horses. A horse for which such an order has been issued shall not be returned to work until it has recovered from the condition which caused the issuance of the order or until such condition has improved sufficiently that its return to work will not aggravate the condition or otherwise endanger the health of the horse. In any proceeding, under this section it shall be presumed that a horse which is found at work within [forty-eight] 48 hours after the issuance of an order of removal and which is disabled by the same condition which caused such order to be issued has been returned to work in violation of this section. Such presumption may be rebutted by offering a certificate of a veterinarian indicating suitability to return to work prior to the expiration of the forty-eight hour period.

n. Every horse required to be licensed hereunder shall be examined by a veterinarian prior to its use in a rental horse business, at time of each license renewal, and thereafter at intervals of not less than four months and not greater than eight months. The examination shall include the general physical condition of the horse, its teeth, hoofs and shoes, its stamina and physical ability to perform the work or duties required of it, and whether it is current on vaccinations, including those for rabies, Eastern/Western equine encephalitis, West Nile virus, Rhinopneumonitis virus, and tetanus, or any other vaccinations the Commissioner may require by rule. The examination shall also include a record of any injury, disease, or deficiency observed by the veterinarian at the time, together with any prescription or humane correction or disposition of the same. A signed health certificate by the examining veterinarian shall be maintained at the stable premises at which such horse is located and shall be displayed on the outside of [the] such horse's individual stall. An original of said certificate shall be mailed by the examining veterinarian to the department.

[o. 1. Carriage horses shall not be worked whenever the air temperature is 18 degrees fahrenheit or below.

2. Carriage horses shall not be worked whenever (i) the air temperature is 90 degrees Fahrenheit or above, or (ii) the air temperature is 80 degrees Fahrenheit or above and the equine heat index is 150 or above.

3. For purposes of this subdivision, air temperatures shall be those measured by a state-of-the-art thermometer, as determined by the commissioner. Relative humidity shall be determined by a state-of-the-art hygrometer or any other device having the same capability to measure relative humidity, as determined by the commissioner. Air temperatures and relative humidity shall be measured by the commissioner or the commissioner's designee at street level at one of the stands designated pursuant to section 19-174.

4. If either of the limits set by paragraph 2 of this subdivision are exceeded during the course of a particular ride, at the ride's conclusion, but no later than one-half hour after either of these limits are exceeded, the operator

must immediately cease working, move the horse to an area of shelter, where available, rest the horse and then walk it directly to its stable. All horses so returned to their stable must be unbridled and unharnessed and remain at the stable for at least one hour, and thereafter, until such time as the weather conditions shall once again reach acceptable limits.

5. No violation of this subdivision shall occur unless a written warning of violation is first issued by the authorized enforcement personnel to the operator advising that either of the limits set in paragraph 2 of this subdivision have been exceeded and directing that the operator cease working a carriage horse in accordance with the provisions of this subdivision. A violation of this subdivision may be issued if an operator fails to comply with the direction contained in the written warning of violation. Failure to comply with such direction shall not be construed as a separate violation.

p. Every carriage horse required to be licensed hereunder shall be equipped with a manure catching device. Such devices shall be affixed or attached to the carriage and shall at no time be affixed or attached to the horse.

q. Carriage horses shall not be younger than five years at the time placed into service in any rental horse business and licensed. No carriage horse older than 26 years of age shall be licensed to work in a rental horse business. Acceptable proof of age shall include a signed letter from a licensed veterinarian stating the horse's age, a certificate from an officially recognized national registry of horses stating the horse's age, or another industry approved method of certifying age.

r. Owners shall insure that during the months of November through April every carriage is equipped with a heavy winter horse blanket large enough to cover the horse from crest of neck to top of rump. Such blankets shall be used to cover carriage horses in cold weather. Waterproof horse blankets of a lighter material shall be provided at all times to cover the horse from withers to tail during periods of wet weather when the air temperature is 55 degrees or below.]

§ 5. Paragraph 1 of subdivision a of section 17-331 of title 17 of the administrative code of the city of New York is amended to read as follows:

1. Two members shall be appointed from among the owners of rental horse businesses operating within the city, [one of whom] *who* shall be representative of the interests of owners of riding horses[and one of whom shall be representative of the interests of owners of carriage horses].

§ 6. Section 17-334 of title 17 of the administrative code of the city of New York, and subdivision a of such section as amended by local law 80 for the year 2020, is amended to read as follows:

§ 17-334 Construction. a. [The provisions of this subchapter shall not be construed to supersede or affect any of the provisions of subchapter twenty-one of chapter two of title twenty of the code relating to a "horse drawn cab" as defined therein or any of the regulations of the commissioner of consumer and worker protection promulgated thereunder.

b.] The provisions of this subchapter shall not be construed to permit the possession or use of a horse in any area where such possession or use is prohibited by any other law, rule or regulation.

[c] *b.* The provisions of this subchapter shall not be construed to prohibit the ASPCA or the department from enforcing any provision of law, rule or regulation relating to the humane treatment of animals with respect to any horse regardless of whether such horse is required to be licensed pursuant to the provisions of this subchapter.

§ 7. Section 17-334.1 of the administrative code of the city of New York is REPEALED.

§ 8. Section 19-174 of the administrative code of the city of New York is REPEALED.

§ 9. Section 20-371 of title 20 of the administrative code of the city of New York, as amended by local law number 31 for the year 1995, is amended to read as follows:

§ 20-371 Licensing of sight-seeing buses[, horse drawn cabs and horse drawn cab drivers]. Legislative findings. The legislative findings heretofore made in relation to the business of sight-seeing buses [and horse drawn cabs] in the city of New York and set forth in local law number [ten] *10* of [nineteen hundred sixty-four] *1964* continue to be valid; such businesses are vested with a public interest and their regulation and control continue to be necessary and essential in order to cope with certain evils and hazards which existed in the absence of governmental supervision. The supervision formerly was reposed in the police commissioner, but recent experience and study indicate that jurisdiction over such businesses should be transferred to the commissioner. [It is further found that the present number of horse drawn cabs licensed in the city of New York is adequate to

meet the public need and demand and should be preserved, unless the commissioner finds that additional licenses are necessary and advisable.]

§ 10. Section 20-372 of title 20 of the administrative code of the city of New York, as amended by local law number 31 for the year 1995, and subdivisions 9 and 10 of such section as amended by local law number 3 for the year 2001, and subdivision 11 of such section as amended by local law number 176 for the year 2018, is amended to read as follows:

§ 20-372 Definitions. Whenever used in this subchapter, the following terms shall mean:

1. "Owner" shall include any person, firm, partnership, corporation or association owning and operating a sight-seeing bus or buses, [or horse drawn cab or cabs] and shall include a purchaser under a reserve title contract, conditional sales agreement or vendor's agreement and the lessee of such vehicle or vehicles under a written lease or similar contract provided such purchaser or lessee of sight-seeing bus or buses shall be entitled to obtain in his or her name a license or licenses therefor from the commissioner of motor vehicles of the state of New York.

2. "Sight-seeing bus license" shall designate the license issued by the commissioner for each sight-seeing bus.

3. "Inspection card" shall designate the card issued by the commissioner for the sight-seeing bus licensed [or horse drawn cab licensed], which card shall display the license number and capacity of such vehicle.

4. "Sight-seeing bus" shall mean a motor vehicle designed to comfortably seat and carry eight or more passengers operating for hire from a fixed point in the city of New York to a place or places of interest or amusements, and shall also include a vehicle, designed as aforesaid which by oral or written contract is let and hired or otherwise engaged for its exclusive use for a specific or special trip or excursion from a starting point within the city of New York.

[5. "Horse drawn cab" shall mean a horse drawn vehicle operating for hire, so designed and constructed to comfortably seat not more than four adults, or two adults and four children, each of whom is under twelve years of age, or three adults and two children, each of whom is under twelve years of age, in the interior thereof.

6. "Horse drawn cab driver" shall include any person licensed to drive a horse drawn cab in the city of New York.

7. "Horse drawn cab license" shall designate the license issued by the commissioner for each horse drawn cab.

8. "Horse drawn cab driver's license" shall designate the license issued by the commissioner for a driver of a horse drawn cab.]

[9] 5. "Certificate of conformity" shall mean that document issued by the Administrator of the United States environmental protection agency pursuant to section 206(a) of the Clean Air Act of 1990, 42 U.S.C. §7525(a), reflecting such Administrator's determination that an engine conforms to emissions standards and other regulations issued under section 202 of the Clean Air Act of 1990, 42 U.S.C. §7521, as well as the terms and the time periods prescribed thereon, and as such laws and such regulations may be amended from time to time.

[10] 6. "Fleet" shall mean a group of vehicles owned or operated by the same person.

[11] 7. "Sight-seeing bus driver" shall mean any natural person who operates a sight-seeing bus in the city of New York.

§ 11. Section 20-373 of the administrative code of the city of New York, and subdivision d of such section as added by local law number 2 for the year 1994, is amended to read as follows:

§ 20-373 License required; fee; term. a. It shall be unlawful to operate or permit another to operate for hire a sight-seeing bus [or horse-drawn cab] within the city unless the owner shall have first obtained a license therefor from the commissioner. [An applicant for a horse-drawn cab license shall be at least eighteen years of age.]

b. Fees. The original and renewal license fee for each sight-seeing bus shall be fifty dollars [and for each horse-drawn cab shall be fifty dollars].

[c. The commissioner shall not renew any horse-drawn cab license in the event that he or she shall determine that the horse-drawn cab has not been operated for at least four months during the preceding license year, provided that such failure to operate shall not have been caused by strike, riot, war or other public catastrophe. However, in the event that it is shown to the commissioner by competent proof that the licensee has been disabled through illness or has been unable to operate the horse-drawn cab because of other cause beyond his or her control, the commissioner may renew such license.

d. The commissioner may refuse to renew any horse drawn cab license in the event that he or she determines that the holder of the horse drawn cab license has demonstrated a disregard for the provisions of this subchapter as illustrated by repeated violations of such provisions.]

§ 12. Section 20-374 of the administrative code, and subdivisions d and e of such section as added by local law number 175 for the year 2018, is amended to read as follows:

§ 20-374 Granting and transferring of licenses. a. Any person, firm, partnership, corporation or association, owning or operating a sight-seeing bus, or buses [, or horse-drawn cab, or cabs] engaging in the business of transporting passengers in, about, over and upon any of the streets, avenues, bridges, highways, boulevards or public places within the limits of the city of New York, shall be issued a license for each bus [or cab] so operating, provided, however any such person, firm, partnership, corporation or association owning or operating a sight-seeing bus or buses shall first have obtained a license or licenses, as he or she shall be entitled to receive from the commissioner of motor vehicles of the state of New York as made and provided by law.

b. It shall be unlawful for a license, after being issued by the commissioner, to be transferred to any person, firm, partnership, corporation or association [for any cause whatsoever, except that licenses for horse-drawn cabs may be transferred with the approval of the commissioner. Upon voluntary sale or transfer of a licensed horse-drawn cab by the holder of a license or his or her legal representative, the licensee shall immediately notify the commissioner of his or her intention to replace such horse-drawn cab, or shall surrender his or her license. If the license is surrendered, the vendee or transferee may make application to the commissioner for the licensing of the horsedrawn cab so purchased. A new license shall then be issued by the commissioner in place of the license so surrendered, provided the applicant has demonstrated to the satisfaction of the commissioner that he or she is qualified to assume the duties and obligations of a horse-drawn cab license.]

[c. The commissioner shall issue additional licenses only after conducting a public hearing to determine whether the public convenience, welfare and necessity require the operation of additional horse-drawn cabs. The public hearing shall be called upon his or her own motion or upon written request by any applicant. Notice of such public hearing shall be published in the City Record once a week for two consecutive weeks and shall be mailed to all current licensees. If the commissioner shall determine that additional horse-drawn cabs are necessary and advisable, he or she shall certify the number of new licenses to be granted. Not more than one such public hearing shall be held during any calendar year and the commissioner may refuse to consider any request if it appears that a recent public hearing has adequately considered the question. In making his or her determination, the commissioner shall consider among other things, the income of the driver, the income of the owner, the effect upon traffic, and the public demand. The new licenses which are granted shall be allocated to the then existent licensees in the ratio of the number of licenses held by the licensee to the total number of licenses issued and in effect. If a licensee does not accept his or her allotted number within sixty days, his or her additional licenses shall be allocated in the same manner among the remaining licensees. If the number of additional licenses authorized is insufficient to permit such allocation, then the distribution among those licensees entitled to the smallest number of additional licenses shall be made so that priority shall be given to those who have been uninterruptedly licensed for the longest period. New applicants for such additional licenses shall be considered only when the present licensees refuse to accept their allocation of licenses in the manner provided above. The distribution of such additional licenses to new applicants shall be in the order of their filing, provided however that each new applicant shall not be entitled to more than one such additional license until each new applicant who has filed at the time of distribution and who is otherwise eligible has received one license.]

[d] c. An owner of a sight-seeing bus company applying for or renewing a license issued pursuant to subdivision a of this section shall first obtain written authorization from the commissioner of transportation for all designated on-street bus stops for the pickup and discharge of passengers in order to be eligible for the issuance or renewal of such license. Sight-seeing bus owners shall, in the event that a written authorization required by this subdivision is modified or revoked by the commissioner of transportation, notify the commissioner within five days of receiving notice of such modification or revocation.

[e] d. An owner of a sight-seeing bus company that does not have a written authorization from the commissioner of transportation because such sight-seeing bus company does not require on-street bus stops for its operations, shall provide the department with information on whether (i) such sight-seeing bus company engages in the pickup or discharge of passengers at various locations in the city, and if so, then (ii) such owner

of a sight-seeing bus company shall provide to the department a list of all such passenger pick up and discharge locations.

§ 13. Subchapter 21 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-374.1 to read as follows:

§ 20-374.1. Horse drawn cab licenses and license plates. Notwithstanding sections 20-374 and 20-375, no further licenses for horse drawn cabs shall be issued nor applications for such license accepted after the enactment date of the local law that added this section and any licenses valid on that date shall be renewed for a limited term until June 1, 2024.

§ 14. Section 20-375 of the administrative code of the city of New York, as amended by local law number 2 for the year 1994, is amended to read as follows:

§ 20-375 License plate. Upon the payment of the license fee the commissioner shall issue a license to the owner of the sightseeing bus [or horse drawn cab] together with a license plate to be securely affixed to a conspicuous and indispensable part of such sightseeing bus [or securely and conspicuously affixed to the rear axle of such horse drawn cab], on which shall be clearly set forth the license number of such sightseeing bus [or horse drawn cab]. The license plate issued to the licensee may, in the discretion of the commissioner, be a plate of a permanent nature with a replaceable date tag attached thereto, indicating the expiration date of the plate during each license year and the issuance of such a plate with such date tag to a person possessing such a plate, shall be deemed issuance of a license plate. Such license plate and the replaceable date tag to be issued from year to year to be attached thereto, shall be of such material, form, design and dimension and set forth such distinguishing number or other identification marks as the commissioner shall prescribe. The commissioner upon renewal of the license hereunder, may continue the use of the license plate for as many additional license years as he or she in his or her discretion may determine, in which event he or she shall issue and deliver to the licensee a replaceable date tag as evidence of renewal of the license, which shall be attached or affixed in such manner as he or she may prescribe by rule. The failure to affix or display such date tag in a manner prescribed by the commissioner shall constitute a violation of this section. In the event of the loss, mutilation or destruction of any license plate or date tag issued hereunder, the owner may file such statement and proof of facts as the commissioner shall require, with a fee of twenty-five dollars, at the department, and the department shall issue a duplicate or substitute license plate or date tag.

§ 15. Sections 20-377 and 20-377.1 of the administrative code of the city of New York are REPEALED.

§ 16. Section 20-378 of the administrative code of the city of New York is amended to read as follows:

§ 20-378 Periodic inspection. The license department shall cause all sight-seeing buses [and horse-drawn cabs] now, or hereafter licensed, to be inspected at least once every four months. The date of such inspection and the signature of the person making the inspection shall be recorded upon the inspection card in the spaces provided therefor.

§ 17. Section 20-379 of the administrative code of the city of New York is amended to read as follows:

§ 20-379 Form of inspection card. The commissioner shall prescribe an appropriate form of inspection card for sight-seeing buses [and horse-drawn cabs] and the manner in which such card and the sight-seeing bus driver's [and horse-drawn cab driver's] identification cards shall be displayed.

§ 18. Sections 20-380, 20-381, 20-381.1, 20-381.2, 20-382m and subdivisions b, c, and d of section 20-383 of the administrative code of the city of New York are REPEALED.

§ 19. Subdivision 20-381 of the administrative code of the city of New York is amended by adding a new subdivision g to read as follows:

g. No further horse drawn cab driver's licenses shall be issued nor applications for such license accepted after the enactment date of the local law that added this section and any licenses valid on that date shall be renewed for a limited term until June 1, 2024.

§ 20. Section 24-330 of the administrative code of the city of New York is amended to read as follows:

§ 24-330 Watering horses. a. Within the city, all publicly owned watering troughs, and those erected or maintained by the American Society for the prevention of cruelty to animals, shall be provided with the necessary piping and fixtures to enable the filling of pails with water therefrom, or otherwise modified in construction so as to meet the requirements of the board of health. The supply of water for such troughs shall be furnished by the department of environmental protection. All other horse-watering troughs on streets and public places in the city shall likewise be provided with the piping and fixtures necessary to enable the filling of pails with water,

and the use of the water for that purpose shall be paid for. All horse-watering stations in streets and public places hereafter constructed or operated, shall conform to the provisions of this section. It shall be unlawful to draw water from such fixtures except to water horses or other animals. It shall be unlawful to tamper with such fixtures.

[b. Every commercial vehicle to which a horse is attached, while on the public thoroughfares of the city, must be provided with a watering pail, which shall be used for the purpose of watering or feeding the horse or horses attached to the vehicle.]

c. The provisions of this section shall not prevent the establishment of temporary relief stations for watering horses in conformity with such requirements as may be imposed by the board of health, with the consent of the commissioner.

§ 21. Chapter 2 of title 20 of the administrative code of the city of New York is amended to add a new subchapter 38 to read as follows:

Subchapter 38
HORSELESS ELECTRIC CARRIAGE

§ 20-565 Definitions.

§ 20-565.1 Horseless electric carriage program.

§ 20-565.2 Prevailing wage.

§ 20-565.3 Horseless electric carriage license required; fee; term.

§ 20-565.4 Granting and transferring of horseless electric carriage licenses.

§ 20-565.5 License Plate.

§ 20-565.6 Inspection of horseless electric carriage.

§ 20-565.7 Insurance.

§ 20-565.8 Horseless electric carriage driver license.

§ 20-565.9 Rates.

§ 20-565.10 Area, time, and speed restrictions on the operation of a horseless electric carriage.

§ 20-565.11 Passengers boarding horseless electric carriages.

§ 20-565.12 Suspensions and Revocations.

§ 20-565.13 Penalties.

§ 20-565.14 Enforcement.

§ 20-565 Definitions. For the purposes of this subchapter, the following terms have the following meanings:

Horseless electric carriage. The term “horseless electric carriage” means an all-electric zero emission low speed vehicle registered with the state that is designed to comfortably seat and carry no more than seven passengers, in addition to the driver, from a fixed point in the city of New York to a place or places of interest or and shall also include a vehicle, which by oral or written contract is let and hired or otherwise engaged for its exclusive use for a specific or special trip or excursion from a starting point within the city of New York. A horseless electric carriage may be driven only by a licensed horseless electric carriage driver.

Horseless electric carriage driver. The term “horseless electric carriage driver” includes any person licensed to drive a horseless electric carriage in the city of New York.

Horseless electric carriage license. The term “horseless electric carriage license” means the license issued by the commissioner for each such carriage.

Inspection card. The term “inspection card” designate the card issued by the commissioner for the horseless electric carriage licensed, which card shall display the license number and capacity of such vehicle.

Low speed vehicle. The term “low speed vehicle” has the same meaning as in section 121-f of the vehicle and traffic law.

Owner. The term “owner” includes any person, firm, partnership, corporation, or association operating a horseless electric carriage.

Prevailing wage. The term “prevailing wage” means the rate of wage and supplemental benefits paid in the locality to workers in the same trade or occupation and determined by the comptroller in a manner consistent with the provisions of section 234 of the labor law.

§ 20-565.1 Horseless electric carriage program. *No later than June 1 2023, an agency or office designated by the mayor shall establish a program for leasing or otherwise conveying no more than 68 horseless electric carriages to owners.*

§ 20-565.2 Prevailing wage. *a. 1. An owner who leases or otherwise acquires a horseless electric carriage under the program established in section 20-565.1 shall pay each horseless electric carriage driver who drives such carriage on behalf of such operator no less than the prevailing wage. The obligation of an owner to pay prevailing supplements may be discharged by furnishing any equivalent combinations of fringe benefits or by making equivalent or differential payments in cash under rules and regulations, if any, promulgated pursuant to this section.*

2. Every owner that employs a horseless electric carriage driver to operate a horseless electric pursuant to such lease or acquisition shall provide to the comptroller and the commissioner an annual certification executed under penalty of perjury that all such drivers subject to the requirements of this subdivision have been paid the prevailing wage. Such certification shall include a record of the days and hours worked and the wages and benefits paid to each such driver. Such certification shall be certified by the chief executive or chief financial officer of the owner or the designee of any such person. A material inaccuracy in such certification, or a failure to provide such certification, shall constitute a violation of this section by the party that has violation of paragraph.

3. Each owner shall maintain original payroll records for each of the horseless electric carriage drivers it employs to operate a horseless electric carriage reflecting the days and hours worked, and the wages paid and benefits paid for such hours worked, and shall retain such records for the duration of the owner's participation in the program established pursuant to section 20-565.1 and at least six years thereafter. Failure to maintain such records as required shall create a rebuttable presumption that the horseless electric carriage drivers were not paid the wages and benefits required under this section. Upon the request of the comptroller or the commissioner, an owner shall provide a certified original payroll record. The comptroller or the commissioner may inspect such records to verify the certifications submitted pursuant to this subdivision, consistent with applicable law.

4. An owner subject to the requirements of this section shall post in a prominent and accessible place at every location in which horseless electric carriages are stored a copy of a written notice, prepared by the comptroller, detailing the wages, benefits, and other protections to which horseless electric carriage drivers are entitled under this subdivision. Such notice shall also provide the name, address, and telephone number of the comptroller and a statement advising such drivers that if they have been paid less than the prevailing wage, they may notify the comptroller and request an investigation. Such notice shall be provided in English, Spanish and any other language that the owner is aware is the primary language of a significant portion of such drivers. Such notice shall remain posted for the duration of the owner's participation in program established pursuant to section 20-565.1 and shall be adjusted periodically to reflect the current prevailing wage for such drivers. Each owner shall provide a copy of such notice to each such driver subject to this subdivision. The comptroller shall provide the commissioner with sample written notices explaining the rights of such drivers and owners' obligations under this section, and the commissioner shall in turn provide those written notices to owners.

c. Implementation and enforcement. 1. The mayor shall promulgate implementing rules and regulations as appropriate and consistent with this section. The mayor may delegate such rulemaking authority to the comptroller, and may also delegate to the comptroller the authority to enforce the requirements established under paragraphs three and four of this subdivision. For the fiscal year ending June 30, 2025 and every year thereafter, the comptroller shall submit a report to the mayor and the speaker of the council summarizing and assessing the implementation and enforcement of this section during the preceding fiscal year.

2. The comptroller shall monitor owners' compliance with the requirements of this section. Whenever the comptroller has reason to believe that there has been a violation of this section, or upon a verified complaint in writing from a horseless electric carriage driver, a former horseless electric carriage driver, or a horseless electric carriage driver's representative claiming a violation of this section, the comptroller shall conduct an investigation to determine the facts relating thereto. In conducting such investigation, the comptroller shall have the same powers as are conferred on the comptroller by subdivision b of section 93 of the charter.

3. The comptroller shall report the results of such investigation to the mayor. Upon receipt of the results of such investigation, or based on other appropriate findings, the mayor shall, in accordance with the provisions

of paragraph 4 of this subdivision, and after providing the owner an opportunity to cure any violations, where appropriate, issue an order, determination, or other disposition, which may include a stipulation of settlement. Such disposition may:

(i) direct payment of wages and/or the monetary equivalent of benefits that were underpaid by the owner, including interest from the date of the underpayment to the horseless electric carriage driver, based on the interest rate then in effect as prescribed by the superintendent of banks pursuant to section 14-a of the banking law, but in any event at a rate no less than six percent per year;

(ii) direct the reinstatement of, or other appropriate relief for, any person found to have been subject to retaliation or discrimination in violation of this section;

(iii) direct payment of a further sum as a civil penalty in an amount not exceeding 25 percent of the total amount found to be due in violation of this section;

(iv) direct payment of the sums withheld at the commencement of the investigation and the interest that has accrued thereon to the owner; and

(v) direct payment of a further sum as a civil penalty up to three times the actual damages sustained when in two or more instances within the last six years final determinations by the mayor, or the comptroller if the mayor has delegated the function pursuant to this subdivision, has found that the covered employer willfully failed to pay the prevailing wage.

In assessing an appropriate remedy, due consideration shall be given to the gravity of the violation, the history of previous violations, the good faith of the owner, and the failure to comply with record-keeping, notice, reporting, or other non-wage requirements. Any civil penalty shall be deposited in the general fund.

4. Before issuing an order, determination, or any other disposition, the mayor, or the comptroller if the mayor has delegated the function pursuant to this subdivision, (a) shall give notice thereof, together with a copy of the complaint, which notice shall be served personally or by mail on any person affected thereby and (b) may negotiate an agreed upon stipulation of settlement or refer the matter to the office of administrative trials and hearings, or other appropriate agency or tribunal, for a hearing and recommended disposition. Such owner shall be notified of a hearing date by the office of administrative trials and hearings, or other appropriate agency or tribunal, and shall have the opportunity to be heard in respect to such matters.

5. In an investigation conducted under the provisions of this section, the inquiry of the comptroller shall not extend to work performed more than three years prior to the filing of the complaint, or the commencement of such investigation, whichever is earlier.

6. The comptroller shall be authorized to contract with non-governmental agencies to investigate possible violations of this section. Where an owner is found to have violated the requirements of this section, the owner shall be liable to the city for costs incurred in investigating and prosecuting the violation.

d. Enforcement by private right of action. 1. When a final determination has been made and such determination is in favor of a horseless electric carriage driver, such driver may, in addition to any other remedy provided by this section, institute an action in any court of appropriate jurisdiction against the owner found to have violated this section. For any violation of this section, including failure to pay applicable prevailing wages, pay required benefits, or comply with other requirements of this section, including protections against retaliation and discrimination, the court may award any appropriate remedy at law or equity including, but not limited to, back pay, payment for wrongly denied benefits, interest, other equitable relief, reinstatement, injunctive relief and/or compensatory damages. The court shall award reasonable attorney's fees and costs to any complaining party who prevails in any such enforcement action.

2. Notwithstanding any inconsistent provision of paragraph 1 of this subdivision, where a complaint filed with the comptroller is dismissed an aggrieved person shall maintain all rights to commence a civil action pursuant to this section as if no such complaint had been filed.

3. A horseless electric carriage driver subject to this section shall not be barred from the right to recover the difference between the amount paid to such driver and the amount which should have been paid to the horseless electric carriage driver under the provisions of this section because of the prior receipt by the horseless electric carriage driver without protest of wages or benefits paid, on account of the horseless electric carriage driver's failure to state orally or in writing upon any payroll or receipt that the horseless electric carriage driver is required to sign that the wages or benefits received by the horseless electric carriage driver are received under protest, or on account of the driver's failure to indicate a protest against the amount, or that the amount

so paid does not constitute payment in full of wages or benefits due the horseless electric carriage driver for the period covered by such payment.

4. Such action must be commenced within three years of the date of the alleged violation, or within three years of the final disposition of any administrative complaint or action concerning the alleged violation or, if such a disposition is reviewed in a proceeding pursuant to article 78 of the civil practice law and rules, within three years of the termination of such review proceedings. No procedure or remedy set forth in this section is intended to be exclusive or a prerequisite for asserting a claim for relief to enforce any rights hereunder in a court of law. This section shall not be construed to limit a horseless electric carriage driver's right, if any, to bring a cause of action for wrongful termination.

e. Retaliation and discrimination barred. It shall be unlawful for any owner to retaliate, discharge, demote, suspend, take adverse employment action in the terms and conditions of employment or otherwise discriminate against any horseless electric carriage driver for reporting or asserting a violation of this section, for seeking or communicating information regarding rights conferred by this section, for exercising any other rights protected under this section, or for participating in any investigatory or court proceeding relating to this section. This protection shall also apply to any horseless electric carriage driver or such driver's representative who in good faith alleges a violation of this section, or who seeks or communicates information regarding rights conferred by this section in circumstances where such driver in good faith believes this section applies. Taking adverse employment action against a horseless electric carriage driver or such driver's representative within 60 days of the driver engaging in any of the aforementioned activities shall raise a rebuttable presumption of having done so in retaliation for those activities. Any horseless electric carriage driver subjected to any action that violates this subdivision may pursue administrative remedies or bring a civil action pursuant to subdivision d of this section in a court of competent jurisdiction.

f. Relation to other laws. This section shall be liberally construed in favor of its purposes. Nothing in this section shall be construed as prohibiting or conflicting with any other obligation or law, including any collective bargaining agreement, that mandates the provision of higher or superior wages, benefits, or protections to horseless electric carriage drivers subject to the provisions of this section. No requirement or provision of this section shall be construed as applying to any person or circumstance where such coverage would be preempted by federal or state law. However, in such circumstances, only those specific applications or provisions of this section for which coverage would be preempted shall be construed as not applying.

§ 20-565.3 Horseless electric carriage license required; fee; term. *a. It shall be unlawful to operate or permit another to operate for hire a horseless electric carriage within the city unless the owner shall have first obtained a horseless electric carriage license therefor from the commissioner.*

b. Fees. The annual license fee for each horseless electric carriage or renewal of such license shall be \$50.

c. Term. All licenses issued pursuant to this subchapter shall be valid for one year unless sooner suspended or revoked.

d. License cap. The maximum number of horseless electric carriage licenses which may be in effect shall not exceed 68 and no new licenses shall be issued in excess of such number.

e. Waiting list. After the initial issuance of such horseless electric carriage licenses, the commissioner shall establish a separate waiting list to be administered in accordance with procedures to be established by rules of the commissioner. The commissioner may by rule limit the number of places on such waiting list.

§ 20-565.4 Granting and transferring of horseless electric carriage licenses.

a. Any person, firm, partnership, corporation or association, owning or operating a horseless electric carriage shall be issued a horseless electric carriage license for each horseless electric carriage so operating.

b. Preference shall be given in the issuance of horseless electric carriage licenses and in the placement on such waiting list to those persons, who as of the effective date of this local law, were in possession of a valid horse drawn cab license.

c. In order to obtain, amend, or renew a horseless electric carriage license, an applicant must provide the commissioner with the following:

(1) proof that there is in force for the full license term a policy of public liability and property damage insurance that meets the requirements of section 20-568 of this subchapter;

(2) proof of current, valid participation in the program established pursuant to section 20-565.1; and

(3) any such other information as the commissioner may require to establish the applicant's eligibility for a horseless electric carriage license under this subchapter.

d. A horseless electric carriage license shall be valid only for the person, firm, partnership, corporation or association in whose name it is issued.

e. It shall be unlawful for a person to whom a horseless electric carriage license has been issued to transfer any interest in such license to any other person unless:

1. the horseless electric carriage licensee complies with all applicable requirements imposed by this subchapter; and

2. the commissioner approves such transfer.

§ 20-565.5 License Plate. Upon the payment of the license fee, the commissioner shall issue a horseless electric carriage license to the owner of the horseless electric carriage together with a license plate to be securely affixed to a conspicuous and indispensable part of such horseless electric carriage on which shall be clearly set forth the license number of such carriage. The license plate issued to the licensee may, in the discretion of the commissioner, be a plate of a permanent nature with a replaceable date tag attached thereto, indicating the expiration date of the plate during each license year and the issuance of such a plate with such date tag to a person possessing such a plate, shall be deemed issuance of a license plate. Such license plate and the replaceable date tag to be issued from year to year to be attached thereto, shall be of such material, form, design and dimension and set forth such distinguishing number or other identification marks as the commissioner shall prescribe. The commissioner upon renewal of the license hereunder, may continue the use of the license plate for as many additional license years as they may determine, in which event they shall issue and deliver to the licensee a replaceable date tag as evidence of renewal of the license, which shall be attached or affixed in such manner as they may prescribe by rule. The failure to affix or display such date tag in a manner prescribed by the commissioner shall constitute a violation of this section. In the event of the loss, mutilation or destruction of any license plate or date tag issued hereunder, the owner may file such statement and proof of facts as the commissioner shall require, with a fee of \$25, at the department, and the department shall issue a duplicate or substitute license plate or date tag.

§ 20-565.6 Inspection of horseless electric carriage. a. A vehicle shall be licensed as a horseless electric carriage only after it shall have been examined and inspected to determine that it complies with this section, and that it also (1) complies with all the requirements of the vehicle and traffic law of the state of New York, and (2) is certified by the department of motor vehicles of the state of New York, as being safe and properly equipped to operate.

b. The commissioner shall refuse a horseless electric carriage license to any horseless electric carriage not in compliance with the requirements of this section, any rules promulgated thereunder or with any other laws or rules governing horseless electric carriage, or which is otherwise found to be unfit for operation. Grounds for refusal to issue a horseless electric carriage license shall include, but not be limited to, failure to submit a horseless electric carriage or records pertaining to the operation and maintenance of such horseless electric carriage for inspection.

c. The commissioner may adopt rules (1) requiring the inspection by the department of horseless electric carriage and/or records pertaining to the operation and maintenance of such carriages to determine compliance with this section; (2) delegating the performance of such inspections to the department of environmental protection; and (3) authorizing the acceptance of the results of inspections conducted by a state or federal agency authorized to conduct such inspections on such carriages.

§ 20-565.7 Insurance. a. As a condition of the issuance of a horseless electric carriage license, each applicant shall furnish proof that such carriage is insured under a public liability and property damage insurance policy or indemnity bond with minimum coverage as required under section 370 of the vehicle and traffic law.

b. The licensee shall notify the commissioner of any modification, amendment, cancellation, or substitution of any insurance policy required under subdivision a of this section within 10 days of notice to the licensee of such modification, amendment, cancellation, or substitution.

§ 20-565.8 Horseless electric carriage driver license. a. It shall be unlawful for a horseless electric carriage driver to operate a horseless electric carriage unless such driver shall have first obtained a horseless electric carriage driver license from the commissioner.

b. It shall be unlawful for a horseless electric carriage owner to permit the operation of any horseless electric carriage by a person who does not have a horseless electric carriage driver license and a motor vehicle driver's license in full force and effect.

c. In order to obtain or renew a horseless electric carriage driver license, a horseless electric carriage driver shall file an application with the commissioner for such horseless electric carriage driver license. Such application shall be made upon such form as prescribed by the commissioner and shall contain such information as the commissioner may require to establish the applicant's eligibility for a horseless electric carriage driver license under this subchapter.

d. To be eligible for a horseless electric carriage driver license, an applicant shall:

- 1. be at least eighteen years of age;*
- 2. possess a currently valid motor vehicle driver's license;*
- 3. not have their New York State motor vehicle driver's license suspended or revoked; and*
- 4. meet such fitness requirements as the commissioner may determine by rule.*

e. A horseless electric carriage driver license shall be valid for a term of one year. There shall be a fee of \$35 for such license. The commissioner shall establish the expiration date for such license by rule.

f. Preference shall be given in the issuance of horseless electric carriage licenses to those persons, who as of the effective date of this local law, were in possession of a valid horse drawn cab driver's license.

§ 20-565.9 Rates. *a. The amount to be charged and collected for the use of a horseless electric carriage by one or more passengers shall be higher of the total of the following:*

- 1. \$60 for the first half hour or fraction thereof and \$15 for each additional 15 minutes thereafter; or*
- 2. \$20 per passenger for the first half hour or fraction thereof and \$10 per passenger for each additional 15 minutes thereafter, for a minimum of \$80.*

Such rates shall be indexed for inflation based on the consumer price index every three years.

b. The basis for calculating the amount of the charge for the use of a horseless electric carriage shall be displayed on such carriage at all times.

c. It shall be unlawful for a horseless electric carriage driver to charge a passenger more than the amount or rate displayed on the horseless electric carriage.

d. Prior to beginning a trip, the driver of the horseless electric carriage shall notify the passengers the basis by which the total charge for the trip will be calculated.

§ 20-565.10 Area, time, and speed restrictions on the operation of a horseless electric carriage.

a. A horseless electric carriage may be operated for the carrying and transportation of passengers within Manhattan, including within Central Park, during the hours that such park is open to the public.

c. A horseless electric carriage shall not be operated on or in any bridge or tunnel within the city of New York.

d. A horseless electric carriage shall not be operated in excess of 25 miles per hour. While operating in Central Park, a horseless electric carriage shall not operate in excess of three miles per hour.

§ 20-565.11 Passengers boarding horseless electric carriages. *a. 1. No person operating a horseless electric carriage shall solicit, pick up or discharge passengers at any location other than a location described in paragraph 2 of this subdivision or a location designated by the department of transportation as a horseless electric carriage boarding area.*

2. Except as otherwise indicated by posted sign, operators of horseless electric carriages may pick up or discharge passengers at the following locations:

- 1. within Central Park;*
- 2. along Central Park South;*
- 3. in the center lane at the Grand Army Plaza entrance to Central Park;*
- 4. within the Theatre District zone, as defined in section 19-157.1;*
- 5. along 49th Street and 50th Street between 5th and 6th Avenues; and*
- 6. along Central Park West between West 77th Street and West 81st Street.*

b. 1. Horseless electric carriages may accept passengers on a prearranged basis in areas that are not restricted pursuant to section 20-565.9. Such prearranged rides shall commence in front of hotels, restaurants, or attraction that have obtained the approval of the owner of the premises at which such hotel, restaurant, or attraction is located.

2. This subdivision shall not be construed to permit the operation, parking, stopping or standing of any horseless electric carriage in any area at any time where or when such operation, parking, stopping or standing is prohibited by any other law or rule.

§ 20-565.12 Suspensions and Revocations. a. After notice and opportunity to be heard, the commissioner may suspend or revoke any horseless electric carriage license where the holder has failed to comply with any provisions of this subchapter or of the rules promulgated thereunder, or with any other laws or rules governing horseless electric carriage, or where the horseless electric carriage is otherwise found to be unfit for operation. Such suspension shall remain in effect until compliance and fitness have been established by the licensee and accepted by the department.

b. Grounds for suspension or revocation of a horseless electric carriage license shall include, but not be limited to:

1. the occurrence of fraud, misrepresentation, or false statements contained in the application for such license;

2. the operation of a horseless electric carriage, owned by the horseless electric carriage business, by a horseless electric carriage driver who does not have in full force and effect a horseless electric carriage driver license and a motor vehicle driver's license;

3. the operation of a horseless electric carriage that has not been inspected pursuant to this subchapter; or

4. the operation of a horseless electric carriage that does not have affixed to it a license plate as required by this subchapter; or

5. violation by a horseless electric carriage business of any of the provisions of chapter 1 of this title, provisions of this subchapter, rules promulgated pursuant to this subchapter, or any other law applicable to the operation of a horseless electric carriage business.

c. Notwithstanding subdivision a of this section, upon the occurrence of any of the provisions set forth in subdivision b of this section, if the commissioner determines that continued possession by a horseless electric carriage driver of a horseless electric carriage driver license would pose an exigent danger to the public, the commissioner may suspend such horseless electric carriage driver license, subject to a prompt post-suspension hearing.

§ 20-565.13 Penalties. a. It is a traffic infraction to violate any provision of this subchapter and such traffic infractions shall be punishable in accordance with section 1800 of the vehicle and traffic law.

b. Any person who violates any provision of this subchapter or any rules promulgated pursuant to this subchapter shall be subject to a civil penalty that shall be: (1) not less than \$200 nor more than \$500 for the first violation and for each additional violation committed on the same day; (2) not less than \$500 nor more than \$1000 for the second violation committed, and each additional violation committed on the same day, within a one year period; (3) not less than \$1000 nor more than \$4000 for the third violation committed, and each additional violation committed on the same day, within a one year period. The horseless electric carriage business that authorizes the operation of such horseless electric carriage shall be jointly and severally liable with the horseless electric carriage driver thereof, for the penalties imposed by this section.

c. A violation of section 20-565 or 20-570 of this subchapter or any rules promulgated thereunder shall be punishable by a fine of not more than \$500 or imprisonment of up to 15 days, or by both such fine and imprisonment.

d. The penalties provided by subdivisions a, b, and c of this section shall be in addition to any other penalty imposed by any other provision of law or rule promulgated thereunder.

§ 20-565.14 Enforcement. Authorized officers and employees of the department, the police department and any department designated by the commissioner, and any police or peace officer shall have the power to enforce any provision of this subchapter or any rule or regulation promulgated pursuant to this subchapter.

§ 20-565.15 Regulations. The commissioner may make and promulgate such rules and regulations and prescribe such forms as are necessary to carry out the provisions of this subchapter.

§ 22. This local law shall take effect in 90 days after it becomes law, except that:

a. sections 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, and 20 take effect on June 1, 2024;

b. section 13 takes effect in 90 days and shall be deemed repealed on June 1, 2024;

c. section 21 takes effect one year after it becomes law; and

d. the commissioner of consumer and worker protection, the commissioner of health and mental hygiene, and the director or commissioner of the agency or office designated by the mayor pursuant to section 21 of this local law, may promulgate rules or take any other actions for the implementation of this local law prior to such effective date.

Referred to the Committee on Health.

Int. No. 574

By Council Members Holden, Cabán and Nurse (by request of the Queens Borough President).

A Local Law in relation to a cool pavements pilot program

Be it enacted by the Council as follows:

Section 1. The department of parks and recreation shall undertake a pilot program on the use of cool pavement materials within the groundwater supply service area. Such pilot program shall take place on interior park roadways, parking lots and sidewalk surfaces at city-owned community centers, recreation centers, parks and playgrounds including those playgrounds in proximity to or adjacent to schools that are under the jurisdiction of such department, provided that such locations are not suitable for the use of permeable pavements. The pilot program shall include evaluation of the impact that pedestrian volume and susceptibility to heat island effects has on feasibility and desirability of using non-permeable cool pavement materials in such locations. The department shall consult with the department of environmental protection prior to choosing the locations for the pilot program. Such pilot program shall commence upon the selection of suitable locations, but no later than June 1 of 2023. The department of parks and recreation shall provide to the mayor and speaker of the council a report on such pilot program upon its conclusion.

§ 2. This local law takes effect immediately.

Referred to the Committee on Parks and Recreation.

Int. No. 575

By Council Members Hudson, Kagan, Marte, Cabán, Louis, Hanif and Joseph,

A Local Law to amend the administrative code of the city of New York, in relation to requiring landlords to provide tenants with documentation of damages when deducting money from a tenant's security deposit

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 35 to read as follows:

**CHAPTER 35
RETURN OF SECURITY DEPOSIT**

§ 26-3501 *Definitions. As used in this chapter, the following terms have the following meanings:*

End date. The term "end date" means the earliest of the following:

1. The expiration date of a rental agreement without renewal and without the initiation of a tenancy at will, a tenancy by sufferance, a monthly tenancy or a month to month tenancy pursuant to article 7 of the real property law;

2. The date on which a tenant lawfully surrenders a premises or terminates a lease pursuant to article 7 of the real property law; or

3. The date on which a landlord may lawfully reenter a premises after terminating a rental agreement, a tenancy at will, a tenancy by sufferance, a monthly tenancy or a month to month tenancy pursuant to article 7 of the real property law.

Landlord. The term “landlord” means an owner, lessor, sublessor, assignee or other person receiving or entitled to receive rent for the use or occupancy of a premises or an agent of any of the foregoing.

Repairs. The term “repairs” means repairs or cleaning to address damage to a premises that the landlord did not cause and that did not result from the tenant’s reasonable use of the premises.

Security deposit. The term “security deposit” means money, whether cash or otherwise, paid to a landlord to be held for all or part of the term of a tenancy to secure performance of any obligation of the tenant under the rental agreement.

Tenant. The term “tenant” means a person paying or required to pay rent for a premises as a lessee, sublessee, licensee or concessionaire.

§ 26-3502 Documentation required when part or all of security deposit is withheld. a. No later than 21 calendar days after the end date of a residential or commercial tenancy, the landlord shall provide the tenant, by personal delivery, first-class mail or electronic mail, with a copy of an itemized statement describing the amount of any security deposit received from the tenant by the landlord as a condition of the tenancy, as well as any amount the landlord has deducted or intends to deduct from the security deposit for repairs or for any other purpose permitted by both the rental agreement and applicable law.

b. Along with the itemized statement required by subdivision a of this section, the landlord shall include copies of documents showing charges deducted or intended to be deducted by the landlord from the security deposit, as follows:

1. (a) If the landlord has deducted or intends to deduct from the security deposit for the cost of repairs to the premises performed by the landlord or the landlord’s employee, agent or affiliated management company, the landlord shall provide a reasonably complete description of the work performed, the time spent, the reasonable hourly rate charged and the total cost of the work to be deducted from the security deposit.

(b) If a person other than the landlord or the landlord’s employee, agent or affiliated management company performed the repairs to be deducted from the security deposit, the landlord shall provide the tenant with a copy of the bill, invoice or receipt supplied by such person. The itemized statement required by subdivision a of this section shall provide the tenant with the name, address and telephone number of the person performing the repairs if the bill, invoice, or receipt does not include that information.

2. If the landlord has deducted or intends to deduct from the security deposit the cost of materials, the landlord shall provide a copy of the bill, invoice or receipt for such materials. If a particular material is purchased by the landlord on an ongoing basis, the landlord may provide a copy of a bill, invoice, receipt, vendor price list or other vendor document that reasonably documents the cost of the item used in the repairs of the premises.

c. If repairs cannot reasonably be completed within 21 calendar days after the end date of a residential or commercial tenancy, or if the documents from a person or entity providing services or materials are not in the landlord’s possession within 21 calendar days after the end date of such a tenancy despite the landlord’s best efforts, the landlord may deduct the amount of a reasonable estimate of the charges that will be incurred and provide such estimate to the tenant along with the itemized statement required by subdivision a of this section. If a bill, invoice or receipt from a person providing services or materials is not in the landlord’s possession 21 calendar days after the end date of such a tenancy, the itemized statement required by subdivision a of this section shall include the name, address and telephone number of the person or entity providing such services or materials. Within 14 calendar days of completing the repairs or receiving the documentation, the landlord shall complete the requirements of subdivision b of this section.

§ 26-3503 *Damages for noncompliance; attorney's fees.* Upon finding a violation of section 26-3502 in any action brought before a court of competent jurisdiction, the court may award damages to the tenant in the amount of one half of the security deposit, in addition to reasonable attorney's fees and other costs.

§ 26-3504 *Outreach and education.* The department shall conduct outreach and education efforts to inform landlords and tenants about the requirements of this chapter.

§ 2. Paragraph 1 of subdivision b of section 26-1102 of the administrative code, as added by local law number 45 for the year 2014, is amended to read as follows:

(1) owners' responsibilities with respect to eviction, heat and hot water, pest management, repairs and maintenance, *security deposits*, tenant organizations, rent-regulated leases, rental assistance for elderly or disabled tenants, and housing discrimination;

§ 3. Paragraph 1 of subdivision c of section 26-1103 of the administrative code, as added by local law number 45 for the year 2014, is amended to read as follows:

(1) owners' responsibilities with respect to eviction, heat and hot water, pest management, repairs and maintenance, *security deposits*, tenant organizations, rent-regulated leases, rental assistance for elderly or disabled tenants, and housing discrimination;

§ 4. This local law takes effect 120 days after it becomes law, except that the commissioner may take such measures as are necessary for its implementation, including the promulgation of rules, before such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 576

By Council Members Joseph and Hanif (by request of the Manhattan Borough President).

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

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 *Reporting on public bathrooms. a. Definitions.* For the purpose of this section, the term "public bathroom" means a bathroom open to the public that is located on land owned by the city or which is operated or maintained by an agency.

b. No later than six months after the effective date of the local law that added this section, and every six months thereafter, the department, in collaboration with the department of transportation and any other agency that operates or maintains a public bathroom, shall inspect all public bathrooms in the city and issue a report on the findings of such inspections. Such report shall be delivered to the mayor and the speaker of the council, and the information reported shall be made available on the city open data web portal. Such report shall include, for each public bathroom in the city:

- 1. The location of such public bathroom;*
- 2. The number of sinks, toilets, and changing tables;*
- 3. The condition and functionality of each such feature and of the walls, ceiling, doors and lighting;*
- 4. The general level of cleanliness of such public bathroom;*
- 5. Whether such public bathroom complies with applicable accessibility requirements; and*
- 6. Any other feature of such public bathroom the department deems relevant.*

c. The department, or another agency designated by the mayor, shall maintain a website listing all public bathrooms in the city. The website shall provide the information for each public bathroom that is provided in the report pursuant to subdivision b and such information shall be updated every time a new report is issued.

§ 2. This local law takes effect immediately.

Referred to the Committee on Parks and Recreation.

Int. No. 577

By Council Members Joseph, Brooks-Powers, Louis and Krishnan.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale of flavored cigarettes

Be it enacted by the Council as follows:

Section 1. Section 17-713 of the administrative code of the city of New York is amended to read as follows:
 Flavored tobacco product. The term "flavored tobacco product" means any tobacco product that imparts a characterizing flavor[other than menthol, mint and wintergreen]. A public statement or claim made or disseminated by the manufacturer of a tobacco product, or by any person authorized or permitted by the manufacturer to make or disseminate public statements concerning such tobacco product, that such tobacco product has or produces a characterizing flavor, [other than menthol, mint and wintergreen,] shall constitute presumptive evidence that the tobacco product is a flavored tobacco product.

§ 2. This local law shall take effect 90 days after its enactment into law, provided that the commissioner shall promulgate any rules necessary for implementing and carrying out the provisions of this local law prior to its effective date.

Referred to the Committee on Health.

Int. No. 578

By Council Members Kagan, Holden, Cabán and Joseph.

A Local Law to amend the administrative code of the city of New York, in relation to improving safety at pedestrian crossings in the city

Be it enacted by the Council as follows:

Section 1. Section 19-180.1 of the administrative code of the city of New York, as amended by local law number 12 for the year 2011 and renumbered by local law number 127 for the year 2013, is amended to read as follows:

§ 19-180.1 Safety audits of crash locations involving pedestrians a. Within one hundred and eighty days of receiving access to New York state department of motor vehicles traffic crash data involving pedestrian injuries or fatalities for the previous calendar year, the department shall:

1. Identify the twenty highest crash locations based upon a ranking of the total number of crashes involving pedestrians killed or seriously injured, occurring over a five-year period and selected proportionally by borough based upon the percentage of total crashes involving pedestrians in such borough; and

2. Inspect and conduct audits at such locations and, where warranted, make improvements or incorporate improvements into capital projects, *such as installation of leading pedestrian interval signals or exclusive pedestrian phase signals at intersections containing pedestrian crossings.*

b. Within thirty days of completing the inspections and audits required under paragraph 2 of subdivision a of this section, the department shall send a report noting such inspection and audit and summarizing its

recommendations and steps to be taken, including a schedule to implement such recommendations, to the council member and community board in whose district the crash location is located.

c. If any crash location appears on the department's annual list of twenty highest crash locations involving pedestrians more than once in five consecutive years, such location shall be removed from the annual list and replaced by the location with the next highest number of crashes involving pedestrians located within the same borough as the consecutively appearing location; provided that the department shall continue to monitor such crash data and/or make safety improvements at such removed location until such removed location is no longer one of the highest crash locations.

d. For purposes of this section, *the following terms have the following meanings:*

Exclusive pedestrian phase. The term “exclusive pedestrian phase” means a pedestrian control signal at any intersection with crosswalks and where the signal allows pedestrians an exclusive interval at which to completely cross the intersection while vehicular traffic is stopped in all directions.

Leading pedestrian interval. The term “leading pedestrian interval” means a pedestrian control signal that displays a walk indication before a green indication for the parallel direction of vehicular traffic.

Seriously injured. The term “seriously injured” [shall mean] means those injuries categorized as “A” injuries by the New York state department of motor vehicles.

§ 2. Subdivision a of section 19-182 of the administrative code of the city of New York, as amended by local law number 12 for the year 2011, is amended to read as follows:

§ 19-182 Comprehensive study of pedestrian fatalities and serious injuries. a. Every five years, the department shall conduct a comprehensive study of all traffic crashes involving a pedestrian fatality or serious injury for the most recent five years where traffic crash data is available. In each such study, the department shall analyze the conditions and factors associated with each such traffic crash and identify common factors among the crashes, if any. The department shall use such studies to develop strategies to improve pedestrian safety, which may include modifying citywide traffic operations policy, developing pedestrian safety strategies geared towards specific users, including, but not limited to, installation of audible pedestrian signals and other devices to assist those with sight, hearing and mobility impairments, *installation of leading pedestrian intervals, installation of exclusive pedestrian phases*, prioritizing locations and/or types of roadways or intersections for safety improvements and making recommendations for improving safety at such locations.

§ 3. This local law takes effect immediately.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 579

By Council Members Marte, Menin, Cabán and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting third-party grocery delivery services from requiring delivery workers to wear backpacks for deliveries on certain vehicles or to make deliveries of goods weighing more than 22 pounds in a single trip

Be it enacted by the Council as follows:

Section 1. Chapter 15 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 3 to read as follows:

**SUBCHAPTER 3
GROCERY DELIVERY WORKERS**

§ 20-1531 Definitions. For purposes of this subchapter, the following terms have the following meanings:

Bicycle. The term “bicycle” has the same meaning ascribed to such term in subdivision a of section 10-157.

Electric scooter. The term “electric scooter” has the same meaning ascribed to such term in section 114-e of the vehicle and traffic law.

Grocery delivery worker. The term “grocery delivery worker” means any natural person or any organization composed of no more than one natural person, whether or not incorporated or employing a trade name, who is hired, retained, or engaged as an independent contractor by a third-party grocery delivery service to deliver food, beverages, or other goods to a consumer in exchange for compensation.

Moped. The term “moped” has the same meaning ascribed to such term in subdivision a of section 19-176.3.

Motorized scooter. The term “motorized scooter” has the same meaning ascribed to such term in subdivision a of section 19-176.2.

Third-party grocery delivery service. The term “third-party grocery delivery service” means a service that offers or facilitates the same-day delivery or same-day pickup of food, beverages, or other goods from an establishment, whether or not open to the public, that stocks such goods.

§ 20-1532 *Backpacks.* No third-party grocery delivery service shall require a grocery delivery worker to wear a backpack during a delivery made in whole or in part on a bicycle, electric scooter, motorized scooter or moped.

§ 20-1533 *Weight of goods.* No third-party grocery delivery service shall require a grocery delivery worker to make a single trip to deliver food, beverages, or other goods that weigh more than 22 pounds collectively.

§ 20-1534 *Retaliation.* No person shall take any adverse action against a grocery delivery worker that penalizes such worker for, or is reasonably likely to deter such worker from, exercising or attempting to exercise any right protected under this subchapter. Adverse actions include threats, intimidation, harassment, discipline, denial of work opportunities to or discrimination against a grocery delivery worker, reduction in hours or pay, reduction or downgrade of a workers’ public or internal rating, and other negative consequences imposed on a grocery delivery worker, including actions related to perceived immigration status or work authorization. A grocery delivery worker need not explicitly refer to this section to be protected from retaliation.

§ 20-1535 *Remedies for grocery delivery workers.* a. For violations of their rights under this subchapter, a grocery delivery worker shall be entitled to the following relief:

1. All compensatory damages and other relief required to make the worker or former worker whole;
2. An order directing compliance with the requirements set forth in this subchapter; and
3. For each violation of:

(a) Section 20-1534,

(1) \$500 for each violation not involving denial of future work opportunities;

(2) \$2,500 for each violation involving denial of future work opportunities; and

(3) Any equitable relief appropriate under the circumstances, including but not limited to payment of any lost earnings resulting from such retaliation.

(b) Section 20-1532, \$200; and

(c) Section 20-1533, \$200.

b. The relief authorized by this section shall be imposed on a per worker and per instance basis for each violation.

§ 20-1536 *Civil penalties.* a. For each violation of this subchapter, a third-party grocery delivery 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 subchapter, 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 worker and per instance basis for each violation.

§ 20-1537 *Enforcement by the corporation counsel.* The corporation counsel or such other persons designated by the corporation counsel on behalf of the department may initiate in any court of competent jurisdiction any action or proceeding that may be appropriate or necessary for correction of any violation issued pursuant to section 20-1507, section 20-1535 or section 20-1536, including actions to secure permanent injunctions, enjoining any acts or practices that constitute such violation, mandating compliance with the provisions of this subchapter, or such other relief as may be appropriate.

§ 20-1538 *Private cause of action.* a. Any person alleging a violation of the following provisions of this subchapter may bring a civil action, in accordance with applicable law, in any court of competent jurisdiction:

1. Section 20-1532;

2. Section 20-1533; and

3. Section 20-1534.

b. Such court may order compensatory, injunctive and declaratory relief, including the remedies set forth in section 20-1535, and reasonable attorney’s fees.

c. 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.

d. 1. Any person filing a civil action shall simultaneously serve notice of such action and a copy of the complaint upon the department. Failure to so serve a notice does not adversely affect any person’s cause of action.

2. A worker need not file a complaint with the department pursuant to subdivision b of section 20-1507 before bringing a civil action; however, no person shall file a civil action after filing a complaint with the department unless such complaint has been withdrawn or dismissed without prejudice to further action.

3. No person shall file a complaint with the department after filing a civil action unless such action has been withdrawn or dismissed without prejudice to further action.

4. The commencement or pendency of a civil action by a worker does not preclude the department from investigating a third-party grocery delivery service or commencing, prosecuting or settling a case against a third-party grocery delivery service based on some or all of the same violations.

§ 20-1539 Rules. The commissioner shall promulgate rules necessary and appropriate to the administration and enforcement of this subchapter. Such rules shall address the availability of scales to grocery delivery workers for the purpose of enforcing the provisions of section 20-1533.

§ 2. This local law takes effect 90 days after it becomes law and does not apply to a contract or an agreement between a third-party grocery delivery service and a grocery delivery worker for delivery services entered into prior to the effective date of this local law.

Referred to the Committee on Consumer and Worker Protection.

Int. No. 580

By Council Members Marte, Menin, Cabán and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to services that advertise delivery within 15 minutes

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 14 to read as follows:

**SUBCHAPTER 14
15-MINUTE DELIVERY SERVICES**

§ 20-699.8 15-minute delivery services. a. Definitions. For the purposes of this section, the term “15-minute delivery service” means any website, mobile application, or other internet service that offers or arranges for delivery of goods, including food, and advertises, or has within the preceding three months advertised, that such deliveries occur within 15 minutes or less.

b. Every 15-minute delivery service shall include the following language in any advertisement that mentions deliveries within 15 minutes or less: “Delivery is not guaranteed within 15 minutes. For the safety of the public and delivery workers, please allow more than 15 minutes for delivery.” In any such written advertisement, such language shall be prominently displayed in font that is easy to read.

c. Every 15-minute delivery service shall disclose to any worker engaged to make deliveries on behalf of such service that delivery is not required within 15 minutes and that there is no penalty for failure to deliver

within 15 minutes. If the 15-minute delivery service uses a mobile application to communicate with such workers, such disclosure shall be prominently displayed in such mobile application.

d. A 15-minute delivery service shall not penalize any worker engaged to make deliveries on behalf of such service for failure to deliver within 15 minutes.

e. Any 15-minute delivery service that violates any of the provisions of this section shall be subject to a civil penalty of not less than \$250 nor more than \$750 for each violation.

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

Referred to the Committee on Consumer and Worker Protection.

Int. No. 581

By Council Members Menin, Marte, Hanif, Krishnan, Farías, Cabán, Ung and Abreu.

A Local Law to amend the administrative code of the city of New York, in relation to licensing micro-fulfillment centers

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 38 to read as follows:

*SUBCHAPTER 38
MICRO-FULFILLMENT CENTERS*

§ 20-565 Definitions.

§ 20-565.1 Micro-fulfillment service license; application; fee.

§ 20-565.2 Issuance of license.

§ 20-565.3 Denial, renewal, suspension and revocation of license.

§ 20-565.4 Display of license.

§ 20-565.5 Facilities and inspections.

§ 20-565.6 Rulemaking.

§ 20-565 Definitions. As used in this subchapter, the following terms have the following meanings:

Micro-fulfillment service. The term “micro-fulfillment service” means a business that derives a majority of its income from online order fulfillment via the storage of retail sales items that are ordered for rapid delivery.

Micro-fulfillment center. The term “micro-fulfillment center” means any physical retail establishment operated by a micro-fulfillment service for a permitted use in either use group 6, as described in section 32-15 of the zoning resolution, or use group 7, as described in section 32-16 of the zoning resolution.

§ 20-565.1 Micro-fulfillment service license; application; fee. a. License required. It is unlawful for any person to own, control or operate a micro-fulfillment service without having received a license for such business in the manner provided in this subchapter. All licenses issued pursuant to this subchapter shall be valid for no more than two years and expire on a date the commissioner prescribes by rule.

b. License application. An application for a license required by this subchapter or for a renewal thereof shall be made to the commissioner in such form or manner as the commissioner shall prescribe by rule, provided that such application shall include, but need not be limited to:

1. The name and address of the applicant;

2. A list of all websites, mobile applications, and other micro-fulfillment service platforms, with relevant uniform resource locators, that the applicant uses or plans to use to conduct the business of a micro-fulfillment service;

3. An e-mail address that the applicant monitors where the department can send license application materials, official notifications, and other correspondence;

4. A list of all micro-fulfillment centers that the applicant will operate, the size of each such center, and the general type or types of products stored or handled in each such center;

5. The number of employees and independent contractors engaged by the applicant at each micro-fulfillment center at the time of the application;

6. An affidavit stating that all micro-fulfillment centers that the applicant will operate conform to applicable zoning regulations; and

7. If the applicant does not reside in the city, the name and address of a registered agent within the city upon whom process or other notifications may be served.

c. *Fee.* There shall be a biennial fee of \$200 for a license to operate a micro-fulfillment service.

§ 20-565.2 *Issuance of license.* A license to operate a micro-fulfillment service shall be granted in accordance with the provisions of this subchapter, chapter 1 of this title, and applicable rules of the commissioner.

§ 20-565.3 *Denial, renewal, suspension and revocation of license.* In addition to any powers of the commissioner and not in limitation thereof, the commissioner may deny or refuse to renew any license required under this subchapter and may suspend or revoke any such license, after due notice and opportunity to be heard, if the applicant or licensee, or, where applicable, any of its officers, principals, directors, members, managers, employees, or stockholders owning more than 10 percent of the outstanding stock, membership interest, or other ownership interest of the organization, is found to have:

1. Committed two or more violations of any provision of this subchapter or any rules promulgated thereunder in the preceding two years;

2. Made a material false statement or concealed a material fact in connection with the filing of any application pursuant to this subchapter; or

3. Committed two or more violations of chapter 5 of this title or any rules promulgated thereunder in the preceding two years.

§ 20-565.4 *Display of license.* Each licensee shall conspicuously display a true copy of the license issued pursuant to this subchapter in close proximity to the main entrance door of each of the licensee's micro-fulfillment centers in such a manner that the license is visible from outside the building where such center is located.

§ 20-565.5 *Facilities and inspections.* a. The commissioner may inspect a micro-fulfillment center for violations of this subchapter and rules promulgated pursuant to this subchapter.

b. The commissioner may determine whether a micro-fulfillment center operated pursuant to a license issued under this subchapter is suitable for the proper storage and handling of food or other products.

§ 20-565.6 *Rulemaking.* The commissioner shall promulgate such rules as the commissioner deems necessary to effectuate the provisions of this subchapter.

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

Referred to the Committee on Consumer and Worker Protection.

Res. No. 259

Resolution calling on the Governor to release unspent State funds to benefit small businesses

By Council Members Menin, Abreu and Louis.

Whereas, The COVID-19 pandemic devastated small businesses in New York City (NYC) and New York State (NYS); and

Whereas, Over 26,000 businesses closed permanently in NYC during the pandemic, and around 90 percent of these closures were businesses with fewer than 10 employees; and

Whereas, In April 2022, the restaurant industry in NYC still had over 23,000 fewer jobs than it had in March 2020; and

Whereas, Governor Hochul has allocated NYS resources to aid NYC's struggling small businesses; and

Whereas, According to State Comptroller Thomas P. DiNapoli, NYS has allocated \$865 million in grants to help small businesses; and

Whereas, According to the State Comptroller, the State has so far disbursed \$658 million in grants; and

Whereas, NYS has therefore over \$200 million in grants that have not yet been disbursed to small businesses; and

Whereas, As small businesses in NYC are recovering from the pandemic, NYS should expedite the release of the remaining \$200 million as quickly as possible; now, therefore, be it

Resolved, That the Council of the City of New York calls on the Governor to release unspent State funds to benefit small businesses.

Referred to the Committee on Small Business.

Int. No. 582

By the Public Advocate (Mr. Williams) and Council Members Cabán, Hanif, Brewer and Joseph.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of education to provide information requiring school compliance with the Americans with disabilities act

Be it enacted by the Council as follows:

Section 1. The administrative code of the city of New York, is amended by adding a new chapter 29 to title 21-A to read as follows:

CHAPTER 29
SCHOOL COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT

§ 21-1001 *Report required; contents; exceptions; publication. a. Definitions. For the purposes of this section, the following terms have the following meanings:*

Accommodation request. The term “accommodation request” means any request for the removal or mitigation of a structural or non-structural barrier to accessibility, including, but not limited to, communication barriers.

ADA. The term “ADA” means chapter 126 of title 42 of the United States code and any applicable guidelines or regulations pursuant to such law.

ADA coordinator. The term “ADA coordinator” means the person designated to coordinate each school’s effort to comply with and carry out the ADA, including, but not limited to, any investigation of any complaint communicated to the school alleging noncompliance or alleging any actions that would be prohibited by the ADA.

Alteration. The term “alteration” means any construction, including, but not limited to, upgrades that affect or could affect the accessibility of the school, part of the school or the outdoor school facility.

Communication barrier. The term “communication barrier” means any barrier that impedes communication by people with disabilities including, but not limited to, structural elements that are an integral part of the physical structure of a facility or existing facility.

Compliance. The term “compliance” means complete conformity with the requirements of the ADA.

Facility. The term “facility” means all or any portion of buildings, structures, sites, complexes, equipment, roads, walks, passageways, parking lots or other real or personal property, including, but not limited to, the site where the building, property, structure or equipment is located.

Non-structural barrier. The term “non-structural barrier” means a barrier to accessibility that relates to access to services, programs or activities.

Outdoor school facility. The term “outdoor school facility” means any outdoor premises or grounds owned or lawfully operated by or on behalf of the department that contains any device, structure or implement, fixed or portable, used or intended to be used by students for recreational or athletic purposes including, but not limited to, play equipment. The term includes outdoor school facilities that are jointly owned or operated in conjunction with the department of parks and recreation.

School. The term “school” means a school of the city school district of the city of New York and includes a charter school.

Structural barrier. The term “structural barrier” means any physical element of a facility that impedes physical access or communication by persons with disabilities.

Student with disability. The term “student with disability” has the same meaning as set forth in section 4401 of the education law, except such term does not include a pre-kindergarten student or a preschool child.

Zoned school. The term “zoned school” means a school where eligibility to attend is based solely on residence within a defined geographical area within a district.

b. Every year on May 1, beginning May 1, 2023, the department shall submit to the speaker of the council, post to its website and make available to students and parents, an annual report regarding its compliance with the ADA.

c. With regard to indoor facilities, the annual report shall include, but not be limited to, the following information:

1. The name, office address, email address and telephone number of the ADA coordinator for each school;
2. The location where such information is posted conspicuously in the school;
3. The process that students, parents and employees use for an accommodation request, whether electronically, in person, in paper form or in a combination thereof;
4. The number and percentage of schools that are in complete compliance with the ADA;
5. Any alterations that have been made and, of those, the number and percentage of those alterations that were in complete compliance with the ADA;
6. The number and percentage of schools that are currently undergoing alterations, or for which alterations are planned, and, of those, the number and percentage of those alterations planned to be in complete compliance with the ADA;
7. The number and percentage of schools that underwent alterations on or after March 15, 2012, and, of those, the number and percentage of those alterations that were in complete compliance with the ADA;
8. The number of accommodation requests that have been made at each school and whether the accommodation request was made by a parent, an employee or a student, and whether the school is the student’s zoned school;
9. The nature of the accommodation request, including, but not limited to, whether it relates to structural, non-structural or communication barriers, and the action taken in response to the request;
10. The number and percentage of students with disabilities who have to enroll in other schools because their zoned schools cannot accommodate their disabilities, a list of schools that have accommodated those students and the number of students sent to each school;
11. On average, the total travel time, at the beginning and at the end of each school day, a student with a disability has to travel to a school other than the student’s zoned school;
12. Information regarding the department’s protocols to inform students, parents and employees about how to appeal an accommodation request that has been denied pursuant to the department’s grievance procedure;
13. Whether each school is in compliance with the ADA, including, but not limited to, having:
 - (a) Platform lifts;
 - (b) Ramps;
 - (c) Handrails; and
 - (d) An accessible entrance or, if each entrance is not in compliance with the ADA, signs that direct a person to the nearest entrance that is compliant with the ADA;
14. Whether each school has an elevator in compliance with the ADA;
15. Whether the accessible route in compliance with the ADA, to the maximum extent feasible, coincides with the route for the general public connecting buildings, facilities, spaces and elements;
16. Whether each auditorium is in compliance with the ADA, including, but not limited to, having:

- (a) An assistive listening system;
- (b) Signs indicating that an assistive listening system is available; and
- (c) Spaces for wheelchairs;

17. Whether each bathroom is in compliance with the ADA, including, but not limited to, having:

- (a) An accessible bathroom on each floor;
- (b) Grab bars; and
- (c) Common use sinks and faucets;

18. Whether each cafeteria is in compliance with the ADA;

19. Whether each drinking fountain is in compliance with the ADA;

20. Whether common use offices and rooms are in compliance with the ADA, including, but not limited to:

- (a) Classrooms;
- (b) Occupational therapy rooms;
- (c) Art rooms;
- (d) Laboratories;
- (e) Main offices;
- (f) Medical offices;
- (g) Libraries; and
- (h) Gymnasiums;

21. Whether each common use door is in compliance with the ADA;

22. Whether buildings with visual alarms have visual alarms in each common use room; and

23. Whether any interior or exterior signs identifying permanent rooms and spaces have accessible features in compliance with the ADA.

d. With regard to outdoor school facilities, the department shall include, but is not limited to, the following information in its annual report:

1. The number and percentage of outdoor school facilities in complete compliance with the ADA;
2. The number and percentage of outdoor school facilities that are currently undergoing alterations or for which alterations are planned and whether those alterations are to be in complete compliance with the ADA;
3. The number and percentage of outdoor school facilities that underwent alterations on or after March 15, 2012, and, of those, the number and percentage of those alterations that were in complete compliance with the ADA;
4. The number of accommodation requests that have been made by a student, parent or employee at the student's zoned school;
5. The nature of the accommodation request, including, but not limited to, information regarding the mitigation of communication, non-structural and structural barriers to accessibility at outdoor school facilities including, but not limited to, any renovations or programmatic changes necessitated by the request, with personally identifying information redacted as needed, and, if the accommodation request was not granted, the reason the request was denied;
6. Any alterations that have been made and, of those, the number and percentage of those alterations that were in complete compliance with the ADA; and
7. Whether each outdoor school facility is in compliance with the ADA, including, but not limited to, having:
 - (a) Entrances and exits;
 - (b) Play equipment;
 - (c) Availability of transfer platforms;
 - (d) Seating;
 - (e) Changes in level that are sloped in compliance with the ADA; and
 - (f) Water fountains.

e. All information required by this section shall be aggregated citywide, as well as disaggregated by borough, council district, community school district and school.

f. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state or local law or that would interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.

g. In addition to publication on the department's website, the department shall ensure that the information required by subdivisions c and d of this section is published on the city's website in a non-proprietary format that permits automated processing.

§ 2. This local law takes effect immediately.

Referred to the Committee on Education.

Int. No. 583

By the Public Advocate (Mr. Williams) and Council Members Cabán, Louis, Hanif, Brewer and Joseph.

A Local Law to amend the administrative code of the city of New York, in relation to increasing penalties for violations issued by the department of housing preservation and development and requiring the department of housing preservation and development to maintain a certification of correction watch list and prohibiting any listed landlord from certifying correction of violations in multiple dwellings without an inspection

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 27-2107 of the administrative code of the city of New York is amended to read as follows:

a. A person who is required to file a statement of registration or an amendment of a statement of registration or any other statement required under this article and who fails to file as required may, whenever appropriate, be punished under the provisions of article three of subchapter five of this code, and such person shall be subject to a civil penalty of not less than [two hundred and fifty dollars] \$500 and not more than [five hundred dollars] \$1000, recoverable by the department by civil action in a court of appropriate jurisdiction.

§ 2. Subdivision (a) of section 27-2115 of the administrative code of the city of New York, as amended by local law number 65 for the year 1987, is amended to read as follows:

(a) A person who violates any law relating to housing standards shall be subject to a civil penalty of not less than [ten] *one hundred* dollars nor more than [fifty] *five hundred* dollars, *and twenty-five dollars per day* for each non-hazardous violation, not less than [twenty-five] *two hundred fifty* dollars nor more than [one hundred] *one thousand* dollars and [ten] *one hundred* dollars per day for each hazardous violation, *one hundred fifty* dollars per day for each immediately hazardous violation, occurring in a multiple dwelling containing five or fewer dwelling units, from the date set for correction in the notice of violation until the violation is corrected, and not less than *two hundred fifty* dollars nor more than [one] *seven hundred fifty* dollars and, in addition, [one] *six hundred twenty-five* dollars per day for each immediately hazardous violation, occurring in a multiple dwelling containing more than five dwelling units, from the date set for correction in the notice of violation until the violation is corrected. A person willfully making a false certification of correction of a violation shall be subject to a civil penalty of not less than [fifty] *five hundred* dollars nor more than [two hundred fifty] *two thousand five hundred* dollars for each violation falsely certified, in addition to the other penalties herein provided.

§ 3. Subdivision (f) of section 27-2115 of the administrative code of the city of New York is amended by adding new paragraphs (9), (10) and (11) to read as follows:

(9) *No later than January 15 of each year, the department shall post on its website a certification of correction watch list. Such watch list shall include any person that:*

(i) *Owns a multiple dwelling that is subject to the alternative enforcement program pursuant to section 27-2153 or has been discharged from such program within the previous two years;*

(ii) *Has been found to have submitted a false certification of correction to the department within the previous five years; or*

(iii) *Pursuant to criteria established by rule by the department, should be subject to additional monitoring with respect to the correction of violations. Such criteria shall include, at a minimum, the number and severity of violations occurring in any multiple dwelling owned by such person.*

(10) *Whenever the department issues a notice of violation to correct a condition in a multiple dwelling owned by a person on the certification of correction watch list, the department shall within fourteen days after the date set for the correction of such violation conduct a final inspection to verify that the violation has been corrected. Notwithstanding any other provision of law, the department shall not deem that any such violation is corrected unless the records of the department contain written verification that the department has conducted a final inspection of the premises and that such inspection verifies that the violation has been corrected.*

(11) *The department shall establish by rule a process which allows property owners to request removal from the certification of correction watch list and the criteria for such removal.*

§ 4. Subparagraph (i) of paragraph (1) of subdivision (k) of section 27-2115 of the administrative code of the city of New York, as amended by local law number 65 for the year 2011, is amended to read as follows:

(k) (1) (i) Notwithstanding any other provision of law, a person who violates section 27-2028, subdivision a of section 27-2029, section 27-2031 or section 27-2032 of this chapter shall be subject to a civil penalty of not less than [two] *seven* hundred fifty nor more than *one thousand* five hundred dollars per day for each violation from and including the date the notice is affixed pursuant to paragraph two of this subdivision until the date the violation is corrected and not less than *one thousand* five hundred nor more than [one] *three* thousand dollars per day for each subsequent violation of such sections at the same dwelling or multiple dwelling that occurs within two consecutive calendar years or, in the case of subdivision a of section 27-2029, during two consecutive periods of October first through May thirty-first. A person who violates subdivision b of section 27-2029 of this chapter shall be subject to a civil penalty of [twenty-five] *fifty* dollars per day from and including the date the notice is affixed pursuant to paragraph two of this subdivision until the date the violation is corrected but not less than [one] *two* thousand dollars. There shall be a presumption that the condition constituting a violation continues after the affixing of the notice.

§ 5. Paragraph (6) of subdivision (l) of section 27-2115 of the administrative code of the city of New York, as added by local law number 1 for the year 2004, is amended to read as follows:

(6) Notwithstanding any other provision of law, a person who violates article fourteen of subchapter two of this chapter by failing to correct such violation in accordance with paragraph one of subdivision a of section 27-2056.11 of this code shall be subject to a civil penalty of [two hundred fifty] *five hundred* dollars per day for each violation [to a maximum of ten thousand dollars] from the initial date set for correction in the notice of violation until the date the violation is corrected and certified to the department, and in addition to any civil penalty shall, whenever appropriate, be punished under the provisions of article three of subchapter five of this code. There shall be a presumption that the condition constituting a violation continues after the service of the notice of violation. The owner shall be responsible for the correction of all violations noticed pursuant to article fourteen of subchapter two of this chapter, but in an action for civil penalties pursuant to this subdivision may in defense or mitigation of such owner's liability for civil penalties show:

(i) That the condition which constitutes the violation did not exist at the time the violation was placed; or

(ii) That he or she began to correct the condition which constitutes the violation promptly upon discovering it but that full correction could not be completed expeditiously because of serious technical difficulties, inability to obtain necessary materials, funds or labor, or inability to gain access to the dwelling unit wherein the violation exists, or such other portion of the building as might be necessary to make the repair, provided that a postponement was granted pursuant to this subdivision; or

(iii) That he or she was unable to obtain a permit or license necessary to correct the violation, provided that diligent and prompt application was made therefor; or

(iv) That the violation giving rise to the action was caused by the act of negligence, neglect or abuse of another not in the employ or subject to the direction of the owner, except that the owner shall be precluded from showing in defense or mitigation of such owner's liability for civil penalties evidence of any acts occurring, undertaken, or performed by any predecessor in title prior to the owner taking control of the premises. Where the aforesaid allegations are made by way of mitigation of penalties, the owner shall show, by competent proof, pertinent financial data and efforts made to obtain necessary materials, funds or labor or to gain access, or to obtain a permit or license and such other evidence as the court may require.

If the court finds that sufficient mitigating circumstances exist, it may remit all or part of any penalties arising from the violations, but may condition such remission upon a correction of the violation within a time period fixed by the court.

§ 6. This local law takes effect 180 days after it becomes law, except that the commissioner of housing preservation and development shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such date.

Referred to the Committee on Housing and Buildings.

Int. No. 584

By the Public Advocate (Mr. Williams) and Council Members Cabán, Louis, Marte and Joseph.

A Local Law to amend the administrative code of the city of New York, in relation to evictions of disabled tenants

Be it enacted by the Council as follows:

Section 1. Title 26 of the administrative code of the city of New York is amended by adding a new chapter 34 to read as follows:

*CHAPTER 34
EVICTIONS OF DISABLED TENANTS*

§ 26-3401 Definitions.

§ 26-3402 Notification requirement.

§ 26-3403 Tenant assistance.

§ 26-3404 Reporting.

§ 26-3405 Violations.

§ 26-3406 Rules.

§ 26-3401 Definitions. For the purposes of this chapter, the following terms shall mean:

COMMISSIONER. The commissioner of housing preservation and development.

DEPARTMENT. The department of housing preservation and development.

DISABLED OCCUPANT. A person who is (i) entitled to the possession or use and occupancy of a dwelling unit and (ii) who is a disabled person or the spouse or domestic partner of a disabled person as defined in subdivision m of section 17-306 of this code.

DWELLING UNIT. A dwelling unit as defined by section 27-2004 of the housing maintenance code.

OWNER. An owner as defined by section 27-2004 of the housing maintenance code.

§ 26-3402 Notification requirement. On or before the day on which an owner serves a petition or notice of petition for a summary proceeding to recover possession of real property, pursuant to article seven of the real property actions and proceedings law or a notice pursuant to section 5(a)(11) of the emergency tenant protection act of 1974, upon a disabled occupant, the owner shall provide written notification to the department of the name, address and phone number of the disabled occupant where an owner knows or has reason to know the occupant is disabled. Such notification shall be in the form and manner determined by the department pursuant to rules promulgated by the department.

§ 26-3403. Tenant assistance. Upon receiving a notice pursuant to section 26-3402 of this chapter, the department shall provide to the disabled occupant identified on the notice a list of entities that may provide legal services to disabled tenants, including low-income disabled tenants, or that may assist such tenants in obtaining legal services.

§ 26-3404 Reporting. The commissioner, in conjunction with the commissioner on human rights, shall, no later than July first of each year, report to the mayor and the speaker of the council on trends identified in evictions of disabled tenants and any findings or pattern of discrimination against disabled tenants with respect to eviction based upon information received pursuant to section 26-3402 of this chapter.

§ 26-3405 Violations. Any person who violates section 26-3402 of this chapter shall be guilty of a class A misdemeanor.

§ 26-3406 Rules. The commissioner shall promulgate such rules as may be necessary for the purposes of implementing the provisions of this chapter.

§2. This local law shall take effect 120 days after it becomes law, except that the commissioner of housing preservation and development shall take such measures as are necessary for its implementation, including the promulgation of rules, prior to such effective date.

Referred to the Committee on Housing and Buildings.

Int. No. 585

By the Public Advocate (Mr. Williams) and Council Members Cabán, Louis, Hanif and Joseph.

A Local Law to amend the administrative code of the city of New York, in relation to granting access to the police department's body-worn camera footage to the office of the inspector general and the department of records and information services

Be it enacted by the Council as follows

:

Section 1. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-193 to read as follows:

§ 14-193 Access to body worn camera footage. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Body-worn camera. The term "body-worn camera" means a video recording device that can be attached or affixed to a person's body, apparel or clothing.

Law enforcement activity. The term "law enforcement activity" has the same meaning as set forth in subdivision a of section 14-174.

Noncustodial questioning. The term "noncustodial questioning" has the same meaning as set forth in subdivision a of section 14-174.

Officer. The term "officer" has the same meaning as set forth in subdivision a of section 14-174.

b. The department shall provide access to all body-worn camera footage of an officer's law enforcement activity to the person identified in paragraph 1 of subdivision c of section 803 of the charter and the department of records and information services within 120 hours of the recording of such footage.

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

Referred to the Committee on Public Safety.

Int. No. 586

By the Public Advocate (Mr. Williams) and Council Members Avilés, Cabán, Louis, Hanif and Joseph.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department to report on police-civilian investigative encounters

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York, is amended by adding a new section 14-193 to read as follows:

§ 14-193 Report on investigative encounters. a. Definitions. For purposes of this section, the following terms have the following meanings:

Investigative encounter. The term “investigative encounter” means an interaction between a member of the department and a member of the public for a law enforcement or investigative purpose.

Level I encounter. The term “level I encounter” means an investigative encounter in which a member of the department requests information from a member of the public based on an objective credible reason, and need not necessarily require any suspicion of criminal activity.

Level II encounter. The term “level II encounter” means an investigative encounter in which a member of the department requests explanatory information based on a founded suspicion that criminal activity is afoot, and in which a reasonable person would feel free to leave.

Level III encounter. The term “level III encounter” means an investigative encounter in which a reasonable person would not feel free to disregard the member of the department and walk away.

b. Beginning July 1, 2022, and quarterly thereafter, the department shall submit to the mayor, the public advocate and speaker of the council, and shall post on its website, a report for the previous quarter regarding investigative encounters conducted by the department. Such report shall include, but need not be limited to, the following:

1. The total number of level I encounters;
2. The total number of level II encounters; and
3. The total number of level III encounters.

c. The information required pursuant to subdivision b of this section shall be disaggregated by the precinct where such encounter occurred and further disaggregated by each of the following:

1. The apparent race/ethnicity, gender, and age of the member of the public involved;
2. The factors leading to the investigative encounter;
3. Whether a criminal or civil summons was issued in connection with the encounter; and
4. Whether a use of force incident as defined in section 14-158 occurred in connection with the encounter.

d. The information required pursuant to this section shall be stored permanently and shall be accessible from the department’s website. The information shall be provided in a format that permits automated processing. Each report shall include a comparison of the current reporting period to the prior four reporting periods, where such information is available.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 587

By the Public Advocate (Mr. Williams) and Council Members Ayala, Cabán, Louis and Hanif.

A Local Law to amend the administrative code of the city of New York, in relation to establishing a digital inclusion officer at every city agency

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 23-802 of the administrative code of the city of New York, as added by local law number 26 for the year 2016, is amended to read as follows:

a. The mayor or the mayor’s designee shall adopt a protocol for websites maintained by or on behalf of the city or a city agency relating to website accessibility for persons with disabilities. Such protocol shall provide for agency websites to use either of the following standards: [section 1194.22] *appendix D to part 1194* of title 36 of the code of federal regulations or the Web Content Accessibility Guidelines (WCAG) [2.0] 2.1 Level AA, developed by the Worldwide Web Consortium, *the most recent update thereto*, or any successor standards, provided that the adopted protocol may differ from these standards in specific instances when the mayor or mayor’s designee determines, after consulting with experts in website design and reasonable accommodations for people with disabilities, and the holding of a public hearing, that such differences will provide effective communication for people with disabilities, and that such differences are documented in such protocol. Such protocol shall be made available online. This section does not require an agency to take any action that would

result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens.

§ 2. Section 23-802 of the administrative code of the city of New York is amended by adding new subdivisions c and d to read as follows:

c. The head of each agency shall designate at least one employee as such agency's digital inclusion officer, to coordinate efforts to ensure accessibility of websites and other digital content made publicly available by such agency. Agencies with fifty or fewer employees may designate an employee of the city to serve as the digital inclusion officer for more than one of such agencies. Each digital inclusion officer shall confer with, and receive periodic training from, the mayor's office for people with disabilities. Each digital inclusion officer shall receive such training at least annually. The mayor's office for people with disabilities and each agency shall post on their websites the name, office address, electronic mail address, and telephone number of the employee or employees designated as the digital inclusion officer. The functions of the digital inclusion officer shall include, but not be limited to:

- 1. Reviewing agency websites and other digital content made publicly available by the agency for compliance with the standards set forth in subdivision a;*
- 2. Developing agency policies and procedures to ensure compliance with the standards set forth in subdivision a;*
- 3. Conducting periodic training for relevant agency staff on digital inclusion and accessibility of websites and other digital content;*
- 4. Documenting and responding to complaints communicated to the agency related to digital inclusion and accessibility of agency websites or other digital content made publicly available by the agency;*
- 5. Providing analysis and recommendations to the head of the agency and to the mayor's office for people with disabilities to resolve issues relating to digital inclusion and accessibility of websites and other digital content; and*
- 6. Any other functions as may be assigned by the head of the agency.*

d. The mayor's office for people with disabilities shall designate at least one employee with expertise in digital accessibility to coordinate with digital inclusion officers to monitor and improve the accessibility of websites and other digital content made publicly available by agencies.

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

Referred to the Committee on Technology.

Int. No. 588

By Council Members Riley, Joseph, Cabán, Louis and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the disclosure of school admissions policies and procedures

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 21-978 of the administrative code of the city of New York, as added by local law number 72 for the year 2018, is relettered subdivision e.

§ 2. Section 21-978 of the administrative code of the city of New York is amended by adding a new subdivision d to read as follows:

d. For each school, the department shall make available on its website, and update at least once per year, information regarding the admissions policies and procedures for such school, including an explanation, in plain language, of:

- 1. The application process for such school;*
- 2. All priority groups and selection criteria used to assign seats and any minimum standards for admission;*
- 3. Procedures and methods for evaluation of applications; and*

4. Any other information necessary to understand admissions policies and procedures at such school.
 § 3. This local law takes effect 90 days after it becomes law.

Referred to the Committee on Education.

Int. No. 589

By Council Members Rivera, Cabán, Louis, Hanif and Joseph.

A Local Law to amend the administrative code of the city of New York, in relation to reporting on medical care and outcomes for incarcerated pregnant persons

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 9 of the administrative code of the city of New York is amended by adding a new section 9-163 to read as follows:

§ 9-163 *Medical care and outcomes for incarcerated pregnant persons. a. Definitions. For purposes of this section, the following terms have the following meanings:*

Department. The term “department” means the New York city department of correction.

Maternal mortality. The term “maternal mortality” means the death of a person that occurs during pregnancy, or within one year from the end of pregnancy, regardless of the duration of such pregnancy.

Pregnancy-associated death. The term “pregnancy-associated death” means the death of a person from any cause during pregnancy or within one year from the end of pregnancy.

Pregnancy-related death. The term “pregnancy-related death” means the death of a person (i) during pregnancy or within one year from the end of pregnancy that (ii) is due to a pregnancy complication, a chain of events initiated by pregnancy or the aggravation of an unrelated condition by the physiologic effects of pregnancy.

Relevant agencies. The term “relevant agencies” includes the department of health and mental hygiene, New York city health and hospitals corporation, any successor of an agency specified in this definition and any other agency that the department deems relevant.

Severe maternal morbidity. The term “severe maternal morbidity” means a life-threatening complication affecting a person before, during or after pregnancy.

b. Report. By no later than 90 days after the effective date of the local law that added this section, and annually thereafter, the department, in consultation with the relevant agencies, shall report on the medical care and outcomes of incarcerated pregnant persons. The department shall submit such annual report to the mayor and the speaker of the council and post such report on its website. Such report shall include, but not be limited to, the following anonymized information for the preceding calendar year:

1. A table regarding the medical care provided to incarcerated pregnant persons before, during and after pregnancy, with each separate row referencing a unique incarcerated pregnant person and providing the following information about each such person, set forth in separate columns:

(a) Age group, within ranges as determined by the department;

(b) Ethnicity;

(c) Race;

(d) The facility where such person was detained;

(e) The trimester of pregnancy during which such person entered prenatal care;

(f) The prenatal and postnatal care provided to such person, as required by paragraph (2) of subdivision (e) of section 3-06 of title 40 of the rules of the city of New York or a successor rule;

(g) Whether such person’s pregnancy resulted in a miscarriage, a still birth or a live birth;

(h) Whether such person received an abortion in an appropriately equipped and licensed medical facility within a reasonable time-frame, if applicable, as required by paragraph (3) of subdivision (e) of section 3-06 of title 40 of the rules of the city of New York or a successor rule; and

(i) The arrangements made to ensure such person's child birth occurred in a safe and appropriately equipped medical facility outside of the correctional facility, if applicable, as required by paragraph (4) of subdivision (e) of section 3-06 of title 40 of the rules of the city of New York or a successor rule;

2. Information regarding the maternal mortalities of incarcerated pregnant persons, including, but not limited to, the following:

(a) The number of such mortalities;

(b) The most frequent causes of such mortalities;

(c) The maternal mortality ratio;

(d) The number of such mortalities that were pregnancy-associated deaths; and

(e) The number of such mortalities that were pregnancy-related deaths;

3. Information regarding the severe maternal morbidities of incarcerated pregnant persons, including, but not limited to, the following:

(a) The number of incarcerated pregnant persons with such morbidities;

(b) A description of the most frequent causes of such morbidities;

(c) The number of incarcerated pregnant persons with such morbidities who have a preexisting health condition or have had a previous miscarriage or a previous still birth; and

(d) The number of incarcerated pregnant persons with such morbidities whose pregnancy resulted in a first live birth;

4. Any maternal mortality and morbidity data in the maternal mortality and morbidity annual report required by section 17-199.3 that the department or relevant agencies deem relevant;

5. Recommendations regarding actions the department or relevant agencies may take to improve the medical care of incarcerated pregnant persons during and after such persons' pregnancies; and

6. Recommendations regarding actions that the department or relevant agencies may take to improve the medical outcomes of incarcerated pregnant persons, including, but not limited to, the maternal mortalities and severe maternal morbidities of such persons.

c. Confidentiality. The department shall report information required by subdivision b of this section in a manner that does not jeopardize the confidentiality of an incarcerated pregnant person.

§ 2. This local law takes effect immediately.

Referred to the Committee on Criminal Justice.

Int. No. 590

By Council Members Rivera, Ossé, Cabán, Louis, Hanif, Joseph, Hudson, Nurse, Gutiérrez and Won.

A Local Law to amend the New York city charter, in relation to the open culture program for art and cultural institutions

Be it enacted by the Council as follows:

Section 1. Chapter 67 of the New York city charter is amended by adding a new section 2509 to read as follows:

§ 2509. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Artistic or cultural event. The term "artistic or cultural event" means an event or programming offered or run by an eligible art and cultural institution or a cultural venue, including, but not limited to, cultural performances, rehearsals and classes.

Cultural venue. The term "cultural venue" means an entertainment facility in the city of New York intended or designed to be used for a performance in front of a live audience.

Eligible art and cultural institution. The term “eligible art and cultural institution” means: (i) an art or cultural group, organization or institution within the city of New York that is a member of the cultural institutions group, as determined by the department of cultural affairs, or that is eligible to apply for a grant through the cultural development fund administered by such department, or (ii) a person providing documentation of funding from a borough arts council or the New York city artist corps program within the prior two years.

Office. The term “office” means the mayor’s office of citywide event coordination and management established pursuant to executive order number 105, dated September 17, 2007, or another office or agency designated by the mayor to perform the functions of such office set forth in this section.

Open space. The term “open space” means any portion of a roadway, or outdoor spaces on a sidewalk or curb lane adjacent to an eligible art and cultural institution, designated by the department of transportation, in consultation with the office, that may be used by an eligible art and cultural institution or cultural venue for an outdoor artistic or cultural event.

Open streets. The term “open streets” has the same meaning as such term is defined in section 19-107.1 of title 19 of the administrative code of the city of New York.

Program. The term “program” means the open culture program established pursuant to subdivision b of this section.

b. Open culture program. By August 1, 2022, the office, in consultation with the department of transportation, the department of buildings, the police department, the fire department and any other agency designated by the mayor, shall establish an open culture program pursuant to which an eligible art and cultural institution or cultural venue may utilize an open space or open street for an artistic or cultural event. The office shall, in consultation with relevant agencies, establish eligibility and use guidelines and policies for such program, and promulgate any necessary rules; provided, however, that such program shall include the following elements:

1. There shall be no fee for participation by an eligible art and cultural institution or cultural venue in such program, except as provided for in subdivision d of this section.

2. An eligible art and cultural institution or cultural venue utilizing an open space for an artistic or cultural event may produce such event for no charge to an audience, request audience donations before, during or after such event or charge for tickets; provided, however, that such institution or venue may not physically exclude a member of the public from viewing such event from a publicly accessible location outside the open space assigned for such event.

3. An artistic or cultural event must comply with any applicable requirements on outdoor cultural events and gatherings set by applicable federal or state law or regulations or any applicable directive from the governor or any agency of the state of New York.

4. The program shall provide that permission for an eligible art and cultural institution or cultural venue to use an open space or open street will only require an application to one city agency, and that, to the extent practicable, such application place a minimal burden on such institution or venue.

c. Designation of open spaces. The department of transportation, in consultation with the office, shall designate locations to be open spaces, considering suggestions from council members and factors, including, but not limited to, the effects on traffic, public safety, quality of life and suitability for use of such locations for performances. Such locations may include, but need not be limited to, open streets. The department of transportation shall post online a list of such open spaces by August 1, 2022.

d. Allowable fees. 1. In accordance with paragraph 1 of subdivision b of this section, only an application fee of \$20 may be charged for application and participation in the program, provided, however, that applicants seeking a permit to use or operate a sound device or apparatus must pay the applicable fee in accordance with subdivision h of section 10-108 of the administrative code of the city of New York.

2. Nothing in this section shall waive any penalty or fine that may be issued for such event for violation of any applicable rule, law or order.

§ 2. This local law takes effect immediately.

Referred to the Committee on Cultural Affairs, Libraries and International Intergroup Relations.

Res. No. 260

Resolution to recognize that animals are sentient beings entitled to respect and consideration, protection from abuse, neglect and cruelty, and the maximization of their welfare and calling upon the New York State legislature to pass a law similar to Oregon ORS 167.305.

By Council Members Rivera, Cabán and Hanif.

Whereas, The term “animal” refers to any non-human living member of the biological kingdom Animalia; and

Whereas, federal and state laws that relate to animals relegate them to the legal status of property; and

Whereas, The legal status of animals often permits and allows them to be treated with less care and concern than they deserve; and

Whereas, Despite to their legal status as property, animals are also sentient beings; and

Whereas, Animals are capable of experiencing pain, stress and fear, as well as pleasure, equanimity and social bonds; and

Whereas, Animals are able to subjectively feel and perceive the world around them; and

Whereas, Animals have intrinsic value and deserve to be treated with compassion, and to enjoy a quality of life that reflects their intrinsic value; and

Whereas, Humans should honor the autonomy and self-determination of animals; and

Whereas, Humans who keep or care for animals have a duty to meet the needs of those animals in a holistic manner; and

Whereas, The City of New York strives to recognize and respect the sentience of animals; and

Whereas, The City of New York promotes the welfare and advances the rights of animals; and

Whereas, The City of New York attempts to provide proper and humane care, management and treatment of animals; and

Whereas, The City of New York is committed to preventing animal cruelty, and the abuse and neglect of animals; and

Whereas, The City of New York enforces laws for the purpose of protecting animals; and

Whereas, The City of New York considers the welfare of animals when making policy; and

Whereas, The City of New York treats animals with care and sensitivity; and

Whereas, International and domestic states recognize animal sentience in their governing documents and laws; and

Whereas, the European Union recognizes animals as sentient beings in Article 13 of the Lisbon Treaty; and

Whereas, In 2013, Oregon passed ORS 167.305, which recognized that animals are sentient beings capable of experiencing pain, stress, and fear, and that animals should be cared for in ways that minimize pain, stress, fear and suffering; and

Whereas, In 2015, Colombia, France, New Zealand and the Canadian province of Quebec each amended their laws to recognize animals as sentient beings; and

Whereas, In 2018, Slovakia amended its civil code to define animals as living beings rather than things; and

Whereas, Austria, Germany, Switzerland, Belgium and Portugal have each enshrined animal sentience as a legal principle; and

Whereas, the City of New York should be an example of compassion and follow the lead of other governments to acknowledge the sentience and inherent worth of all animals; now, therefore, be it

Resolved, That the Council of the City of New York recognizes that animals are sentient beings entitled to respect and consideration, protection from abuse, neglect and cruelty, and the maximization of their welfare, and calls upon the New York State legislature to pass a law similar to Oregon ORS 167.305.

Referred to the Committee on Health.

Int. No. 591

By Council Members Salamanca, De La Rosa, Louis, Brewer and Joseph.

A Local Law to amend the administrative code of the city of New York, in relation to increasing the fines for the unlawful use of all-terrain vehicles and dirt bikes

Be it enacted by the Council as follows:

Section 1. Section 19-196 of the administrative code of the city of New York, as added by local law number 28 for the year 2017, is amended to read as follows:

§ 19-196 All-terrain vehicles, including dirt bikes. a. Definitions. For the purposes of this section, the following terms have the following meanings:

All-terrain vehicle. The term “all-terrain vehicle” has the same meaning as set forth in subdivision 1 of section 2281 of the vehicle and traffic law, which includes dirt bikes, or any successor provision.

Operate. The term “operate” means to ride in or on, other than as a passenger, or use or control the operation of an all-terrain vehicle in any manner.

Person. The term “person” means an individual and does not include officers or employees of any governmental agency acting in an official capacity, or private individuals or entities acting pursuant to agreements with governmental agencies.

b. No person shall operate an all-terrain vehicle in the city of New York, except that, in the case of property other than a street or a park, an all-terrain vehicle may be operated only with the consent, written or conspicuously posted consistent with applicable law, of the owner or lessee, or operated by an individual owner or lessee.

c. The violation of subdivision b of this section constitutes a violation punishable by a fine *of no less than 375 dollars, but not to exceed [500] 750 dollars* for the first offense and *of no less than 750 dollars, but not to exceed [1,000] 1,500 dollars* for any subsequent offense.

d. A person who violates subdivision b of this section shall be liable for a civil penalty of [500] 750 dollars. A person committing a second or subsequent violation of subdivision b of this section shall be liable for a civil penalty of [1,000] 1,500 dollars. Civil penalties pursuant to this subdivision are recoverable in a proceeding before the office of administrative trials and hearings pursuant to chapter 45-A of the charter, or in a civil action or proceeding brought in the name of the city.

e. Any act prohibited by this section additionally constitutes a traffic infraction punishable by a fine *of no less than 375 dollars, but not to exceed [500] 750 dollars* for the first conviction, and *of no less than 750 dollars, but not to exceed [1,000] 1,500 dollars* for any subsequent conviction.

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

Referred to the Committee on Public Safety.

Int. No. 592

By Council Members Schulman, Cabán, Louis and Hanif.

A Local Law to amend the New York city charter, in relation to requiring notice of building code, fire code, and health code violations in public schools

Be it enacted by the Council as follows:

Section 1. Chapter 20 of the New York city charter is amended by adding a new section 530-g to read as follows:

§ 530-g Notification requirements, fire, building, and health code violations. a. For the purposes of this section, the following terms have the following meanings:

1. "Department" means the department of education.

2. "Public school" means any school in a building owned or leased by the department, including charter schools, that contains any combination of grades from kindergarten through grade twelve.

b. The department shall notify the parents or guardians of students and the employees in any public school that has been inspected by the department of buildings, the fire department, or the department of health and mental hygiene. Such notifications shall include the results of such inspections and any violations of the New York city building code, the New York city fire code, or the New York city health code identified in connection with such inspections. Such notifications shall be provided within seven days of the department receiving the results of any such inspection. The department shall also post such notifications on the department's website within seven days of receiving such inspection results.

c. The notifications required pursuant to subdivision b of this section shall include information setting forth the steps the department has taken and will take to address violations, including the timeframe during which such violations were or will be addressed. If such steps are not completed within such timeframe then the department shall notify such parents or guardians and employees of the new timeframe for such steps. The department shall also notify such parents or guardians and employees within seven days of the date such steps to address such violations are completed. The department shall also post such information on the department's website at the same time such information and notifications are provided to parents or guardians and employees.

d. The department shall provide the notifications required pursuant to subdivisions b and c of this section to the New York city council member representing the district in which the school is located at the same time such notifications are provided to such parents or guardians and employees.

§ 2. This local law takes effect 60 days after its enactment into law.

Referred to the Committee on Education.

Int. No. 593

By Council Members Schulman, Louis and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to rental assistance eligibility requirements for street homeless individuals

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-151 to read as follows:

§ 21-151 Rental assistance for street homeless individuals. a. Definitions. For purposes of this section, the following terms have the following meanings:

Street homeless. The term "street homeless" means an individual who (i) is living on the street or in a place not meant for human habitation or (ii) is receiving services from the department of homeless services or the human resources administration because such individual is currently or was formerly living on the street or in a place not meant for human habitation.

Rental assistance program. The term "rental assistance program" means any city rental assistance program that is designed to help homeless individuals by subsidizing rent in which (i) the human resources administration or the department of homeless services determines eligibility and (ii) the program's eligibility requirements do not require approval from an agency of the state of New York.

b. Rental assistance program eligibility. When an applicant's eligibility for a rental assistance program is dependent upon being considered street homeless and having received case management services for a specified amount of time is a factor in such consideration, the department shall not require such applicant to have received case management services for more than 30 days as a precondition to such eligibility.

§ 2. This local law takes effect 120 days after it becomes law, except that the commissioner of social services 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 General Welfare.

Int. No. 594

By Council Members Schulman, Cabán and Louis.

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 a list of organizations they consult with on chronic diseases

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 17-199.7 to read as follows:

§ 17-199.7 Consultation Reporting. No later than February 1 of each year, the department shall submit to the speaker a list of the non-governmental organizations that the department routinely consults with regarding the prevention and management of common chronic diseases, including but not limited to diabetes, hypertension, heart disease, stroke, cancer, obesity, and alzheimer's disease. The organizations in such list shall be categorized by disease.

§ 2. This local law takes effect immediately.

Referred to the Committee on Health.

Int. No. 595

By Council Member Schulman.

A Local Law to amend the administrative code of the city of New York, in relation to the creation of a residential parking permit system in Kew Gardens

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 amended by adding a new section 19-175.8 to read as follows:

§ 19-175.8 Residential parking permit system in Kew Gardens. a. The department shall create and implement a residential parking permit system in the neighborhood of Kew Gardens, to include the area bounded by Jackie Robinson Parkway to the north, Hillside Avenue to the south, the Van Wyck Expressway to the east and 118th Street to the west, which fixes and requires the payment of fees for parking within the area in which such parking system is in effect in accordance with the provisions of this section.

b. In creating such residential parking system, the department shall:

- 1. Designate specific areas in which such parking system applies;*
- 2. Provide the times of the day and days of the week during which permit requirements shall be in effect;*
- 3. Make not less than 20 percent of all spaces within the permit area available to non-residents and provide for short-term parking of not less than 90 minutes in duration in such area;*
- 4. Provide that motor vehicles registered pursuant to section 404-a of the vehicle and traffic law be exempt from any permit requirement;*

5. Provide the schedule of fees to be paid for residential permits; and
 6. Provide that such fees shall be credited to the general fund of the city of New York.
 c. Notwithstanding the provisions of this section, no such residential parking permit shall be required on streets where the adjacent properties are zoned for commercial, office or retail use.
 § 2. This local law takes effect 120 days after it becomes law.

Referred to the Committee on Transportation and Infrastructure.

Int. No. 596

By Council Members Schulman, Brooks-Powers and Brewer.

A Local Law to amend the administrative code of the city of New York, in relation to requiring that the department of transportation repair broken curbs as part of resurfacing projects

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 19-111.1 to read as follows:

§ 19-111.1 Repairing curbs. Whenever any street is resurfaced by the department, the department shall also make repairs to any curbs that the department determines to be a safety hazard.

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

Referred to the Committee on Transportation and Infrastructure.

Int. No. 597

By Council Members Vernikov and Yeger.

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to security cameras in New York city public schools

Be it enacted by the Council as follows:

Section 1. Section 528 of the New York city charter is REPEALED.

§2. Title 21-A of the administrative code of the city of New York is amended by adding a new chapter 29 to read as follows:

*CHAPTER 29
 SCHOOL SECURITY*

§21-1000. Security cameras in New York city public schools. a. The department shall install security cameras at schools and consolidated school locations operated by the department of education where the chancellor, in consultation with the police department, deems such cameras appropriate for security purposes. Such cameras shall be placed at the entrance and exit doors of each school and in any area of the school where individuals do not have a reasonable expectation of privacy, and shall be remotely accessible from outside of the school building. The number, type, placement, and location of such cameras within each school shall be at the discretion of the department, in consultation with the principal of each school and the police department.

b. By January 31, 2023, and annually thereafter on or before January 31, the department, in consultation with the police department, shall submit a report to the speaker of the council on security cameras in public

schools, including, but not be limited to, a summary of the current use of security cameras in school buildings, and an assessment of best practices related to the installation and use of security cameras in school buildings, including evaluating policies related to access to video footage recording by security cameras located in school buildings.

§3. This local law takes effect immediately.

Referred to the Committee on Education.

Int. No. 598

By Council Members Won, Gutiérrez, Menin, Cabán, Hanif, Marte, Brooks-Powers, Brewer and Joseph.

A Local Law to amend the administrative code of the city of New York, in relation to requiring the 311 customer service center to provide assistance relating to affordable internet programs

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-308 to read as follows:

§ 23-308 *Affordable internet programs. a. Definitions. As used in this section, the term “affordable internet program” means a program that provides discounts to households to help pay for broadband internet service or internet connected devices.*

b. The 311 customer service center shall provide assistance relating to affordable internet programs to individuals who call the 311 customer service center. Such assistance shall include, but need not be limited to, providing information on affordable internet programs, including eligibility requirements for such programs, and instructions on how to apply for affordable internet programs.

§ 2. This local law takes effect 30 days after it becomes law.

Referred to the Committee on Technology.

Int. No. 599

By Council Members Won, Gutiérrez, Menin, Cabán, Hanif and Marte.

A Local Law to amend the New York city charter, in relation to information on affordable internet programs for students and families

Be it enacted by the Council as follows:

Section 1. Chapter 48 of the New York city charter is amended by adding a new section 1077 to read as follows:

§ 1077. *Affordable internet programs for students and families. a. Definitions. As used in this section, the following terms have the following meanings:*

Affordable internet program. The term “affordable internet program” means a program that provides discounts to households to help pay for broadband internet service or internet connected devices.

Department. The term “department” means the department of information technology and telecommunications.

School. The term “school” means a school of the city school district of the city of New York.

b. No later than August 1, 2023, and annually thereafter, the department shall develop written materials containing information about the availability of affordable internet programs for students and families. Such materials shall include, but need not be limited to, the following information:

- 1. Descriptions of affordable internet programs available to students and families;*
- 2. Eligibility for such affordable internet programs; and*
- 3. Instructions on how to apply for such affordable internet programs.*

c. The department shall provide the materials required by subdivision b of this section to the department of education for distribution to each school, to be shared with every student of each such school at the beginning of each academic year. The department of education shall ensure that such materials are provided in hard copy to all schools in sufficient quantity to satisfy the requirements of this section.

d. The department shall provide assistance with applying for affordable internet programs at each school, with permission from and in coordination with the department of education.

e. The department shall post on its website the information about affordable internet programs required by subdivision b of this section, including links to websites that allow individuals to apply for each affordable internet program.

f. No later than August 1, 2024, and annually thereafter, the department shall submit to the mayor and the speaker of the council a report on the distribution of materials about affordable internet programs and the assistance provided with applying for affordable internet programs as required by this section. The report shall include, but need not be limited to, the following information for the previous academic year:

- 1. The total number of schools that provided such materials to students;*
- 2. The total number of schools that did not provide such materials to students, if any;*
- 3. The total number of individuals at each school who sought assistance with applying for affordable internet programs; and*
- 4. Any issues with providing such materials to students or assisting individuals with applying for affordable internet programs.*

§ 2. This local law takes effect 30 days after it becomes law.

Referred to the Committee on Technology.

Preconsidered L.U. No. 85

By Council Member Salamanca:

Application number G 220016 SCX (Approximately 696-Seat Primary School Facility) pursuant to Section 1732 of the New York School Construction Authority Act, concerning the proposed site selection for a new, approximately 696-seat primary school facility, located at 160 Van Cortlandt Park South (Block 3271, p/o Lot 150), Borough of the Bronx, Community District 8, Council District 11, Community School District 10.

Adopted by the Council (preconsidered and approved by the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions).

NEW YORK CITY COUNCIL

A N N O U N C E M E N T S

Wednesday, August 17, 2022

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 that New York City was experiencing a sixth COVID-19 wave with infection rates surpassing 15% citywide and with some neighborhoods seeing positivity rates above 20%. She urged everyone to take the necessary precautions and to get tested often. She asked everyone to get vaccinated and boosted for protection against the worst impacts of the virus.

The Speaker (Council Member Adams) acknowledged that the U.S. Supreme Court had recently made a number of rulings on guns, abortion rights, environmental protection issues, and a range of civil rights. She spoke of how the Supreme Court had struck down New York’s century-old gun law despite the continuing gun violence inflicting harm and trauma in places such as Highland Park, Uvalde, and in neighborhoods across the nation. The Speaker (Council Member Adams) noted that Governor Hochul, Senate Majority Leader Stewart-Cousins, and Assembly Speaker Heastie had helped enact gun safety laws during an Albany special session held in response to the Supreme Court decisions. She also acknowledged that Congress had recently passed bipartisan Federal gun safety measures which she described as a step in the right direction on this issue. The Speaker (Council Member Adams) spoke of how the Albany special session had made clear to the nation that New York State would be a safe haven for civil rights, abortion access, and reproductive healthcare. She noted that the state legislature had started the process of adding an equality amendment to the New York State Constitution. This proposed amendment, soon to come before the voters, would enshrine equal rights in the constitution and protect the right to safe and accessible reproductive care.

The Speaker (Council Member Adams) acknowledged that the Council would be voting on the New York City Abortion Rights Act at this Stated Meeting. She described these bills as an unprecedented legislative package which would safeguard and expand abortion access and reproductive healthcare across the city’s five Boroughs.

The Speaker (Council Member Adams) acknowledged that Emily Rooney, an Assistant Deputy Director in the Oversight and Investigations Division, was departing the Council. Ms. Rooney started as an intern for former Council Member Ydanis Rodriguez before joining the Legislative Division as a legislative policy analyst for the Committees on Transportation and Aging. Ms. Rooney went on to become a senior legislative policy analyst before assuming her current position. The Speaker (Council Member Adams) praised Ms. Rooney as a hardworking, intelligent, and thoughtful colleague who worked on significant issues during her time with the Council. She wished her the best of luck at New York Law School and for her future legal career.

The Speaker (Council Member Adams) acknowledged that the Council had added two new members to its staff: Aaron Mendelsohn, the new Director of the Oversight and Investigations Division; and Perris Straughter, the new Director of the Land Use Division. She welcomed both Mr. Mendelsohn and Mr. Straughter to the Council.

The Speaker (Council Member Adams) congratulated Council Member Riley and his family on the arrival of their baby boy Caleb. She welcomed young Caleb to the extended Council family.

The Speaker (Council Member Adams) acknowledged that the month of July marked Disability Pride Month when the accomplishments and contributions of New Yorkers with disabilities are celebrated. She noted that Disability Pride Month was also the time to commemorate the historic laws which promote inclusivity and accessibility for all. She added that it was also the time to renew our commitment to strengthen and expand on those policies as well. The Speaker (Council Member Adams) urged everyone to continue to uplift New Yorkers with disabilities during the month of July and beyond.

The Speaker (Council Member Adams) acknowledged that more than one million Muslim New Yorkers had recently celebrated *Eid al-Adha* also known as the Festival of Sacrifice and Community. She noted that *Eid* was a time to reflect on the importance of values like compassion and justice. She added that *Eid* was also a time to partake in charitable actions such as distributing food to those who were in need. On behalf of the Council, the Speaker (Council Member Adams) wished a happy and joyous *Eid* to everyone who celebrated.

* * *

During the General Discussions segment of this meeting, Council Member Brewer sadly announced that former Council staffer Joseph S. Goldbloom had passed away earlier in the day. She noted that Mr. Goldbloom had served as a staff member for former Council Members Archie Spigner, Leroy Comrie, and I. Daneek Miller and was also acquainted with Council Member Nantasha Williams. He was known as a great advocate for the 27th Council District in southeast Queens. She noted that Mr. Goldbloom lived in Manhattan where he was a member of Community Board 11 and commuted back and forth to Queens. Council Member Brewer added that Mr. Goldbloom loved the Council very much. Shortly before the adjournment, the Speaker (Council Member Adams) herself acknowledged and praised, as former Council Member Miller used to call him, the great Joe Goldbloom. She described him as an amazing man who sought the best for New York and especially loved southeast Queens. He guided many individuals whom he had taken under his wings. The Speaker (Council Member Adams) added that Mr. Goldbloom would be sorely missed. She announced that details of his funeral service would be sent to the Council membership.

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 on Wednesday, August 17, 2022.

MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council

Editor's Note: The Stated Meeting which was originally scheduled for Wednesday, August 17, 2022 was subsequently rescheduled for Thursday, August 11, 2022.

*Editor's Local Law Note: Int. No. 303-A and Preconsidered Int. No. 558-A, both adopted by the Council at the June 16, 2022 Stated Meeting, were **signed into law by the Mayor** on June 27, 2022 as, respectively, Local Law Nos. 68 and 69 of 2022.*

*Int. Nos. 103 and 208-A, both adopted at the June 2, 2022 Stated Meeting, were **returned unsigned** by the Mayor on July 6, 2022. These items had become law on July 3, 2022 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 70 and 71 of 2022, respectively.*

*Int. No. 347, adopted at the June 13, 2022 Stated Meeting, was **returned unsigned** by the Mayor on July 14, 2022. This item had become law on the same date of July 14, 2022 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. This bill was assigned subsequently as Local Law No. 72 of 2022.*