

**THE COUNCIL**

---

*Minutes of the Proceedings for the*

**CHARTER MEETING**

*of*

Wednesday, January 8, 2020, 12:20 p.m.

*The Majority Leader (Council Member Cumbo)*

*presiding as the Acting President Pro Tempore*

Council Members

Corey D. Johnson, *Speaker*

Adrienne E. Adams	Ben Kallos	Ydanis A. Rodriguez
Alicia Ampry-Samuel	Andy L. King	Deborah L. Rose
Diana Ayala	Peter A. Koo	Rafael Salamanca, Jr
Joseph C. Borelli	Karen Koslowitz	Ritchie J. Torres
Justin L. Brannan	Rory I. Lancman	Mark Treyger
Margaret S. Chin	Bradford S. Lander	Paul A. Vallone
Andrew Cohen	Stephen T. Levin	Kalman Yeger
Costa G. Constantinides	Mark D. Levine	
Robert E. Cornegy, Jr	Farah N. Louis	
Laurie A. Cumbo	Steven Matteo	
Ruben Diaz, Sr.	Carlos Menchaca	
Daniel Dromm	I. Daneek Miller	
Rafael L. Espinal, Jr	Francisco P. Moya	
Mathieu Eugene	Keith Powers	
Mark Gjonaj	Antonio Reynoso	
Barry S. Grodenchik	Donovan J. Richards	
Robert F. Holden	Carlina Rivera	

Absent: Council Members Barron, Cabrera, Deutsch, Gibson, Maisel, Perkins, Rosenthal, Ulrich, and Van Bramer.

The Majority Leader (Council Member Cumbo) assumed the chair as the Acting President Pro Tempore and Presiding Officer for these proceedings.

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 Acting President Pro Tempore (Council Member Cumbo).

*There were 42 Council Members marked present at this Charter Meeting held in the Council Chambers of City Hall, New York, N.Y.*

### **INVOCATION**

The Invocation was delivered by Reverend M. Zidde Hamatheite, spiritual leader of Wayside Baptist Church located at 1740-60 Broadway, Brooklyn, New York 11207.

Let us bow our heads or however we do to talk to God.

Good morning, God.

We thank you for this opportunity,  
for giving us breath in our bodies,  
you allowed us to see this day,  
you brought us into a day we've never seen  
and we'll never see again.

And, God, in this special occasion,  
in this privilege to be able to pray for our City Council,  
in the times of trouble, trials, and turmoil  
that has faced and plagued our country, our nation, and our city,  
through it all I pray that you give strength,  
clarity of mind, clarity of site,  
for we are in year 2020,  
that we be able to see clearer, hear clearer,  
think clearer, understand better,  
through prejudicialness and hatred and bigotry  
and strange cares and non-caring issues in our society,  
that this Council will be balanced to understand that they are assigned,  
they are called, they are voted in to keep the city in a balanced situation.  
God, we pray that you have your way in their lives.  
Give them peace, serenity, and power in times like these.  
In the name I know, Jesus' name,  
Amen.

Council Member Espinal moved to spread the Invocation in full upon the record.

### **ADOPTION OF MINUTES**

On behalf of Council Member Barron, Council Member Adams moved to adopt the Minutes of the Stated Meeting of November 26, 2019 be adopted as printed.

At this point, the Speaker (Council Member Johnson) asked for a Moment of Silence in memory of the following individuals:

FDNY chief historian Jonathan Jack Lurch passed away on December 17, 2019 at the age of 88. Mr. Lurch served as the official historian for New York's bravest for more than 50 years. On behalf of the Council, the Speaker (Council Member Johnson) offered his prayers to Mr. Lurch's family and to the men and women of the Fire Department.

NYPD Sergeant Scott Johnston and NYS Investigator Ryan Fortini died of 9/11-related diseases. NYPD Sergeant Johnston died of 9/11-related melanoma at the age of 50 on December 19, 2019. He was an active sergeant who served the Department for over twenty years. NYS Police Investigator Fortini died of 9/11-related cancer on January 1, 2020 at the age of 42. On behalf of the Council, the Speaker (Council Member Johnson) offered his prayers to the families of Sgt. Johnston and Investigator Fortini, as well as to the NYPD, FDNY, and New York State Police.

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

#### **REPORTS OF THE STANDING COMMITTEES**

*There were no Reports of the Standing Committees at this Charter Meeting.*

#### **GENERAL ORDER CALENDAR**

**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>
William Rasenberger	71 Clinton Street, Apt 24 New York, New York 10002	1
Katherine White	1411 Arnow Ave Bronx, New York 10469	12
Lisa Sandy	1405 Needham Ave Bronx, New York 10469	12
Tara Wilson	749 E 231st Street, Apt 6D Bronx, New York 10466	12
Tileyah Williams	889 Dawson Street, Apt 6L Bronx, New York 10459	17
Justin Huang	56-04 206th St Queens, New York 11364	23
Carter Garfield	934 Sterling Place, Apt 3L Brooklyn, New York 11216	35
Carlo James Vescovi	393 Jefferson Ave, Apt 3 Brooklyn, New York 11221	36
Nicholas Venduras	227 Ocean Parkway, Apt 7J Brooklyn, New York 11218	39
Arlene Taylor	167 Lenox Rd, Apt 62 Brooklyn, New York 11226	40
Jeffrey Tsui	1972 83rd Street, 2nd Fl Brooklyn, New York 11214	47

*Approved Reapplicants*

<i>Name</i>	<i>Address</i>	<i>District #</i>
Arnold M. Wachtel	244 5th Avenue #2940 New York, New York 10001	2
Richard A. Chipman	657 10th Avenue New York, New York 10036	3
Omayra Nunez	146 West 111th Street 5B New York, New York 10026	9
Maureen Hinds	120 Aldrich Street Bronx, New York 10475	12
Julia Robles	1312 Balcom Avenue #1 Bronx, New York 10461	13
Lisa Kaplan	2822 Wellman Avenue Bronx, New York 10461	13
Rosary Graniela	1330 Vreeland Avenue Bronx, New York 10461	13
Jean Michelle Rodriguez	11 West 172nd Street #1E Bronx, New York 10452	14
Esther Scott	1368 Webster Avenue #17A Bronx, New York 10456	16
Donna Taylor-Sanders	814 Ritter Place Bronx, New York 10459	17
Brenda Lissette Hernandez Avila	1420 27th Avenue #4M Astoria, New York 11102	22
Pilar Hernandez	18-33 26th Avenue Queens, New York 11102	22
Carmit Korkos	85-35 Midland Parkway Jamaica, New York 11432	24
Vivienne Grainger	105-41 172nd Street Queens, New York 11433	27
Carmen Standish	90-02 63rd Drive #2K Queens, New York 11374	29
Lynn C. Schulman	104-40 Queens Blvd. Forest Hills, New York 11375	29
Sherban M. Standish	90-02 63rd Drive #2K	29

	Queens, New York 11374	
Carol F. Ramos-Romero	61-11 62nd Street Middle Village, New York 11379	30
Glenda Hicks	171-05 143rd Road Jamaica, New York 11434	31
Jannie L. Poullard	131-28 233rd Street Jamaica, New York 11422	31
Antoinette M. Quinones	94-30 Magnolia Court #3A Ozone Park , New York 11417	32
Angelina Agosto	38 Clay Street Brooklyn, New York 11222	33
Gerald A. Esposito	152 Conselyea Street Brooklyn, New York 11211	34
Susan J. Murrain	21 St. James Place #11J Brooklyn, New York 11205	35
Annell Hudson	374 Madison Street Brooklyn, New York 11221	36
Eunice Mateo	785 Marcy Avenue #3A Brooklyn, New York 11216	36
Quinton Waters	1462 Dean Street Brooklyn, New York 11213	36
Mary Vouzonis-Lauriello	93 Rapelye Street #6D Brooklyn, New York 11231	39
Perlese E. Steed	672 Empire Blvd #5A Brooklyn, New York 11213	41
Antowin T. Kenner	52 Malta Street #4 Brooklyn, New York 11207	42
Barbara Jean Barnes	1325 Pennsylvania Avenue #17B Brooklyn, New York 11239	42
Tara Chester	443 Amber Street #3 Brooklyn, New York 11208	42
Hui Z. Li	6719 10th Avenue #1 Brooklyn, New York 11219	43
Rita Smith	124 Bay 22nd Street	43

	Brooklyn, New York 11214	
Ronald Murphy	9110 Ridge Blvd. Brooklyn, New York 11209	43
Jeffrey C. Feldman	2650 Ocean Parkway #5G Brooklyn, New York 11235	47
Alexander Aufrichtig	45 Oceana Drive East #9E Brooklyn, New York 11235	48
Kristel Lynn Simmonds-Cobb	3845 Shore Parkway #2E Brooklyn, New York 11235	48
Joseph Nolasco	85 Decker Avenue Staten Island, New York 10302	49
Mason R. Logie, Jr.	20 Sylva Lane #20 Staten Island, New York 10305	49
Constance R. Raia	64 Draper Place Staten Island, New York 10314	50
Linda Westgate	1981 South Railroad Avenue Staten Island, New York 10306	50
Olga Golub	76 Slater Blvd, Floor 1 Staten Island, New York 10305	50
Elizabeth Talarico	691 Ionia Avenue Staten Island, New York 10312	51
Jessica Pena	488 Retford Avenue Staten Island, New York 10312	51
Michael D. Theodorakis	244 Woehrle Avenue Staten Island, New York 10312	51

On motion of the Speaker (Council Member Johnson), 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) Resolution approving various persons Commissioners of Deeds.**

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

**Affirmative** – Adams, Ampy-Samuel, Ayala, Borelli, Brannan, Chin, Cohen, Constantinides, Cornegy, Diaz, Dromm, Espinal, Eugene, Gjonaj, Grodenchik, Holden, Kallos, King, Koo, Koslowitz, Lancman, Lander, Levin, Levine, Louis, Menchaca, Miller, Moya, Powers, Reynoso, Richards, Rivera, Rodriguez, Rose, Salamanca, Torres, Treyger, Vallone, Yeger, the Minority Leader (Council Member Matteo), the Majority Leader (Council Member Cumbo), and The Speaker (Council Member Johnson) – **42**.

**The General Order vote recorded for this Charter Meeting was 42-0-0 as shown above.**

**INTRODUCTION AND READING OF BILLS**



## Int. No. 1841

By Council Members Borelli and Powers.

**A Local Law in relation to requiring the fire department to report on the department's fire alarm inspection unit**

*Be it enacted by the Council as follows:*

Section 1. a. Definitions. For the purpose of this section, the following terms have the following meanings:

Fire alarm inspection. The term "fire alarm inspection" means any inspection or re-inspection conducted by the department that is required for the approval of the installation, modification, or addition to a new or existing fire alarm system.

Fire alarm inspection unit. The term "fire alarm inspection unit" means any subdivision within the department primarily responsible for receiving and processing applications for fire alarm systems and conducting fire alarm inspections.

b. No later than July 30, 2021, and within 30 days after the beginning of the subsequent fiscal year, the department shall submit to the council and post on its website a report relating to fire alarm inspections for the prior fiscal year. All data pursuant this section shall be provided in a machine-readable format. Such report shall include but need not be limited to:

1. The number of department employees assigned to the department's fire alarm inspection unit, disaggregated by job title or function;
2. The number of fire alarm inspections that occurred, disaggregated by inspection type and borough;
3. The average time it takes the department to respond with a date for a fire alarm inspection upon receiving an application for such inspection, disaggregated by inspection type and borough;
4. Where the department requires additional documents upon receiving an application for a fire alarm inspection, the average time it takes the department to respond to an applicant requesting such documents, disaggregated by inspection type and borough; and
5. The average time it takes the department to respond to an applicant with a date for an alarm inspection where such applicant was required to submit additional documentation in relation to their initial request, disaggregated by inspection type and borough;
6. The average time elapsed between the receipt of an application requesting a fire alarm inspection by the department and the occurrence of such fire alarm inspection, disaggregated by inspection type and borough.

§ 2. This local law takes effect immediately after it becomes law.

Referred to the Committee on Fire and Emergency Management.

## Int. No. 1842

By Council Members Constantinides and Miller.

**A Local Law in relation to requiring the department of transportation to conduct borough-specific transit studies**

*Be it enacted by the Council as follows:*

Section 1. Borough transit studies. a. The commissioner shall conduct a transit study in each of the five boroughs. Such borough-specific transit studies shall:

1. Review the transit conditions of each neighborhood in such borough;
2. Identify areas of such borough in need of alternatives to existing transportation options; and

3. Include consultation from each community board within such borough and any relevant federal, state and local agencies and authorities, which may include, but need not be limited to, the New York city transit authority.

b. Report. One year after the enactment date of this local law, the commissioner shall submit to the mayor and the speaker of the council and shall publish on the department's website the findings of the transit study in each borough and recommendations for addressing any issues identified by such study.

§ 2. This local law takes effect 120 days after it becomes law and expires and is deemed repealed one year after the submission of the final report required by section one of this local law.

Referred to the Committee on Transportation.

Int. No. 1843

By Council Members Dromm, Powers and Levine.

**A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of correction to give incarcerated individuals the opportunity to express preferences with regards to programming and to report on programs offered**

*Be it enacted by the Council as follows:*

Section 1. Subdivision c of Section 9-139 of the administrative code of the city of New York is, as added by local law 91 for the year of 2015, is amended to read as follows:

c. [The department shall inform every inmate upon admission to the custody of the department, in writing, using plain and simple language, of available services relating to education, vocational development, drug and alcohol treatment and counseling, and mental health treatment and counseling services.] *Within a week of admission and at regular intervals no greater than three months, persons incarcerated shall be provided with a programming guide that lists all programs and services provided at their specific facility in plain and simple language. That programming guide shall include a comprehensive and accurate list of the programs and services provided, their times, description, registration instructions, and an easily accessible contact person who can be asked for further details. The programming guide at each institution shall be updated at least once every three months, and copies shall be readily available upon request by people detained at the facility.*

Section 2. Section 9-144 of the administrative code of the city of New York, as added by local law number 122 for the year 2016, is amended to read as follows:

a. The department shall evaluate [inmate programming] *programming for incarcerated individuals* each calendar year. For purposes of this section, ["inmate programming"] "*programming*" includes but is not limited to any structured services offered directly to [inmates] *incarcerated individuals* for the purposes of vocational training, counseling, cognitive behavioral therapy, addressing drug dependencies, or any similar purpose. No later than April 1 of each year, beginning in 2017, the department shall submit a summary of each evaluation to the mayor and the council, and post such summary to the department's website. This summary shall include factors determined by the department, including, but not be limited to, information related to the following [for each such program]:

[(i)] *1. the amount of funding received by each program;*

[(ii)] *2. estimated number and percentage of [inmates] incarcerated individuals served by each program;*

[(iii)] *3. a brief description of [the] each program including the estimated number of hours of programming offered and utilized [weekly], program length, goals, target populations, effectiveness, and outcome measurements, where applicable; [and]*

[(iv)] *4. successful completion and compliance rates, if applicable*

*5. The number of college credits or certificates conferred;*

*6. How many hours of programming incarcerated individuals received daily, disaggregated by facility, housing unit, and program; and*

*7. Where incarcerated individuals received less than five hours of total programming, the reason for not receiving that amount, including whether or not individuals refused, whether there was an interruption in*

*programming and the nature of the disruption, whether providers were unable to enter facilities; whether there was a lack of sufficient programming available, or another reason.*

*b. The department shall publish specific standards for when incarcerated persons will be denied the ability to attend programming.*

*c. The department shall ensure that all service-provider trainings are developed in collaboration with an outside organization focused on the welfare of incarcerated individuals. Each required provider training session shall include at least one formerly incarcerated person and one correctional officer delivering the training in real time.*

*§ 2. Chapter 1 of title 9 of the administrative code is amended by adding a new section 9-160 to read as follows:*

*§ 9-160 Program accessibility. a. The department shall establish and chair a program council consisting of sixteen members with terms of four years each. Six of the members shall be providers of programming, six shall be formerly incarcerated persons, two shall be appointed by the speaker, one shall be a representative of the board of correction, and one shall be a representative of the department of correction. The program council shall meet monthly to discuss needs and operations, and to establish guidelines and recommendations regarding the required provider training, the programming guide, and the evaluation of programming.*

*§ 4. This local law takes effect immediately.*

Referred to the Committee on Criminal Justice.

Int. No. 1844

By Council Member Menchaca.

**A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to repealing subdivision f of section 18 of such charter relating to the office of immigrant affairs reporting requirement, placing such reporting requirement in the administrative code of the city of New York, and expanding such reporting**

*Be it enacted by the Council as follows:*

Section 1. Subdivision f of section 18 of the New York city charter is REPEALED.

§2. Chapter 1 of title 3 of the administrative code of the city of New York is amended by adding a new subchapter 8 to read as follows:

**SUBCHAPTER 8  
OFFICE OF IMMIGRANT AFFAIRS**

*§ 3-180 Definitions. a. As used in this subchapter, the following terms have the following meanings:*

*Office. The term “office” means the office of immigrant affairs.*

*Director. The term “director” means the director of the office of immigrant affairs.*

*§3-181 Annual Report. a. No later than March 15, 2018, and each March 15 thereafter, the office shall provide to the speaker of the council and post on the office’s website a report regarding the city’s immigrant population and the activities of the office during the previous calendar year, including, but not limited to the following information, where such information is available:*

- 1. the size and composition of such population, including, but not limited to demographic information, socio-economic markers, and estimates of the immigration status held by members of such population, if any;*
- 2. information including, but not limited to, graphical representations of data regarding the needs of such population including, but not limited to, social services, legal services, public benefits, education, and workforce development needs:*

3. for each need identified in paragraph 2 of this subdivision, information regarding barriers faced by such population in accessing services and what actions the office has taken to address such barriers, including programmatic initiatives and initiatives that are conducted in partnership with other offices or agencies;

4. for each action identified in paragraph 3 of this subdivision, information and metrics, using industry standard metrics where available, that support the success or failure of such actions, including but not limited to:

(a) total program capacity, disaggregated by service type;

(b) number of intakes or program eligibility screenings conducted;

(c) number of individuals served, disaggregated by service type;

(d) number of matters handled, and aggregate data on the outcomes achieved, disaggregated by service type;

(e) metrics that measure the success or failure of a program during the duration of such program;

(f) metrics that measure the continued success or failure of a program over time through comparisons of year-to-year data; and

(g) with respect to legal services initiatives, number of cases accepted for legal advice and full representation, as well as the number of cases referred to other legal services providers, disaggregated by service and case type, and aggregate data on the outcomes achieved in cases accepted for full representation during the reporting window; and

5. recommendations based on the metrics described in paragraph 4 on how the office and the city could further address barriers identified in paragraph 3;

6. for relevant agencies, information regarding requests for law enforcement certifications required in order to apply for nonimmigrant status under subparagraphs (T) and (U) of paragraph (15) of subsection (a) of section 1101 of title 8 of the United States code, or successor statutes, including, but not limited to, number of requests for certification received, request processing times, number of certifications issued, number of certification requests denied and information as to why, and number of request appeals and outcomes, disaggregated by agency and calendar year;

7. the efforts of the office to monitor agency efficacy in conducting outreach and serving the immigrant population, including the efforts of the task force established pursuant to subdivision g of this section; and

8. the efforts of the director, or such other office or agency as designated by the mayor, in fulfilling the duties set forth in subdivision d of this section.

§ 3. This local law takes effect immediately.

Referred to the Committee on Immigration.

Int. No. 1845

By the Public Advocate (Mr. Williams) and Council Members Constantinides and Brannan.

**A Local Law to amend the administrative code of the city of New York, in relation to a sunset provision in legislation on filing semiannual reports on catch basin cleanups and maintenance**

*Be it enacted by the Council as follows:*

Section 1. Section 1 of local law number 48 of the year 2015 is amended to read as follows:

Section 1. Section 24-503 of the administrative code of the city of New York is amended by adding a new subdivision f to read as follows:

f. The commissioner of environmental protection shall submit [semiannual] *quarterly* reports to the mayor and the speaker of the council regarding the inspection, cleanup, maintenance and repair of catch basins, disaggregated by community district. [The first semiannual report shall cover the period from July 1, 2016,

through December 31, 2016.] Such reports shall include the number of catch basins inspected, the number of clogged or malfunctioning catch basins identified, the number of catch basins unclogged or repaired, whether the inspection was in response to a complaint and the response time for *the* resolution of any complaint. The commissioner of environmental protection shall also ensure that such catch basins are inspected, at a minimum, once every year, and are unclogged or repaired within nine days after an inspection or the receipt of a complaint about a clogged or malfunctioning catch basin. Catch basins not unclogged or repaired within [nine] *five* days after an inspection or the receipt of a complaint shall be identified in the [semiannual] *quarterly* report.

§2. Section 2 of local law number 48 of the year 2015 is amended to read as follows:

§2. This local law takes effect July 1, 2016, [and expires and is deemed repealed June 30, 2019,] except that the commissioner of environmental protection shall submit a report in accordance with subdivision f of section 24-503 of the administrative code of the city of New York, as added by section one of this local law, for the period from January 1, [2019], through June 30, [2019] *for each year from 2020 forward.*

§3. This local law shall take effect immediately, provided, however, that if this local law is enacted subsequent to June 30, 2019, it shall be deemed to have been in full force and effect on June 30, 2019.

Referred to the Committee on Environmental Protection.

Res. No. 1222

**Resolution calling upon the United States Congress to pass and the President to sign the Green New Deal for Public Housing Act.**

By Council Members Rivera, Torres, Gjonaj, Ampry-Samuel and Chin.

**Whereas**, The new estimate of 2019's global carbon emissions, conducted by Global Carbon Project, revealed that Fossil CO2 emissions are set to grow 0.6% to a record high of 37 billion metric tons; and

**Whereas**, According to New York City's (NYC) OneNYC 2050 report, by the 2050s, the City's average temperatures are expected to increase by up to 5.7 degrees Fahrenheit, and many more New Yorkers may die each summer from intense heat; and

**Whereas**, Additionally, within the same timeframe, sea levels are expected to rise by up to 30 inches and cause coastal flooding, which would impact nearly 1 million residents who will live in the expanded coastal floodplain; and

**Whereas**, According to a Data for Progress report, A Green New Deal for New York City Housing Authority (NYCHA) Communities, NYCHA currently uses 40%-50% more energy per square foot than the median NYC multi-family building, while providing unhealthy home environments that lack comfort and safety; and

**Whereas**, According to the abovementioned plan, NYCHA's backlog of \$31.8 billion in repairs is a result of decades of disinvestment in low-income communities of color; and

**Whereas**, In 2019, the City Council passed the Climate Mobilization Act requiring most large buildings to reduce their emissions by 40% by 2030 and 80% by 2050, however NYCHA buildings were exempt; and

**Whereas**, The Green New Deal for Public Housing Act, introduced by Senator Bernard Sanders and Representative Alexandria Ocasio-Cortez, aims to rehabilitate, upgrade and transition all public housing into carbon-free homes through education, training and jobs; and

**Whereas**, The benefits of A Green New Deal for NYCHA include investment in low-income and racialized communities and the creation of over 300 thousand jobs in the City over the course of ten years; and

**Whereas**, Additional benefits include improvements to safety, health, and comfort for NYCHA residents while ultimately reducing NYCHA's annual carbon emissions to zero by 2030; 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 Green New Deal for Public Housing Act.

Referred to the Committee on Public Housing.

Int. No. 1846

By Council Member Torres, Chin, Ayala, Lander and Koslowitz.

**A Local Law to amend the administrative code of the city of New York, in relation to the disclosure of gratuity policies for delivery workers**

*Be it enacted by the Council as follows:*

Section 1. Chapter 12 of title 20 of the administrative code of the city of New York is amended by adding a new subchapter 7 to read as follows:

*Subchapter 7  
Delivery Workers*

*§ 20-1271 Definitions. As used in this subchapter, the following terms have the following meanings:*

*Base wage. The term “base wage” means money paid, whether by the hour or otherwise, to a delivery worker by an employer in exchange for work performed, not including gratuities, bonuses, allowances, shift differentials or other monetary payments that may contribute to such worker’s total compensation.*

*Covered establishment. The term “covered establishment” means any food service establishment, retail store or other commercial business that offers, in a single commercial transaction over the internet, whether directly or through a third-party application, the sale and same-day delivery of goods to customers from one or more retail locations within the city.*

*Food service establishment. The term “food service establishment” means any establishment inspected pursuant to the restaurant grading program established pursuant to subdivision a of section 81.51 of the health code of the city of New York.*

*Goods. The term “goods” means any merchandise, product or ware offered for sale, including but not limited to food products, groceries, meals and non-food products.*

*Gratuity. The term “gratuity” means a sum of money, paid voluntarily by a customer, when or after ordering goods for delivery from a covered establishment, in addition to the price of such goods and other mandatory charges such as taxes and fees, where such voluntary sum is paid through a third-party application that allows the customer to choose the amount of the voluntary sum and that refers to the sum as a gratuity or tip, or by another, similar name that would suggest to a reasonable person that the sum, or a substantial portion thereof, would be received by the worker delivering the order in addition to the worker’s base wage.*

*Third-party application. The term “third-party application” means a person who provides a website, mobile application or other internet service that allows a customer to order goods from a covered establishment and arranges for the delivery of those goods to such customer.*

*§ 20-1272 Disclosure. a. Before or at the same time as a gratuity is solicited from a customer in connection with the purchase and delivery of a good from a covered establishment through a third-party application, such third-party application shall disclose the following information, in plain and simple language and in a conspicuous manner, to such customer about its policies and the policies of such covered establishment regarding gratuities for delivery workers in connection with the delivery of purchased goods:*

*1. The proportion or fixed amount of each gratuity that is distributed to the worker who delivered the goods purchased, including whether such gratuity is required to be shared with other workers;*

2. *How gratuities are distributed to delivery workers, whether immediately or otherwise, and in what form of payment, whether cash or otherwise; and*

3. *The amount of each gratuity that is used to compose each delivery worker's base wage.*

*b. Each covered establishment shall provide such disclosure to each third-party application through which such goods are being offered for delivery to customers to allow compliance with subdivision a.*

§ 20-1273 *Accuracy of representations; recordkeeping. a. No covered establishment or third-party application may misstate or misrepresent any information in the disclosure required by section 20-1272.*

*b. Such covered establishments and third-party applications shall maintain records demonstrating the provision of such disclosure to customers, and substantiating all the information therein, for three years from the date of each customer's transaction.*

§ 20-1274 *Penalties. Any person that violates any provision of this subchapter or any rule promulgated pursuant to this subchapter is liable for a civil penalty of not less than \$250 nor more than \$1,000 for each violation. A proceeding to recover any civil penalty authorized pursuant to this subchapter 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. For the purposes of this section, each calendar day during which a person is found to have violated this subchapter shall be considered a separate violation, even if such violation affects more than one customer.*

§ 2. This local law takes effect 180 days after it becomes law, except that the commissioner of consumer affairs 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 Consumer Affairs and Business Licensing.

Int. No. 1847

By Council Members Treyger, Rivera, Torres, Koslowitz, Brannan, Ayala and Richards.

**A Local Law to amend the New York city charter, in relation to individualized responses to violent hate crimes**

*Be it enacted by the Council as follows:*

Section 1. Section 20-g of the New York city charter, as amended by local law number 47 for the year 2019, is amended to read as follows:

§ 20-g. Office for the prevention of hate crimes. a. The mayor shall establish an office for the prevention of hate crimes. Such office may be established within any office of the mayor or as a separate office or within any other office of the mayor or within any department the head of which is appointed by the mayor. Such office shall be headed by a coordinator who shall be appointed by the mayor or the head of such department. For the purposes of this section only, "coordinator" shall mean the coordinator of the office for the prevention of hate crimes.

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

1. Advise and assist the mayor in planning and implementing [for] *the* coordination and cooperation among agencies under the jurisdiction of the mayor that are involved in *the following*: [prevention] *preventing hate crimes, raising awareness of hate crimes,* [investigation and prosecution] *investigating and prosecuting hate crimes,* and *addressing the impact of hate crimes* on communities [of hate crimes.];

2. Create and implement a coordinated system for the city's response to hate crimes. Such system shall, in conjunction with the New York city commission on human rights' bias response teams, the police department[,] and any relevant agency or office, coordinate responses to hate crime allegations. *Such system shall make provision for an individualized response to all alleged violent hate crimes;*

3. Review the budget requests of all agencies for programs related to hate crimes[,] and recommend to the mayor budget priorities among such[,] requests;

4. Prepare and submit to the mayor and the council and post on the city's website by January 30 of each year an annual report of the activities of the office *for the prevention of hate crimes*, [regarding] the prevalence of hate crimes during the previous calendar year and the availability of services to address the impact of these crimes. Such report shall include but need not be limited to the following information: (i) identification of areas or populations within the city that are particularly vulnerable to hate crimes, (ii) identification and assessment of the efficacy of counseling and resources for victims of hate crimes, [making] and recommendations for improvements of the same, (iii) collation of city, state and federal statistics on hate crime complaints and prosecutions within the city, including incidents by offense, bias motivation[,] and demographic characteristics such as age and gender of offenders, (iv) the populations [to which] the division of educational outreach [addressed] *engaged with*, (v) the types of programs created or provided by the division of educational outreach and the names of the providers of such programs[,] and (vi) any other outreach, education[,] and prevention efforts made by the division of educational outreach[.];

5. Study the effectiveness of, and make recommendations with respect to, the expansion of safety plans for neighborhoods and institutions that are particularly vulnerable to hate crimes[,] and the resources available for victims. This paragraph [shall] *does* not require the disclosure of material that would reveal non-routine investigative techniques or confidential information or [where] *when* disclosure could compromise the safety of the public or police officers or could otherwise compromise law enforcement investigations or operations[.];

6. Serve as liaison for the city with providers of victim services, community groups[,] and other relevant nongovernmental entities and assist in the coordination among such entities on reporting and responding to allegations of hate crimes[,] to ensure that [city residents] *affected persons* have access to relevant services after hate crime events[.];

7. *Provide relevant information to the affected community within 24 hours of a determination that a violent hate crime has occurred. Such information shall include how the administration is responding to the alleged violent hate crime and the resources currently available to affected persons. This paragraph does not require the disclosure of confidential information or any material that could compromise the safety of the public or police officers or could otherwise compromise law enforcement investigations or operations;*

8. *Within 24 hours of a determination that a violent hate crime has occurred, notify the mayor, speaker of the council, public advocate and council member of the district in which such violent hate crime occurred; and* [7.] 9. Perform other duties as the mayor may assign.

c. The coordinator shall establish a division of educational outreach. The division shall have the power and the duty to:

1. Ensure[, by such means as necessary, including coordination with relevant city agencies and interfaith organizations, community groups, and human rights and civil rights groups,] the provision of effective outreach and education on the impact and effects of hate crimes, including measures necessary to achieve greater tolerance and understanding, and including the use of law enforcement [where] *when* appropriate. *Such outreach and education shall include coordination between relevant city agencies and interfaith organizations, community groups and human rights and civil rights groups;*

2. Create a K-12 curriculum addressing issues related to hate crimes[,] in consultation with the department of education[.]; *and*

3. Perform other duties as the mayor may assign.

§ 2. This local law takes effect immediately.

Referred to the Committee on Public Safety.

Int. No. 1848

By Council Members Vallone and Koslowitz.

**A Local Law to amend the administrative code of the city of New York, in relation to parking at senior**



**centers**

*Be it enacted by the Council as follows:*

Section 1. Subchapter two of chapter one of title 19 of the administrative code of the city of New York is amended by adding a new section 19-162.3 to read as follows:

*§ 19-162.3 Permissible parking at senior centers. a. Definitions. For purposes of this section the following terms have the following meanings:*

*Access-a-ride. The term “access-a-ride” means the New York city paratransit public transportation service.*

*Handicap parking. The term “handicap parking” means reserved parking for persons with disabilities, including severe, permanent or temporary, and qualifying mobility impairment.*

*Loading zone. The term “loading zone” means an area of a street or parking lot indicating that spot is only to be used for the immediate loading or unloading of access-a-ride passengers.*

*Senior centers. The term “senior centers” means department for the aging contracted senior centers.*

*b. The department shall designate handicap parking and loading zones for customers of access-a-ride adjacent to every senior center.*

§ 2. This local law takes effect 120 days after it becomes law.

Referred to the Committee on Transportation.

L.U. No. 597

By Council Member Salamanca:

**Application No. 20205054 HIK (N 200195 HIK, DL 515/LP-2640) submitted by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter, for the historic landmark designation of the Somers Brothers Tinware Factory (later American Can Company), located at 238-246 3rd Street, 365-379 3rd Avenue, and 232-236 3rd Street (aka 361-363 3rd Avenue) (Block 980, p/o Lot 8), Borough of Brooklyn, Council District 39, Community District 6.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 598

By Council Member Salamanca:

**Application No. 20205055 HIK (N 200196 HIK, DL 515/LP-2639) submitted by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter, for the historic**

**landmark designation of the Brooklyn Rapid Transit Company Central Power Station Engine House, located at 153 Second Street (Block 967, p/o Lot 1), Borough of Brooklyn, Council District 39, Community District 6.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions

L.U. No. 599

By Council Member Salamanca:

**Application No. 20205056 HIK (N 200197 HIK, DL 515/LP-2641) submitted by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter, for the historic landmark designation of the Montauk Paint Manufacturing Company Building, located at 170 Second Avenue (Block 1025, Lot 49), Borough of Brooklyn, Council District 39, Community District 6.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 600

By Council Member Salamanca:

**Application No. 20205057 HIK (N 200198 HIK, DL 515/LP-2638) submitted by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter, for the historic landmark designation of the Gowanus Canal Flushing Tunnel Pumping Station and Gate House, located at 201 Douglass Street (Block 411, Lot 14), Borough of Brooklyn, Council District 33, Community District 6.**

Referred to the Committee on Land Use and the Subcommittee on Landmarks, Public Sitings and Dispositions.

L.U. No. 601

By Council Member Salamanca:

**Application No. 20205058 HIK (N 200199 HIK, DL 515/LP-2637) submitted by the Landmarks Preservation Commission pursuant to Section 3020 of the New York City Charter, for the historic landmark designation of the American Society for the Prevention of Cruelty to Animals Brooklyn**

**Office, Shelter, and Garage Building, located at 233 Butler Street (Block 405, p/o Lot 51), including a portion of the sidewalk in front of Lot 51, Borough of Brooklyn, Council District 33, Community District 6.**

Referred to 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, January 8, 2020**

*Charter Meeting*..... – **12:00 p.m.**

**Thursday, January 9, 2020**

Committee on Immigration

Carlos Menchaca, Chairperson

**Int 1636** - By Council Member Dromm - **A Local Law** to amend the New York city charter and the administrative code of the city of New York, in relation to establishing a department of immigrant affairs and to repeal section 18 of the New York city charter, relating to the office of immigrant affairs.

**Int 1835** - By Council Member Menchaca - **A Local Law** to amend the New York city charter and the administrative code of the city of New York, in relation to repealing subdivision g of section 18 of such charter relating to the interagency task force on immigrant affairs, placing such task force in the administrative code of the city of New York, and expanding such interagency task force.

**Int 1836** - By Council Members Moya and Louis - **A Local Law** to amend the New York city charter and the administrative code of the city of New York, in relation to replacing the term “alien” with “noncitizen,” and to repeal section 17-124 of the administrative code of the city of New York, relating to the quarantine of those with communicable diseases.

**Int 1844** - By Council Member Menchaca - **A Local Law** to amend the New York city charter and the administrative code of the city of New York, in relation to repealing subdivision f of section 18 of such charter relating to the office of immigrant affairs reporting requirement, placing such reporting requirement in the administrative code of the city of New York, and expanding such reporting.

Committee Room – City Hall.....1:00 p.m.

**Monday, January 13, 2020**

Committee on Housing and Buildings

Robert Cornegy, Jr., Chairperson

**Int 1757** - By Council Member Kallos - **A Local Law** to amend the administrative code of the city of New York, in relation to modifications to the department of housing preservation and development housing portal.

**Proposed Int 1783-A** - By Council Members Levine, Kallos, Cornegy, Rosenthal, Rivera, Rodriguez, Cohen, Chin and Yeger - **A Local Law** to amend the administrative code of the city of New York, in relation to excluding cooperatives from the housing portal.  
 Council Chambers – City Hall.....10:00 a.m.

[Committee on Oversight and Investigations](#) Ritchie Torres, Chairperson  
**Oversight** - Strengthening Whistleblower Protections.  
**Int 1770** - By Council Member Torres - **A Local Law** to amend the administrative code of the city of New York, in relation to whistleblower protections for individuals facing adverse personnel actions.  
 Committee Room – City Hall.....10:00 a.m.

**Tuesday, January 14, 2020**

[Committee on Youth Services](#) Deborah Rose, Chairperson  
**Oversight** - Afterschool Programming (COMPASS and SONYC).  
**Int 1100** - By Council Members Kallos, Treyger, Rose, Constantinides, Ampry-Samuel, Ayala, Chin, Cumbo and Brannan - **A Local Law** to amend the administrative code of the city of New York, in relation to a universal after school program plan.  
**Int 1113** - By Council Members Treyger, Kallos, Rose, Ampry-Samuel, Ayala and Chin - **A Local Law** to amend the administrative code of the city of New York, in relation to reporting on after school programs.  
 Council Chambers – City Hall.....10:00 a.m.

[Subcommittee on Zoning & Franchises](#) Francisco Moya, Chairperson  
**See Land Use Calendar**  
 Committee Room  
 City Hall.....10:00 a.m.

[Committee on Contracts](#) Ben Kallos, Chairperson  
**Oversight** - Local Food Procurement.  
 Committee Room – City Hall.....1:00 p.m.

[Subcommittee on Landmarks, Public Sitings and Dispositions](#) Adrienne Adams, Chairperson  
**See Land Use Calendar**  
 Committee Room – 250 Broadway, 16<sup>th</sup> Floor.....1:00 p.m.

**Wednesday, January 15, 2020**

[Committee on Public Housing](#) Alicka Ampry-Samuel, Chairperson  
**Oversight** - NYCHA’s Winter Preparedness  
 Committee Room – 250 Broadway, 14<sup>th</sup> Floor.....1:00 p.m.

[Committee on Technology](#) Robert Holden, Chairperson  
**Oversight** - Follow up on Local Law 49 of 2018 in Relation to Automated Decision Systems Used by Agencies.  
**Int 1447** - By The Speaker (Council Member Johnson) and Council Members Levine, Brannan and Holden - **A Local Law** to amend the New York city charter, in relation to an annual inventory of agency data  
**Int 1806** - By Council Member Koo - **A Local Law** to amend the administrative code of the city of New York, in relation to reporting on automated decision systems used by city agencies.  
 Committee Room – City Hall.....1:00 p.m.

Thursday, January 16, 2020

★ *Deferred*

~~Committee on Land Use~~ Rafael Salamanca, Jr., Chairperson

~~All items reported out of the Subcommittees~~

~~AND SUCH OTHER BUSINESS AS MAY BE NECESSARY~~

~~Committee Room – City Hall.....11:00 a.m.~~

★ *Deferred*

~~Committee on Fire and Emergency Management~~ Joseph Borelli, Chairperson

~~Oversight – EMS Attrition.~~

~~Int 1731 – By Council Members Miller, Cumbo, Adams, Chin, Rosenthal, Borelli, Rodriguez, Moya, Kallos, Koo, Ayala, Holden, Lander, Cabrera, Constantinides, Brannan and Powers – A Local Law to amend the administrative code, in relation to requiring the fire department to report annually on emergency medical services personnel resignations.~~

~~Res 1062 – By Council Members Miller, Cumbo, Adams, Chin, Rosenthal, Borelli, Rodriguez, Moya, Kallos, Koo, Ayala, Brannan, Holden, Ampry Samuel, Lander, Cabrera and Constantinides – Resolution calling for the salaries of New York City emergency medical service personnel to be comparable to New York City’s firefighters and police officers.~~

~~Council Chambers – City Hall.....1:00 p.m.~~

Tuesday, January 21, 2020

Committee on Governmental Operations Fernando Cabrera, Chairperson

**Proposed Int 991-C** - By Council Members Cabrera, Yeger, Holden and Louis - **A Local Law** to amend the administrative code of the city of New York, in relation to the office of administrative trials and hearings dismissing taxi and limousine commission-related violations pertaining to vehicle lights upon proof of correction.

Committee Room – 250 Broadway, 14<sup>th</sup> Floor.....10:00 a.m.

Committee on Hospitals Carlina Rivera, Chairperson

**Oversight** - Prenatal Care in NYC Hospitals.

Council Chambers – City Hall.....10:00 a.m.

Committee on Governmental Operations jointly with the Fernando Cabrera, Chairperson  
Committee on Technology Robert Holden, Chairperson

**Oversight** – 311.

**Proposed Int 1420-B** - By Council Members Matteo and Holden - **A Local Law** in relation to requiring a study and report on unsubstantiated 311 complaints.

**Proposed Int 1525-A** - By Council Members Koo and Cabrera - **A Local Law** to amend the administrative code of the city of New York, in relation to conducting 311 customer satisfaction surveys in designated citywide languages.

**Int 1830** - By Council Member Ayala - **A Local Law** to amend the administrative code of the city of New York, in relation to publication of 311 service level agreements.

**Proposed Int 1832-A** - By Council Members Cabrera, Louis, Brannan and Kallos - **A Local Law** to amend the administrative code of the city of New York, in relation to requiring 311 to notify each agency when a request for service or complaint has not been closed within the number of days specified by such agency’s service level agreement.

Committee Room – 250 Broadway, 14<sup>th</sup> Floor.....10:30 a.m.

[Committee on General Welfare](#) jointly with the  
[Committee on Public Safety](#)  
Oversight - NYPD Subway Diversion Program.  
Committee Room – City Hall.....1:00 p.m.

Stephen Levin, Chairperson  
Donovan Richards, Jr., Chairperson

[Committee on Veterans](#).....Chaim M. Deutsch, Chairperson  
**Oversight** - The Future of DVS.  
Committee Room – 250 Broadway, 16<sup>th</sup> Floor.....1:00 p.m.

**Wednesday, January 22, 2020**

[Committee on Civil & Human Rights](#).....Mathieu Eugene, Chairperson  
**Proposed Int 1314-A** - By the Public Advocate (Mr. Williams) and Council Members Adams and Lancman (by request of the Mayor) - **A Local Law** to amend the administrative code of the city of New York, in relation to prohibiting discrimination based on one’s arrest record, pending criminal accusations or criminal convictions.  
Committee Room – City Hall.....10:00 a.m.

**Thursday, January 23, 2020**

[Stated Council Meeting](#).....*Ceremonial Tributes – 1:00 p.m.*  
.....*Agenda – 1:30 p.m.*

During the Communication from the Speaker segment of the Meeting, the Speaker (Council Member Johnson) acknowledged that Julie Kim, Executive Director of the Women’s Caucus, was leaving the Council to become the Queens Borough Director for the U.S. Census. Ms. Kim had become the Caucus’s first Executive Director in 2018. The Speaker (Council Member Johnson) praised her work with Women’s co-chairs Council Members Rivera and Chin in helping to lead the city on gender equity. He wished her the best in all her endeavors as those assembled in the Chambers applauded.

During the Communication from the Speaker segment of the Meeting, the Speaker (Council Member Johnson) acknowledged the devastating December 28, 2019 earthquake and aftershocks that struck Puerto Rico. The Island remained in an official state of emergency. He urged that Puerto Rico receives the Federal resources needed to make the necessary repairs and urged the City of New York to help secure such funding. He also noted that Council Member Salamanca and other council members had sent a letter to the Mayor asking the city to help the Island during this difficult time. On behalf of the Council, the Speaker (Council Member Johnson) offered his thoughts with the people of Puerto Rico.

Whereupon on motion of the Speaker (Council Member Johnson), the Majority Leader and Acting President Pro Tempore (Council Member Cumbo) adjourned these proceedings to meet again for the Stated Meeting on Thursday, January 23, 2020.

MICHAEL M. McSWEENEY, City Clerk  
Clerk of the Council

*Editor's Local Law Note: Int. Nos. 314-A, 596-B, 927-A, 932-A, 942-A, 1393-A, 1394-A, 1395-A, 1422-A, and 1661-A, all adopted at the November 26, 2019 Stated Meeting, were returned unsigned by the Mayor on January 2, 2020. These items had become law on December 27, 2019 due to the lack of Mayoral action within the Charter-prescribed thirty day time period. These bills were assigned subsequently as Local Laws Nos. 1 to 10 of 2020, respectively,*

